



State of Ohio Environmental Protection Agency

Street Address:

Lazarus Gov. Center
122 S. Front Street
Columbus, OH 43215

TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

**RE: FINAL PERMIT TO INSTALL
MAHONING COUNTY
Application No: 02-14494**

CERTIFIED MAIL

	TOXIC REVIEW
	PSD
	SYNTHETIC MINOR
	CEMS
	MACT
	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

DATE: 7/10/2001

Everclear
Ahsen Yelkin
3700 Oakwood Ave
Austintown, OH 44515

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, I urge you to read it carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager
Field Operations and Permit Section
Division of Air Pollution Control

cc: USEPA

NEDO



FINAL PERMIT TO INSTALL 02-14494

Application Number: 02-14494

APS Premise Number: 0250000965

Permit Fee: **\$400**

Name of Facility: Everclear

Person to Contact: Ahsen Yelkin

Address: 3700 Oakwood Ave
Austintown, OH 44515

Location of proposed air contaminant source(s) [emissions unit(s)]:

**3700 Oakwood Ave
Austintown, Ohio**

Description of proposed emissions unit(s):

Hot oil heater and oil filtering system.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(s) pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may

be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit to Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within thirty (30) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and

conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

**SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS**

<u>Pollutant</u>	<u>Tons Per Year</u>
NOx	25.03 tpy
CO	6.26 tpy
PE	8.76 tpy
SO2	56.31 tpy
OC	0.32 tpy
HCL	8.76 tpy

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Facility ID: 0250000965

Emissions Unit ID: B001

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
Waste oil fired furnace with scrubber	OAC rule 3745-31-05 (A)(3)	NOx: 5.72 pounds per hour and 25.03 tons per year. CO: 1.43 pounds per hour and 6.26 tons per year. PE: 2.0 pounds per hour and 8.76 tons per year. SO2: 12.86 pounds per hour and 56.31 tons per year. OC: 0.07 pound per hour and 0.32 ton per year. HCL: 2.0 pounds per hour and 8.76 tons per year.
	OAC rule 3745-17-07 (A)(1)	Visible PE from the stack shall not exceed twenty-percent opacity, as a six-minute average, except as provided by the rule.
	OAC rule 3745-18-06	Less stringent than the limit from OAC rule 3745-31-05.

2. **Additional Terms and Conditions**

- 2.a All oil burned in this emissions unit shall meet the following specifications:

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<u>Contaminant/Property</u>	<u>Allowable Specifications</u>
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	100 ppm, maximum
PCB's	5 ppm, maximum
total halogens	4000 ppm maximum
mercury	1 ppm, maximum
flash point	100°F, minimum
heat content	140,000 Btu/gallon, minimum

- 2.b** Off-spec waste oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR Part 266.40(c) and OAC rule 3745-58-50. Therefore, the permittee may receive and burn used oil exceeding 1000 ppm of total halogens (but less than 4000 ppm, maximum) only if the supplier [“marketer” in 40 Part CFR 266.43(a)] has demonstrated to the Ohio EPA’s Division of Solid and Hazardous Waste Management that the used oil does not contain any hazardous waste.

B. Operational Restrictions

1. The permittee shall burn waste oil with a maximum sulfur content of 0.3 % , by weight.
2. The permittee shall burn waste oil with a minimum heat content of 140,000 Btu/gallon.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall record the daily operating hours of this emissions unit.
2. The permittee shall maintain daily records of quantity of waste oil burned in this emissions unit.
3. The permittee shall maintain monthly records of sulfur content analysis of the waste oil burned in this emissions unit.
4. The permittee shall maintain monthly heat content records of the waste oil burned in this emissions unit.

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5. The permittee shall collect a representative grab sample for each shipment of oil that is received for burning in this emissions unit. The permittee shall perform the analysis for sulfur content and heat content in accordance with the following ASTM methods: ASTM method D4294, ASTM method D240, or ASTM method 6010 for sulfur content; and ASTM method D240 for heat content. Alternative, equivalent methods may be used upon written approval by the appropriate Ohio EPA District Office or local air agency.
6. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the scrubber unit while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the baghouse on daily basis. Until a pressure drop is established during compliance testing manufacturer's recommendation of pressure drop shall be acceptable.
7. The permittee shall maintain chemical analysis of the waste oil being burned in this emissions unit. The identification and chemical analysis of any waste oil burned in this emissions unit shall include at a minimum the following information:
 - a. quantity of waste oil burned,
 - b. the Btu value of the waste oil,
 - c. the flash point of the waste oil,
 - d. the arsenic content,
 - e. the cadmium content,
 - f. the chromium content,
 - g. the lead content,
 - h. the PCB content,
 - i. the total halogen content, and
 - j. the mercury content.

Each analysis shall be kept in a readily accessible location for at least 5 years and shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon verbal or written request. The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory of any off-spec waste oil shipment received by this facility, of any off-spec waste oil stored at this facility, or of any off-spec waste oil sampled at the furnace.

D. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports which identify all exceedances of the above-mentioned allowable scrubber pressure drop range.
2. The permittee shall submit deviation (excursion) reports which identify all exceedances of the allowable sulfur content (percent).
3. The permittee shall submit deviation (excursion) reports which identify all periods during which waste oil was burned in this emissions unit with a heat content of less than 140,000 Btu/gallon.

4. The permittee shall submit, on a quarterly basis, copies of the permittee's monthly analyses of waste oil which is burned in this emissions unit. The permittee's analysis shall document the sulfur content (percent) and heat content (Btu/gallon) for each shipment of oil. The following information shall also be included with the copies of the permittee's analyses:
 - a. the total daily quantity of oil burned in this emissions unit (gallons);
 - b. the weighted* average sulfur dioxide emission rate (pounds/mmBtu) for the oil received during the calendar month; and,
 - c. the weighted* average heat content (Btu/gallon) of the oil received during the calendar month.

*In proportion to the quantity of oil received in each shipment during the calendar month. These quarterly reports shall be submitted by February 15, May 15, August 15, and November 15 of each year and shall cover the oil shipments received during the previous calendar quarters.

5. The permittee shall notify the USEPA and the Ohio EPA immediately, if any of the waste oil exceeds the off-spec waste oil specifications.

E. Testing Requirements

1. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
 - a. The emission testing shall be conducted within 3 months after startup of this emissions unit.
 - b. The emission testing shall be conducted to demonstrate compliance with the allowable mass emission rates for NO_x, CO, PE, SO₂, OC, and HCL.
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s):

NO _x	-	Method 7 or 7E of 40 CFR Part 60, Appendix A
CO	-	Method 10 of 40 CFR Part 60, Appendix A
PE	-	Method 5 of 40 CFR Part 60, Appendix A
SO ₂	-	Method 6A of 40 CFR Part 60, Appendix A
OC	-	Method 18, 25, or 25A of 40 CFR Part 60, Appendix A
HCL	-	Method 26 of 40 CFR Part 60, Appendix A
 - d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

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Emissions Unit ID: B001

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).

Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

2. Emissions Limitation:
NOx: 5.72 pounds per hour

Applicable Compliance Method:

Compliance with the hourly NOx emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 7 or 7E and the procedures in OAC rule 3745-17-03.

3. Emissions Limitation:
NOx: 25.03 tons per year

Applicable Compliance Method:

See E.3.

4. Emissions Limitation:
CO: 1.43 pounds per hour

Applicable Compliance Method:

Compliance with the hourly CO emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 10 and the procedures in OAC rule 3745-17-03.

5. Emissions Limitation:
CO: 6.26 tons per year

Applicable Compliance Method:

See E.4.

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6. Emissions Limitation:
PE: 2.0 pounds per hour

Applicable Compliance Method:

Compliance with the hourly PE emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Methods 1-5 and the procedures in OAC rule 3745-17-03.

7. Emissions Limitation:
PE: 8.76 tons per year

Applicable Compliance Method:

See E.6.

8. Emissions Limitation:
SO₂: 12.86 pounds per hour

Applicable Compliance Method:

Compliance with the hourly SO₂ emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 6A and the procedures in OAC rule 3745-17-03.

9. Emissions Limitation:
SO₂: 56.31 tons per year

Applicable Compliance Method:

See E.8.

10. Emissions Limitation:
OC: 0.07 pound per hour

Applicable Compliance Method:

Compliance with the hourly OC emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 18, 25, or 25A and the procedures in OAC rule 3745-17-03.

11. Emissions Limitation:
OC: 0.32 ton per year

Applicable Compliance Method:

See E.10.

12. Emissions Limitation:
HCL: 2.0 pound per hour

Applicable Compliance Method:

Compliance with the hourly HCL emission rate shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 26 and the procedures in OAC rule 3745-17-03.

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Facility ID: 0250000965

Emissions Unit ID: B001

13. Emissions Limitation:
HCL: 8.76 ton per year

Applicable Compliance Method:
See E.12.

14. Emissions Limitation:
Twenty-percent opacity, as a six-minute average, except as provided by the rule.

Applicable Compliance Method:
Compliance with the allowable visible emission limitations shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 and the procedures in OAC rule 3745-17-03.

F. Miscellaneous Requirements

1. Modeling to demonstrate compliance with the Ohio EPA's "Air Toxic Policy" was not necessary because the emissions unit's maximum annual emissions for each toxic compound will be less than 1.0 ton. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any pollutant that has a listed TLV to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new permit to install.