



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
TRUMBULL COUNTY
Application No: 02-16553**

CERTIFIED MAIL

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

DATE: 7/11/2002

Lordstown Construction Recovery LLC
Tim Page
6205 Newton Falls Bailey Rd
Warren, OH 44481

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



**Permit To Install
Terms and Conditions**

**Issue Date: 7/11/2002
Effective Date: 7/11/2002**

FINAL PERMIT TO INSTALL 02-16553

Application Number: 02-16553
APS Premise Number: 0278000777
Permit Fee: **\$400**
Name of Facility: Lordstown Construction Recovery LLC
Person to Contact: Tim Page
Address: 6205 Newton Falls Bailey Rd
Warren, OH 44481

Location of proposed air contaminant source(s) [emissions unit(s)]:
**6205 Newton-Falls Bailry Rd
Lordstown, Ohio**

Description of proposed emissions unit(s):
Unpaved roadways and material handling.

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>
PE	50

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>
F001 - Unpaved roadways and parking areas (see Section A.2.b)	OAC rule 3745-31-05(A)(3)	Opacity shall not exceed 20%, measured as described in the test method (see Section E.1) Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.d through A.2.g)
	OAC rule 3745-17-08	Particulate emissions shall not exceed 25 tons per year.
	OAC rule 3745-17-07(B)(4)	The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3). The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

- 2.a All unpaved roadways and parking areas at the facility are covered by this permit and subject to the above-mentioned requirements.
- 2.b The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved roadways and parking areas with water via a spray truck at

sufficient treatment frequencies and to limit all vehicles to a speed of 10 miles per hour to ensure compliance. If watering and speed reduction are not sufficient to control emissions, Ohio EPA may require additional fugitive dust control measures. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c** The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for an unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- 2.d** Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas.
- 2.e** The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 2.f** Open-bodied vehicles transporting materials likely to become airborne shall have such materials closed, covered, or tarped at all times while on the premises.
- 2.g** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.

B. Operational Restrictions

- 1. Used oil as defined by OAC rule 3745-279-01(A)(12) shall not be used as a dust suppressant.
- 2. In accordance with the PTI application, the permittee shall have posted speed limit signs identifying 10 miles per hour as the maximum on-site speed limit.

C. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of all of the roadways and parking areas at the facility on a daily basis.
- 2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed

due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended.

3. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in 4.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Emissions Limitation: shall not exceed 20% opacity.

Compliance with the emissions limitation for all of the unpaved roadways and parking areas at the facility shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03, with the following modifications:

1. A data set shall consist of twelve observations based on four uninterrupted vehicle passes, three observations per vehicle pass, using Test Method 9. The initial observation shall be taken immediately after passage of the first vehicle, at the point of highest opacity within the fugitive dust, and at four feet above the surface of the roadway or parking area. Two additional observations shall be taken at the same point as the initial observation and at five seconds and ten seconds after the initial reading. The same procedure shall be conducted for the next three vehicle passes. If any interruption in observations during any vehicle pass occurs, the observation(s) taken during that vehicle pass shall be discarded and the next vehicle pass shall be observed. For vehicle traffic on top of any material storage pile, the observer may observe passes of the same vehicle or vehicles, at identical or different points atop the pile, in order to obtain readings for four vehicle passes.
 2. The data reduction and average opacity calculation shall be based upon the average of twelve observations in each data set.
2. Emission Limitation: 25 tons per year (TPY) of particulate emissions (PE).

Applicable Compliance Method: Compliance shall be determined based on the one-time calculation using the AP-42 Chapter 13.2.2 (9/98) equation below:

$$PE = k \cdot (s/12)^a \cdot (MVW/3)^b / (M/0.2)^c \cdot (S/30) \cdot ((365-W)/365) \cdot (1-CE) \cdot VMT$$

where:

PE is the particulate emissions in tons per year

k is a unitless AP-42 constant, 10

s is the silt load, estimated to be 6.4%

a is a unitless AP-42 constant, 0.8

MVW is the mean vehicle weight, estimated to be 20 tons

b is a unitless AP-42 constant, 0.5

M is the dry material moisture content, using the AP-42 default value of 0.2

c is a unitless AP-42 constant, 0.4

S is the maximum onsite speed limit, 10 MPH

W is the number of days with greater than 0.01 inches of precipitation, 157.8

CE is the control efficiency for applying water as needed, 85%

VMT is the maximum onsite vehicle miles traveled, which is determined using the equation below:

$$VMT = 2 \text{ miles} \cdot \text{Matlin} / MVW$$

where:

2 miles is the facility round trip mileage per vehicle

Matlin is the material brought onsite annually, given in the application as 1,115,000 tons

MVW is the mean vehicle weight, estimated to be 20 tons

Lordstown Construction Recovery LLC

PTI Application: 02-16553

Issued: 7/11/2002

Facility ID: 0278000777

Emissions Unit ID: F001

F. Miscellaneous Requirements

None

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>
F002 - Construction and demolition debris (C&DD) landfill operations, to include material handling, wind erosion, and cover material storage pile maintenance, load-in and load-out.	OAC rule 3745-31-05(A)(3)	No visible particulate emissions except for 3 minutes during any 60-minute period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. (See sections A.2.a through A.2.f.) Particulate emissions shall not exceed 25 tons per year. The requirements of this rule also include compliance with the requirements of OAC rule 3745-20-06(B) and 40 CFR 61 subpart M.
	OAC rule 3745-17-07(B)(1)	The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-17-08(B)	The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-20-06(B)	See sections A.2. and B. below.
	40 CFR 61 subpart M	See sections A.2. and B. below.

2. Additional Terms and Conditions

- 2.a** The entire landfill area is covered by this permit and subject to the requirements of OAC 3745-31-05(A)(3).
- 2.b** All vehicles hauling materials likely to become airborne shall be closed, covered or tarped coming to or leaving the facility in order to minimize visible emissions of fugitive dust and to eliminate load loss.
- 2.c** This facility shall ensure that C&DD materials are deposited, spread, and compacted in such a manner as to prevent visible emissions of fugitive dust.
- 2.d** When depositing C&DD materials, the facility shall implement the following procedures:

 - i. Any loads which appear to contain dusty C&DD material shall be watered prior to depositing the load;
 - ii. No dusty C&DD material shall be deposited during periods of high wind speed unless it has been treated to prevent it from becoming airborne;
 - iii. This facility shall ensure that all truckloads of C&DD material are unloaded in a manner which will minimize the drop height of the C&DD material and be deposited as near to the point of final placement as possible; and
 - iv. During the dumping of any load of C&DD materials, in which dusty materials become airborne, the C&DD materials shall be watered as necessary.
- 2.e** During handling and stockpiling of the C&DD and cover materials, the facility shall implement the following procedures:

 - i. Any dusty material to be stored prior to disposal, shall be watered, as necessary, or have a temporary soil cover. All exposed C&DD material shall be covered with cover material by the end of each week's operation. To minimize handling of the C&DD material, spreading and compacting shall occur in one operation; and
 - ii. The facility shall minimize the handling and stockpiling of cover material. Unvegetated cover material and soil in the waste disposal area must be periodically wetted with water and shall be handled to minimize or eliminate visible particulate emissions of fugitive dust. The frequency and amounts of this watering shall depend on weather conditions, cover material conditions and soil conditions.

B. Operational Restrictions

1. The following asbestos requirements are to be met:
 - a. The facility shall not accept for disposal any NESHAP Regulated Asbestos Containing Material (RACM) as defined in the NESHAP Regulation for Asbestos, 40 CFR Part 61, Subpart M, Section 141 amended November 20, 1990 or any subsequent revisions or as defined in any Environmental Protection Agency Interpretive Rules concerning the NESHAP Regulation for Asbestos. This includes: (a) Friable asbestos material, (b) Category I nonfriable asbestos containing material that has become friable, (c) Category I nonfriable asbestos containing material that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable asbestos containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.
 - b. This facility shall ensure that any asbestos containing materials shall not become friable while at the landfill. If any asbestos material arrives at or becomes friable at the landfill, this facility shall adequately wet or encapsulate it if necessary to prevent visible emissions, and shall cover it with at least six (6) inches of non asbestos containing material before the end of the operating day.
 - c. All terms stated in Additional Terms and Conditions B.1. are defined in the NESHAP regulation for Asbestos, 40 CFR Part 61, Subpart M, Section 141 amended November 20, 1990 or any subsequent revisions or in any Environmental Protection Agency Interpretive ruling concerning the NESHAP for Asbestos.
3. This facility shall be limited to accepting for disposal only C&DD material as defined in Ohio Revised Code 3714.01(C).

C. Monitoring and/or Recordkeeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each active C&DD landfill cell on a daily basis.
2. Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from each active C&DD landfill cell surface on a daily basis and each closed C&DD landfill cell surface on a weekly basis.
4. No inspection shall be necessary for wind erosion from the surface of a C&DD landfill cell when the cell is covered with snow and/or ice and for any landfill cell activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-mentioned events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

4. The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in of a C&DD landfill cell, and wind erosion from the surface of a C&DD landfill cell. The inspections shall be performed during representative, normal landfill operating conditions.
5. The permittee may, upon receipt of written approval from the Northeast District Office of Ohio EPA, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
6. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from landfill surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

The information required in 6.d. shall be kept separately for (i) the load-in operation, and (ii) the landfill surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

7. The permittee shall record the amount of C&DD waste deposited on a daily, monthly, and annual basis. This record shall detail the volume in yards or tons.
8. The permittee shall maintain records demonstrating no regulated asbestos containing material was deposited in the landfill.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation;

- b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented; and
 - c. each instance in which regulated asbestos containing material was deposited in the landfill.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit

E. Testing Requirements

1. Emissions Limit: no visible particulate emissions except for 3 minutes during any 60-minute period.

Compliance with the visible emission limitations for the landfill surfaces identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

2. Emissions Limit:
25 tons of particulate emissions per year.

Applicable Compliance Method:

Compliance shall be based on the following equations outlined in AP-42 Chapters as specified:

total particulate emissions, tpy = matl handling + excavating + wind erosion

where:

$$\text{matl handling} = (3 \cdot \text{rail} + 1 \cdot \text{truck} + 3 \cdot \text{cover}) \cdot 0.0032 \cdot k \cdot (U/5)^{1.3} / (M/2)^{1.4} / 2000$$

where:

matl handling equation comes from AP-42 Chapter 13.2.4

rail, truck, cover is the quantity, in tons of each material brought on-site annually, 700,000, 350,000, and 65,000 tons per year respectively. If records to comply with term C.7 above are in cubic yards, tons shall be calculated using a 2 cubic yard per ton conversion

k is a provided constant (0.74)

U is the mean wind speed (10)

M is the material moisture content (default value = 2)

$$\text{excavating} = 1.2 \text{ tons/acre/month} \cdot 1 \text{ acre} \cdot 12 \text{ months/yr}$$

where:

excavating equation comes from AP-42 Chapter 13.2.3

1 acre is a default value of maximum land being disturbed at any time

$$\text{wind erosion} = 1.7 * (s/1.5) * ((365 - W)/235) * (f/15)$$

where:

wind erosion equation comes from U.S. EPA's "Control of Open Fugitive Sources", 1988, pg. 4-17, eqn 4-9

s is the silt content as a percent, estimated to be 6.4%

W is the number of days where precipitation exceeded 0.01 inches, 157.8

f is the percent of time wind speeds exceed 12 miles per hour, 22.5%

0.55 is a conversion factor resulting in tons per year

F. Miscellaneous Requirements

1. Pursuant to the authority in OAC 3745-77-07(C)(2) or ORC Section 3704.03(L), any representative of the director may, upon presentation of proper identification, enter at any reasonable time upon any portion of the property where this landfill is located, including any improvements thereon, to make inspections, take samples, conduct tests and examine records or reports pertaining to any emissions of air contaminants and any monitoring equipment, emissions control equipment, or methods. No operator or agent of this landfill shall act in any manner to refuse, hinder, or thwart this legal right of entry.
2. This permit to install shall not be interpreted to release the owner/operator from responsibility under ORC Chapters 3704, 3714, 3734, or 6111, the Federal Clean Water Act, Resource Conservation and Recovery Act, Toxic Substances Control Act or Comprehensive Environmental Response, Compensation and Liability Act, or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.