



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  
RICHLAND COUNTY  
Application No: 03-16066  
Fac ID: 0370000134**

**DATE: 8/26/2004**

Noble Road Landfill  
Richard Kostelnick  
170 Noble Road East  
Shiloh, OH 44878

**CERTIFIED MAIL**

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

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  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Manager  
Permit Issuance and Data Management Section  
Division of Air Pollution Control

cc: USEPA

NWDO



Permit To Install  
Terms and Conditions

Issue Date: 8/26/2004  
Effective Date: 8/26/2004

**FINAL PERMIT TO INSTALL 03-16066**

Application Number: 03-16066  
Facility ID: 0370000134  
Permit Fee: **\$400**  
Name of Facility: Noble Road Landfill  
Person to Contact: Richard Kostelnick  
Address: 170 Noble Road East  
Shiloh, OH 44878

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**170 Noble Road East**  
**Shiloh, Ohio**

Description of proposed emissions unit(s):  
**Administrative modification to paved and unpaved roadways and parking areas.**

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. State and Federally Enforceable Permit To Install General Terms and Conditions

#### 1. Monitoring and Related Recordkeeping and Reporting Requirements

- a. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
  - i. The date, place (as defined in the permit), and time of sampling or measurements.
  - ii. The date(s) analyses were performed.
  - iii. The company or entity that performed the analyses.
  - iv. The analytical techniques or methods used.
  - v. The results of such analyses.
  - vi. The operating conditions existing at the time of sampling or measurement.
- b. 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.
- c. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
  - i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
  - ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the appropriate Ohio EPA District Office or local air agency. The written 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. See B.9 below if no deviations occurred during the quarter.

- iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted to the appropriate Ohio EPA District Office or local air agency every six months, i.e., by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
- iv. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

## **2. 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, i.e., upset, 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. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

## **3. Risk Management Plans**

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

## **4. Title IV Provisions**

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

## **5. Severability Clause**

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

## **6. General Requirements**

- a. The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.
- b. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.
- c. This permit may be modified, reopened, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d. This permit does not convey any property rights of any sort, or any exclusive privilege.
- e. 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 request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

## **7. 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.

## **8. Federal and State Enforceability**

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

## **9. Compliance Requirements**

- a. Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

- b. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
  - i. At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
  - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
  - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
  - iv. As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- c. The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually, or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
  - i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
  - ii. An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

## 10. Permit To Operate Application

- a. If the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77, the permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).
- b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this Permit To Install is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. 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 ninety (90) days after commencing operation of the source(s) covered by this permit.

**11. 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.

**12. 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.

**B. State Only Enforceable 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**

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping of state-only enforceable 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 state-only required 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. 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.

**4. 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.

**5. 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.

**6. 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.

**7. 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).

**8. Construction Compliance Certification**

If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) 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.

**9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)**

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.

**C. 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>
<b>Fugitive P E</b>	<b>103.94</b>
<b>NMOC</b>	<b>71.65</b>
<b>Methane</b>	<b>8638.3</b>

**Part II - FACILITY SPECIFIC TERMS AND CONDITIONS**

**A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions**

None

**B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions**

None

**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. State and Federally Enforceable Section**

**I. 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 - paved and unpaved roadways and parking areas (modification to PTI #03-13906, issued 2/13/03, to establish a new PE emission limitation)	OAC rule 3745-31-05 (A)(3)	48.84 tons fugitive particulate emissions (PE)/yr
paved roadways and parking areas (See A.I.2.a.)	OAC rule 3745-31-05 (A)(3)	There shall be no visible PE except for one minute during any 60-minute period.  best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (See A.I.2.c, and A.I.2.e through A.I.2.i.)
unpaved roadways and parking areas (See A.I.2.b.)	OAC rule 3745-17-07 (B)	See A.I.2.j.
	OAC rule 3745-17-08 (A)	See A.I.2.k.
	OAC rule 3745-31-05 (A)(3)	There shall be no visible PE 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 A.I.2.d through A.I.2.i.)
	OAC rule 3745-17-07 (B)	See A.I.2.j.
	OAC rule 374517-08 (A)	See A.I.2.k.

**2. Additional Terms and Conditions**

- 2.a** The paved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

paved roadways:

all paved roadway segments

paved parking areas:

all paved parking areas

- 2.b** The unpaved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

unpaved roadways:

all unpaved roadway segments

unpaved parking areas:

all unpaved parking areas

- 2.c** The permittee shall employ best available control measures on all paved 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 paved roadways and parking areas with a water truck and mechanical sweeper at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.d** 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 by watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.e** 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 a paved or 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.f** Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved surfaces. 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.

Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas.

- 2.g 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.h Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
- 2.i 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.
- 2.j This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07 (B) pursuant to OAC rule 3745-17-07 (B)(11)(e).
- 2.k The permittee is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08 (A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08 (B).

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of the roadways and parking areas in accordance with the following frequencies:

<u>paved roadways and parking areas</u>	<u>minimum inspection frequency</u>
all paved roadways/parking areas	twice daily (and not less than 4 hours apart) during operation

<u>unpaved roadways and parking areas</u>	<u>minimum inspection frequency</u>
all unpaved roadways/parking areas	twice daily (and not less than 4 hours apart) during operation

- 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, except if the next required inspection is within one week.

3. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, 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.
4. 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 kept separately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

#### **IV. Reporting Requirements**

1. The permittee shall submit deviation reports, in accordance with the General Terms and Conditions of this permit, 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.

#### **V. Testing Requirements**

1. Compliance with the emission limitations specified in A.I.1 of these terms and conditions shall be determined in accordance with the following methods:
  - a. Emission Limitation:  
48.84 tons fugitive PE/year

Applicable Compliance Method:

The emission limitation was established by summing the total, uncontrolled emissions from paved and unpaved roadways and parking areas and applying a 95% control efficiency for use of best available control measures.

The permittee may demonstrate compliance as follows:

- i. for paved roadways and parking areas, multiply the appropriate emission factor from AP-42, Chapter 13.2.1.2 (revised 1/97) by the maximum vehicle miles traveled; and
- ii. for unpaved roadways and parking areas, multiply the appropriate emission factor from AP-42, Chapter 13.2.2.2 (revised 9/98) by the maximum vehicle miles traveled.

Therefore, provided compliance is shown with the requirements of this permit to apply best available control measures, compliance with the annual limitation will be assumed.

b. Emission Limitation:

There shall be no visible particulate emissions from the paved roadways and parking areas except for one minute during any 60-minute period.

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed 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)(1) through (B)(4)(d) of OAC rule 3745-17-03.

c. Emission Limitation:

There shall be no visible particulate emissions from the unpaved roadways and parking areas except for three minutes during any 60-minute period

Applicable Compliance Method:

If required compliance with the visible PE limitation listed 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)(1) through (B)(4)(d) of OAC rule 3745-17-03.

**VI. Miscellaneous Requirements**

None

**B. State Only Enforceable Section**

**I. 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 - paved and unpaved roadways and parking areas	None	None

**2. Additional Terms and Conditions**

2.a None

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

None

**VI. Miscellaneous Requirements**

None

**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. State and Federally Enforceable Section**

**I. 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>
P901 - municipal solid waste and asbestos landfill and associated material handling operations (modification to PTI #03-13906, issued 2/13/03, to establish new PE and NMOC emission limitations)	OAC rule 3745-31-05 (A)(3)	71.65 tons fugitive nonmethane organic compounds (NMOC)/year
		8638.3 tons fugitive methane/year
		38.83 tons fugitive particulate emissions (PE)/year
		Visible fugitive particulate emissions shall not exceed 20% opacity, as a three-minute average from operations not associated with asbestos-containing material (ACM)
		best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (See A.I.2.a through A.I.2.d.)
		See A.I.2.e.
	OAC rule 3745-17-07 (B)	See A.I.2.f.
	OAC rule 3745-17-08 (A)	See A.I.2.g.
	40 CFR, Part 60, Subpart WWW	See A.III.1 through A.III.7, A.IV.1 through A.IV.4 & A.IV.9.
	40 CFR, Part 61, Subpart M	See A.I.2.o.
	40 CFR, Part 63, Subpart AAAA	See A.VI.5

**2. Additional Terms and Conditions**

- 2.a** The landfill fugitive dust operations/sources that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:
- truck unloading
  - grading
  - bulldozing
  - wind erosion
- 2.b** The permittee shall employ best available control measures for the above landfill fugitive dust operations/sources for the purpose of ensuring compliance with the above-mentioned applicable requirements. The permittee maintains that the inherent moisture content of the materials involved in fugitive dust operations/sources is at a level which will result in negligible fugitive dust emissions and is more than sufficient to comply with all applicable requirements. If at any time the moisture content is not sufficient to meet the above applicable requirements, the permittee shall employ best available control measures to ensure compliance.
- 2.c** Best available control measures shall be employed if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during any such operation until further observation confirms that use of the measures is unnecessary.
- 2.d** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.
- 2.e** The requirements of this rule include compliance with the terms and conditions of this permit. The requirements of this rule also include compliance with the requirements of 40 CFR, Part 60, Subpart WWW.
- 2.f** This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07 (B)(11)(e).
- 2.g** The permittee is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08 (A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08 (B).
- 2.h** The permittee shall inspect each load of ACM delivered to the facility. The inspection shall consist of a visual examination to ensure that each shipment of ACM is received in intact, leak-tight containers labeled with appropriate hazard warning labels, the name of the waste generator, and the location of waste generation. The inspection also shall determine whether the waste shipment records accompany the consignment and accurately describe the waste material and quantity.

If on the basis of the inspection, the waste material is found to be improperly received, the load shall be disposed of in accordance with the procedures in the "Asbestos Spill Contingency Plan," and the discrepancy shall be noted on the waste shipment record.

- 2.i** The permittee shall implement and maintain an "Asbestos Disposal Operating Procedure and Spill Contingency Plan" ("Plan") consisting of: authorized personnel training, inspection and disposal operating procedures, non-conforming load response procedures, inventory and maintenance procedures for safety and emissions control equipment, record keeping procedures, and emergency notification procedures. Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times.
- 2.j** There shall be no visible emissions from asbestos-containing materials (ACM) during on-site transportation, transfer, unloading, deposition or compacting operations.
- 2.k** Deposition and burial operations shall be conducted in a careful manner which prevents handling by equipment or persons that causes ACM to be broken up or dispersed before the materials are buried.
- 2.l** The permittee shall cover and compact asbestos wastes in accordance with the following:

  - i. As soon as practicable after the placement of friable asbestos, but no later than the end of each working day, the ACM deposited at the site during the operating day shall be covered with at least 12 inches of non-ACM. Once the ACM are covered, the area may be compacted.
  - ii. Care shall be taken to ensure that disposed asbestos shall not be re-excavated in subsequent operations. Any accidentally exposed material shall be immediately recovered in accordance with the provisions of (i) above.
  - iii. ACM shall be separated from the landfill final grade by no less than 24 inches of compacted non-ACM and a permanent cover of vegetation, or in accordance with current requirements for closure, whichever is more stringent.
- 2.m** Emissions control equipment shall be available for wetting and containing asbestos in the event of a release or non-conforming load disposal. All equipment required to implement the Asbestos Spill Contingency Plan shall be maintained in accordance with good engineering practices to ensure that the equipment is in a ready-to-use condition and in an appropriate location for use.
- 2.n** The permittee shall establish restricted access, adequate to deter the unauthorized entry of the general public and any unauthorized personnel, within 100 feet of the unloading, deposition, and burial areas of the asbestos-containing waste material. A hazard warning shall display the following information on signs not less than 20 x 14 inches in size, posted so they are visible before entering an area with asbestos waste disposal operations in progress:

"ASBESTOS WASTE DISPOSAL SITE  
DO NOT CREATE DUST  
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH"

The letter sizes and styles shall be of a visibility at least equal to the following specifications: one inch sans serif, gothic or block in the first and second line; and at least three-fourths inches sans serif, gothic or block in the third line; and fourteen point gothic in the fourth line. Spacing between any two lines must be at least equal to the height of the upper of the two lines.

- 2.0 The requirements established pursuant to this rule are less stringent or equivalent to the requirements of OAC rule 3745-31-05 (A)(3).

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

1. The permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper or electronic formats are acceptable.
2. The permittee shall determine the NMOC concentration using the Tier 2 sampling procedure, as per 40 CFR 60.754(a)(3). Tier 2 sampling requires the permittee to install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 sample probes are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25 or 25C of Appendix A of 40 CFR Part 60. Method 18 of Appendix A of 40 CFR Part 60 may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the permittee must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to  $C_{\text{NMOC}}$  as hexane by multiplying by the ratio of its carbon atoms divided by six. The permittee must divide the NMOC concentration from Method 25 of 25 C of Appendix A of 40 CR Part 60 by six to convert from  $C_{\text{NMOC}}$  as carbon to  $C_{\text{NMOC}}$  as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown

to provide sampling as representative as the two sampling probe hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

3. The permittee shall calculate the NMOC emission rate using either the equation provided in A.III.3.a or the equation provided in A.III.3.b. Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in A.III.3.a, for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown, as specified in A.III.3.b, for part of the life of the landfill. The values to be used in both equations are 0.030601 per year for  $k$ , 140 cubic meters per megagram for  $L_o$ , and the facility's Tier 2 value, 785 parts per million by volume as hexane for the  $C_{nmoc}$ . For landfills located in geographical areas with a thirty-year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site, the  $k$  value to be used is 0.02 per year.

The permittee shall recalculate the NMOC mass emission rate using the average NMOC concentration from the collected samples and using one of the following equations:

- a. The following equation shall be used if the actual year-to-year solid waste acceptance rate is known:



where:

$M_{NMOC}$  = Total NMOC emission rate from the landfill, megagrams per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$M_i$  = mass of solid waste in the  $i^{\text{th}}$  section, megagrams

$t_i$  = age of the  $i^{\text{th}}$  section, years

$C_{NMOC}$  = concentration of NMOC, parts per million by volume as hexane

$3.6 \times 10^{-9}$  = conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for  $M_i$  if documentation of the nature and amount of such wastes is maintained.

- b. The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown:

$$M_{\text{NMOC}} = 2L_o R (e^{-kc} - e^{-kt}) C_{\text{NMOC}} (3.6 \times 10^{-9})$$

Where:

$M_{\text{NMOC}}$  = mass emission rate of NMOC, megagrams per year

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$R$  = average annual acceptance rate, megagrams per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$t$  = age of landfill, years

$C_{\text{NMOC}}$  = concentration of NMOC, parts per million by volume as hexane

$c$  = time since closure, years; for active landfill  $c=0$  and  $e^{-kc} = 1$

$3.6 \times 10^{-9}$  = conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of  $R$ , if documentation of the nature and amount of such wastes is maintained.

4. If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the permittee shall either:

- a. determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific generation rate using the Tier 3 sampling procedure specified in 40 CFR 60.757 (a)(4);

OR

- b. submit a collection and control system design plan prepared by a professional engineer to the Northwest District Office within one year; AND
- c. install a collection and control system that captures the gas generated within the landfill, as required by 40 CFR 60.752 (b)(2)(ii)(A) or (B) and (b)(2)(iii) within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year.
- d. submit a Permit to Install (PTI) application for a modification of the MSW landfill to address new source review issues associated with the installation of the collection and control system.

5. If the resulting NMOC mass emission rate is less than 50 megagrams per year, the permittee shall submit a periodic estimate of the emission rate report as required in A.IV.1 and retest the site-specific NMOC concentration every 5 years using the methods specified in sections A.III.2 and A.III.3 above.
6. For Tier 3, a site-specific methane generation rate constant may be determined using the procedures provided in Method 2E of Appendix A of 40 CFR, Part 60. The permittee shall estimate the NMOC mass emission rate using equations in A.III.3.a or A.III.3.b and using a site-specific methane generation rate constant  $k$  instead of the default values provided in A.III.3. The permittee shall compare the resulting NMOC mass emission rate to the standard of 50 Mg/yr.
7. The permittee may use other methods to determine the site-specific  $k$  as an alternative to the methods required in A.III.6 if the method has been approved by the Administrator.
8. The permittee shall maintain records of the location, depth, area, and quantity in cubic yards of all asbestos-containing waste material within the disposal site, on a map or a diagram of the disposal area.
9. The permittee shall maintain a waste shipment record for all ACM. The waste shipment record shall be legible, complete, signed and dated by the waste generator and waste disposal site operator, and shall include the following information:
  - a. The name of the work site or facility where the asbestos-containing waste was generated and the mailing address and telephone number of the facility owner.
  - b. The name, mailing address, and telephone number of the owner or operator (waste generator) responsible for handling, packing, marking, and labeling the asbestos-containing waste material.
  - c. The name, mailing address, telephone number, and site location of the active waste disposal site designated by the generator to receive the asbestos-containing waste material for disposal.
  - d. The name and address of the local, State, or U.S. EPA regional office responsible for administering the asbestos NESHAP program.
  - e. A description of the asbestos-containing waste materials included in the waste shipment.
  - f. The number and type of containers included in the waste shipment.
  - g. The approximate volume of asbestos-containing waste material included in the waste shipment, in cubic yards.
  - h. Special handling instructions or additional information relative to the waste shipment the generator may specify.

- i. A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations.
- j. The name, address, and telephone number of the transporter.
- k. A signature by the transporter to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator, as specified above.
- l. A discrepancy indication space to be completed by the transporter or waste shipment owner or operator if any improperly contained asbestos waste is observed or if there is any discrepancy in the quantity of asbestos shipped and the quantity of asbestos waste received at the asbestos waste disposal site.
- m. A signature by the waste disposal site operator to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator, as specified above, except as noted in the discrepancy indication space.

As soon as possible and no longer than thirty days after receipt of the waste, send the original completed copy of the signed waste shipment record to the waste generator and retain the remaining copy for the waste disposal site.

- 10. The MSW landfill has a design capacity greater than 2.5 million megagrams and 2.5 million cubic meters. As a result, the permittee shall calculate a NMOC emission rate using the procedures specified in A.III.3 The NMOC emission rate shall be recalculated annually, except as provided in A.III.5.
- 11. Except as otherwise provided in this section, the permittee shall perform inspections of the landfill fugitive dust operations/sources in accordance with the following frequencies:

<u>landfill fugitive dust operations/sources</u>	<u>minimum inspection frequency</u>
truck unloading	twice daily (and not less than 4 hours apart) during operation
grading	twice daily (and not less than 4 hours apart) during operation
bulldozing	twice daily (and not less than 4 hours apart) during operation
wind erosion	twice daily (and not less than 4 hours apart) during operation

- 12. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures for particulate emissions. The inspections shall be performed during representative, normal operating conditions. No inspection shall be necessary for a landfill fugitive dust

operation/source 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, except if the next inspection is within one week.

13. The permittee may, upon receipt of written approval from the Northwest District Office, 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.
14. The permittee shall maintain records of the following information:
  - a. the date and reason any required inspection was not performed;
  - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
  - c. the dates the control measure(s) was (were) implemented; and
  - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in (d) shall be kept separately for each landfill fugitive dust operation/source identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

#### **IV. Reporting Requirements**

1. The permittee shall submit an annual NMOC emission rate report to the Northwest District Office. If the estimated NMOC emission rate as reported in the annual report is less than 50 megagrams per year in each of the next 5 consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report, as per 40 CFR Part 60.757 (b)(1)(ii). This estimate shall include the current amount of solid waste in place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Northwest District Office. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Northwest District Office. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

The NMOC emission rate report shall include all the data, calculations, sample reports, and measurements used to estimate the annual or 5-year emissions.

- a. The permittee shall submit an annual NMOC emission rate report to the Director, except as provided for in A.IV.1.b.ii or A.IV.1.c. The Director may request such additional information as may be necessary to verify the reported NMOC emission rate.
- b. The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in A.IV.1 through A.IV.6, as applicable.
  - i. The initial NMOC emission rate report may be combined with the initial design capacity report. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in A.IV.1.b.ii.
  - ii. If the estimated NMOC emission rate as reported in the annual report to the Director is less than 50 Mg/yr in each of the next 5 consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Director. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Director. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

- c. The permittee is exempted from the requirements of A.IV.1.b, after the installation of a collection and control system.
2. The permittee shall submit a collection and control system design plan to the Director within 1 year of the first report required under A.IV.1.a. in which the emission rate exceeds 50 Mg/yr, except as follows:

If the permittee elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in A.IV.3, and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of A.V.5 and the resulting site-specific methane generation rate constant (k) shall be submitted to the Director within 180 days of the first calculated emission rate exceeding 50 Mg/yr under Tier 2.

3. If the calculated NMOC emission rate is less than 50 megagrams per year (Mg/yr), the permittee shall:

- a. submit an annual emission report to the Director, except as provided for in A.IV.1.b.ii; and
- b. recalculate the NMOC emission rate annually using the procedures specified in A.IV.3 until such time as the calculated NMOC emission rate is equal to or greater than 50 Mg/yr, or the landfill is closed.

If the NMOC emission rate, upon recalculation required in A.IV.3, is equal to or greater than 50 Mg/yr, the permittee shall request the Ohio EPA District Office to reopen the Permit to Install for review, or perform the Tier 3 emissions analysis and reporting as provided under OAC 3745-76-12(C)(2). If Permit to Install reopening is applicable, the permittee shall also begin to concurrently plan to meet its further obligations under OAC 3745-76 to submit a Collection and Control System Design Plan within one year of the reported exceedance.

If the landfill is permanently closed, a closure notification shall be submitted to the Director as provided for in A.IV.9.

4. The permittee shall submit quarterly reports summarizing the asbestos disposal activities. The reports shall contain the following information:
  - a. The name, address and location of the facility, the calendar period covered by the report, and any changes in the methods of storage or the disposal operations.
  - b. A list of all asbestos-containing waste consignments received including: the date received, the name of the waste generator, the name and location of the facility where the load originated, the quantity of asbestos, and any discrepancy or non-conformity discovered.

These quarterly reports shall be submitted no later than January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarters.

5. Upon discovering a discrepancy between the quantity of waste designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the State, local, district, or USEPA regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the appropriate Ohio EPA District Office. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.
6. The permittee shall submit, upon closure of the facility, a copy of the records of the asbestos waste disposal locations and quantities.
7. The permittee shall notify the appropriate Ohio EPA District Office in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. The following information shall be included in the notice:

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**Noble Road Landfill**

**PTI Application: 03-16066**

**Issued: 8/26/2004**

**Facility ID: 0370000134**

Emissions Unit ID: P901

- a. Scheduled starting and completion dates.
  - b. Reason for disturbing the waste.
  - c. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. (If deemed necessary, the Director may require changes in the proposed emission control procedures.)
  - d. Location of any temporary storage site and the final disposal site.
8. The permittee shall notify the appropriate Ohio EPA District Office of any load of ACM which is rejected, or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan." Notification shall be provided as soon as possible by a phone contact, followed in writing by the next working day. The written notification shall provide a copy of the waste shipment record ("WSR"), if available, or when waste is not shipped with a WSR, provide available information concerning vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. If possible, non-conforming loads of suspect friable material shall be detained, or the location of disposal protected from damage, until the Ohio EPA is informed and provided the opportunity to inspect.
9. The permittee shall submit a closure report to the Director within 30 days of waste acceptance cessation. The Director may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Director, no additional wastes may be placed into the landfill without filing a notification of modification, as described below, in accordance with 40 CFR Part 60.7 (a)(4).

A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted. This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Director may request additional relevant information subsequent to this notice.

10. 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; and
  - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

## V. Testing Requirements

1. Compliance with the emission limitations specified in A.I.1 of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation:  
71.65 tons fugitive NMOC/year

Applicable Compliance Method:

Compliance with this emission limitation shall be demonstrated through the annual NMOC emission rate report required in A.IV.1.

- b. Emission Limitation:  
8638.3 tons fugitive methane/year

Applicable Compliance Method:

Compliance with this emission limitation may be calculated using the Landfill Gas Emissions Model (LandGEM) version 2.01 for total landfill capacity of 9,620,658 tons of compacted waste and AP-42 emission factors from Section 2.4, Municipal Solid Waste Landfills (11/98).

- c. Emission Limitation:  
38.83 tons fugitive PE/year

Applicable Compliance Method:

This emission limitation was established by combining the uncontrolled emissions associated with the landfill fugitive dust operations/sources of truck loading, grading, bullbozing, and wind erosion and applying a 75% control efficiency for use of best available control measures. The combined uncontrolled emissions were calculated using appropriate emission factors from the Pennsylvania Department of Environmental Protection form G(A) (June, 2001) and associated maximum material throughout, surface areas, etc.

Therefore, provided compliance is shown with the requirements of this permit to apply best available control measures, compliance with the annual PE limitation will be assumed.

- d. Emission Limitation:  
Visible fugitive particulate emissions shall not exceed 20% opacity, as a 3-minute average.

Applicable Compliance Method:

If required, compliance shall be demonstrated using test method 9 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60, "Standards of Performance for New Stationary Sources" as such appendix existed on July 1, 1996, with the modifications in paragraphs (a) and (b) of OAC rule 3745-17-03 (B)(3). with U.S. EPA Method 9 of 40 CFR, Part 60, Appendix A.

## VI. Miscellaneous Requirements

1. Upon closure of the facility, the permittee shall comply with the following provisions of OAC rule 3745-20-07 and shall submit a copy of the records of the asbestos waste disposal locations and quantities to the director (Northwest District Office).
  - a. Each owner or operator of an inactive asbestos waste disposal site shall either:
    - i. Discharge no visible emissions to the outside air from an inactive waste disposal site;  
or
    - ii. Cover the asbestos-containing waste material with at least six inches of nonasbestos-containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material; or
    - iii. Cover the asbestos-containing material with at least two feet of compacted nonasbestos-containing material and maintain the cover to prevent exposure of the asbestos-containing waste material.
  - b. Unless a natural barrier adequately deters access by the general public, each owner or operator of an inactive asbestos waste disposal site shall install and maintain warning signs and fencing as follows, or comply with A.VI.1.a.ii. or A.VI.1.a.iii above:
    - i. Display warning signs at all entrances and at intervals of three hundred feet or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:
      - (a) Be posted in such a manner and location that a person can easily read the legend; and
      - (b) Conform to the requirements for a twenty inch by fourteen inch upright format warning sign and display the following legend in the lower panel with letter sizes of at least one inch sans serif, gothic, or block. Spacing between any two lines must be at least equal to the height of the upper of the two lines:

"ASBESTOS WASTE DISPOSAL SITE  
DO NOT CREATE DUST  
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH"
    - ii. Fence the perimeter of the site in a manner adequate to deter access by the general public.
    - iii. Upon request and submission of appropriate information, the director will determine whether a fence or a natural barrier adequately deters access by the public.

- iv. When requesting a determination on whether a natural barrier adequately deters public access, supply information enabling the director to determine whether a fence or a natural barrier adequately deters access by the general public.
    - c. The owner or operator may use an alternative control method that has received prior approval of the director rather than comply with the requirements of A.VI.1.a and A.VI.1.b. of these terms and conditions.
    - d. Each owner or operator of an inactive waste disposal site shall notify the director in writing at least forty-five days prior to excavating or otherwise disturbing or removing an asbestos-containing waste material. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the director at least ten working days before excavation begins. In no event shall excavation begin earlier than the date specified in the original notification. Each owner or operator shall include the following information in the notice:
      - i. Scheduled starting and completion dates.
      - ii. Reason for disturbing the waste.
      - iii. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing material. If deemed necessary, the director may require changes in the emission control procedures to be used.
      - iv. Location of any temporary storage site and the final disposal site.
    - e. Within sixty days of a site becoming inactive, record a notation of the presence of asbestos-containing material on the deed to the facility property and on any other instrument that would normally be examined during the title search; this notation will, in perpetuity, notify any potential purchaser of the property that:
      - i. The land has been used for the disposal of asbestos-containing waste material; and
      - ii. The survey plot and record of the location and quantity of asbestos-containing waste disposed of within the disposal site required in paragraph (C)(2) of rule 3745-20-06 of the Ohio Administrative Code has been filed with the director; and
      - iii. The site is subject to Chapter 3745-20 of the Ohio Administrative Code and 40 CFR Part 61, Subpart M.
- 2. There shall be no open burning in violation of Ohio Administrative Code rule 3745-19 at this facility.

3. Authority to Enter

Pursuant to the authority of OAC rule 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.

4. The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.
5. This emissions unit is currently not applicable to 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. The emissions unit will become subject to 40 CFR Part 63, Subpart AAAA when in accordance with 40 CFR 63.1935(a)(3) the estimated uncontrolled emissions are equal to or greater than 50 megagrams per year NMOC, as calculated according to 40 CFR 60.754(a) [see section A.III.3 of this permit]. The permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart AAAA and with all applicable requirements of 40 CFR Part 63, Subpart A (General Provisions). Compliance with all applicable requirements shall be achieved by the dates set forth in 40 CFR Part 63, Subpart AAAA and Subpart A.

**B. State Only Enforceable Section**

**I. 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>
P901 - municipal solid waste and asbestos landfill and associated material handling operations	OAC rule 3745-20-05	See B.I.2.a.
	OAC rule 3745-20-06	See B.I.2.a.
	OAC rule 3745-20-07	See B.I.2.a.

2. **Additional Terms and Conditions**

- 2.a The requirements of this rule are equivalent to the requirements of OAC rule 3745-31-05 (A)(3) contained in the State and Federally Enforceable Section of Part III for this emissions unit.

**II. Operational Restrictions**

None

**III. Monitoring and/or Recordkeeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

None

**VI. Miscellaneous Requirements**

None