State of Ohio Environmental Protection Agency

Street Address:
Lazarus Gov. Center
50 West Town Street, Suite 700
Columbus, OH 43215

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

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

CERTIFIED MAIL

RE: FINAL PERMIT TO INSTALL
JEFFERSON COUNTY
Application No: 06-08357
Fac ID: 0641950044

DATE: 6/3/2008

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

Ewusiak Development LLC
Patrick Bennett
RR2, Box 252B
Colliers, WV 26035

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 of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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, OH 43215

Sincerely,

Michael W. Ahern

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

CC: **USEPA** **SEDO**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install	**Issue Date: 6/3/2008**
Terms and Conditions	**Effective Date: 6/3/2008**

FINAL PERMIT TO INSTALL 06-08357

Application Number: 06-08357

Facility ID: 0641950044

Permit Fee: **$1500**

Name of Facility: Ewusiak Development LLC

Person to Contact: Patrick Bennett

Address: RR2, Box 252B
Colliers, WV 26035

Location of proposed air contaminant source(s) [emissions unit(s)]:
1900 Commercial Ave.
Mingo Junction, **Ohio**

Description of proposed emissions unit(s):
Slag Processing.

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

Chris Korleski
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

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 (i.e., postmarked) quarterly 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 Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

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 ninety (90) 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

Pollutant	Tons Per Year
Fugitive PE	2.56
NOx	24.7
SO2	1.63
CO	5.32
VOC	2.00
PE	1.75

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.

Operations, Property, and/or Equipment -P904 - Aggregate Processing Plant-Terex Pegson Crusher with attached 300 HP diesel engine and Eagle Crusher/Screen with attached 325 HP diesel engine with a plant maximum annual throughput of 382,500 TPY. Chapter 31 modification of PTI # 06-08247 issued 6/26/2007 to increase emissions resulting from the addition of new equipment.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
Aggregate Processing Equipment	
OAC rule 3745-31-05 (C)	The fugitive particulate emissions (PE) shall not exceed 2.56 tons per rolling 12-month period. See Section A.2.a below.
OAC rule 3745-17-07(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	Visible particulate emissions of fugitive dust shall not exceed 20% opacity as a 3-minute average.
OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	Reasonably available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust (See Sections A.2.c through A.2.e).
40 CFR 60 Subpart OOO (applicable when processing non-metallic minerals as defined in 40 CFR Part 60.670)	Visible emissions of fugitive dust discharging from the crusher shall not exceed 15% opacity. Visible emissions of fugitive dust discharging from the screener, transfer points, or conveyors shall not exceed 10% opacity.
Diesel Engines (300 HP and 325 HP)	

C:\temp\permits3\8823.wpd

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Emissions of Nitrogen Oxide (NOx) shall not exceed 19.4 lb/hr. The requirements of this rule also include compliance with the requirements of OAC rules 3745-31-05(C).
OAC rule 3745-31-05 (A)(3)(b)	See Section A.2.b below.
OAC rule 3745-31-05(C) (Synthetic minor to avoid being subject to state modeling requirements and to avoid Title V when co-locating with similar sources.)	Emissions shall not exceed the following based on a rolling, 12-month summation: Nitrogen Oxide (NOx) shall not exceed 24.7 tons. Sulfur Dioxide (SO2) shall not exceed 1.63 tons. Carbon Monoxide (CO) shall not exceed 5.32 tons. Volatile Organic Compounds (VOC) shall not exceed 2.00 tons. PE shall not exceed 1.75 tons. See Section A.2.a below. See Section B.1 below.
OAC rule 3745-17-11(B)(5)(a)	Emissions shall not exceed 0.310 lb of PE/million Btu of actual heat input.
OAC rule 3745-17-07(A)(1)	Visible particulate emissions from any stack serving this emissions unit shall not exceed 20% opacity as a six-minute average, except as provided by rule.
OAC rule 3745-21-08(B)	See A.2.f below.
OAC rule 3745-18-06(G)	Exempt. See Section A.2.g below.

2. Additional Terms and Conditions

2.a Permit to Install 06-08357 for this air contaminant source takes into account the following voluntary restrictions (including applicable control measures) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3):

i. maintain sufficient moisture to prevent fugitive dust, use water sprays as necessary, and minimize drop height; and

ii. operating hour restriction of 2550 hr/yr.

C:\temp\permits3\8823.wpd

2.b The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the emissions of SO2 and VOC for this air contaminant source since the uncontrolled potential to emit for emissions is less than ten tons per year.

2.c The aggregate processing plant operations that are covered by this permit and subject to the above-mentioned requirements are listed below:

Equipment
Terex Pegson crusher
Eagle crusher/screener
Conveyors

Material handling operations/ Transfer points
Load-in points (2)
Terex Pegson Crusher (5)- internal
Terex Pegson Crusher to conveyor
Terex Pegson crusher to storage pile
Eagle crusher/screener (7)- 2 internal
Eagle crusher/screener to conveyor (3)
Conveyor to conveyor (3)
Conveyor to storage pile (4)

2.d When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall employ reasonably available control measures for the aggregate processing plant operations listed above, 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 perform the following control measures to ensure compliance: maintain sufficient moisture to prevent fugitive dust, use water sprays as necessary, and minimize drop height. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.e For each aggregate processing plant operation that is not adequately enclosed, the above-identified control measures shall be implemented 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 the operation of the aggregate processing plant operations until further observation confirms that use of the control measures is unnecessary.

2.f The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B).

C:\temp\permits3\8823.wpd

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. On June 24, 2003, the rule revision was submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP); however, until the U.S. EPA approves the revision to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

2.g This emissions unit is exempt from the requirements of OAC rule 3745-18-06(G) pursuant to OAC rule 3745-18-06(B).

B. Operational Restrictions

1. The maximum annual operating hours for this emissions unit shall not exceed 2,550, based upon a rolling, 12-month summation of the operating hours.

   To ensure enforceability during the first 12 calendar months following the issuance of this permit, the permittee shall not exceed the operating hours specified in the following table:

Month(s)	Maximum Allowable Cumulative Operating Hours
1-1	720
1-2	1,440
1-3	2,160
1-4	2,550
1-5	2,550
1-6	2,550
1-7	2,550
1-8	2,550
1-9	2,550
1-10	2,550
1-11	2,550
1-12	2,550

   After the first 12 calendar months following the issuance of this permit, compliance with the annual operating hours limitation shall be based upon a rolling, 12-month summation of the operating hours.

2. The permittee shall only burn diesel fuel in this emissions unit.

C:\temp\permits3\8823.wpd

C. Monitoring and/or Recordkeeping Requirements

1. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

Aggregate processing plant operations	Minimum inspection frequency
All	Daily

The above-mentioned inspections shall be performed during representative, normal operating conditions.

2. For aggregate processing plant operations 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 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.

   The information in 2.d shall be kept separately for each aggregate processing plant operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

3. The permittee shall maintain monthly records of the following information:

   a. the operating hours for each month; and

   b. beginning after the first 12 calendar months following the issuance of this permit, the rolling, 12 month summation of the operating hours.

      Also, during the first 12 calendar months following the issuance of this permit, the permittee shall record the cumulative operating hours for each calendar month.

   c. the rolling, 12 month summation of PE, NOx, CO, SO2 and VOC emissions.

4. For each day during which the permittee burns a fuel other than diesel, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

D. Reporting Requirements

C:\temp\permits3\8823.wpd

1. For aggregate processing plant operations 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.

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

3. The permittee shall submit quarterly deviation (excursion) reports that identify:

   a. all exceedances of the rolling, 12-month limitation on the hours of operation;

   b. all exceedances of the rolling, 12-month PE, NOx, CO, SO2 and VOC allowable emissions; and

   c. for the first 12 calendar months following the issuance of this permit, all exceedances of the maximum allowable cumulative hours of operation.

   These reports shall be submitted in accordance with the reporting requirements specified in Part 1 - General Terms and Conditions, Section A of this permit.

4. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than diesel was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

E. Testing Requirements

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

   a. <u>Emission Limitation</u>:
   The fugitive particulate emissions (PE) shall not exceed 2.56 tons per rolling 12-month period.

   <u>Applicable Compliance Method</u>:
   Compliance with the annual emissions limitation shall be demonstrated by the following calculations based on the emission factors in AP-42 sections 13.2.4 (11/06) and 11.19.2 (8/04); and the maximum annual throughput of 382,500 TPY (Based on 2,550 hours of operation restriction).

   <u>Transfer Points, Crushers, and Screener</u>

C:\temp\permits3\8823.wpd

PE = [[(# transfer points)(transfer points EF)(Max Annual Total)] + [(# Crushers)(Crushing EF)(Max Annual Tons)] + [(# Screens)(Screening EF)(Max Annual Tons)]]/ 2000 lbs/ton
PE = [[(24)(0.00014 lbs/ton)(382,500TPY)] + [(2)(0.0012 lbs/tons)(382,5000 TPY) + [(1)(0.0022 lb/ton)(382,500)]]/ 2000lbs/ton
= 1.52 TPY controlled PE.

Load-In to Hopper

$EF = k\ (0.0032)\ [(U/5)^{1.3}/\ (M/2)^{1.4})]$

Where:

EF = emission factor expressed in pounds per ton (lbs/ton)
k = particle size multiplier for TSP (dimensionless) = 0.74
U = mean wind speed expressed in miles per hour (MPH) = 10 (as submitted in application)
M= material moisture content (%) = 2.1 (as submitted in application)

Therefore, EF = 0.005446 lbs/ton

maximum annual load-in throughput = 382,500 TPY

PE = [(2 load-in to hopper)(0.005446 lb/ton)(382,500 TPY)]/ 2000lbs/ton
= 2.08 TPY uncontrolled PE

Assume 50% control for watering (RACM Table 2.1.3-3)
(2.08 TPY)(0.5) = 1.04 controlled PE.

Total Aggregate Handling = Transfer Points, Crusher, and Screener + Load-In to Hopper
= 1.52 TPY + 1.04 TPY
= 2.56 TPY controlled fugitive PE.

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

Applicable Compliance Method:
If required, visible particulate emissions shall be determined according to USEPA Method 9.

C:\temp\permits3\8823.wpd

c. Emission Limitation:
Visible emissions of fugitive dust discharging from the crusher shall not exceed 15% opacity.

Applicable Compliance Method:
Compliance with visible particulate emissions shall be determined according to test Method 9 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". See section E.2.

d. Emission Limitation:
Visible emissions of fugitive dust discharging form the screening operation, transfer points, or conveyors, shall not exceed 10% opacity.

Applicable Compliance Method:
Compliance with visible particulate emissions shall be determined according to test Method 9 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". See section E.2.

e. Emission Limitation:
Emissions of NO_x shall not exceed 19.4 lb/hr. NOx emissions shall not exceed 24.70 tons based on a rolling, 12-month summation.

Compliance Method:
Compliance with the pound per hour emission limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.031 lb/HP-hr) by the maximum rated capacity of emissions unit P904 (300 HP and 325 HP).

Annual emissions shall be determined by multiplying the hourly NO_x emission rate by the total number of hours of operation during each rolling, 12-month period, and dividing by 2000 lbs/ton.

If required, nitrogen oxides emissions shall be determined according to test Methods 1 - 4, and 7 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

f. Emission Limitation:
SO2 emissions shall not exceed 1.63 tons, based on a rolling, 12-month summation.

Compliance Method:
Compliance with the emissions limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.00205 lb/HP-hr) by the maximum rated capacity of emissions unit P904 (300 HP and 325 HP),

C:\temp\permits3\8823.wpd

multiplying by the total number of hours of operation during each rolling, 12-month period, and dividing by 2000 lbs/ton.

g. Emission Limitation:
CO emissions shall not exceed 5.32 tons, based on a rolling, 12-month summation.

Compliance Method:
Compliance with the emissions limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.00668 lb/HP-hr) by the maximum rated capacity of emissions unit P904 (300 HP and 325 HP), multiplying by the total number of hours of operation during each rolling, 12-month period, and dividing by 2000 lbs/ton.

h. Emission Limitation:
VOC emissions shall not exceed 2.00 tons, based on a rolling, 12-month summation.

Compliance Method:
Compliance with the emissions limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.00251 lb/HP-hr) by the maximum rated capacity of emissions unit P904 (300 HP and 325 HP), multiplying by the total number of hours of operation during each rolling, 12-month period, and dividing by 2000 lbs/ton.

i. Emission Limitation:
Particulate emissions shall not exceed 1.75 tons, based on a rolling, 12-month summation.

Compliance Method:
Compliance with the emissions limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.0022 lb/HP-hr) by the maximum rated capacity of emissions unit P904 (300 HP and 325 HP), multiplying by the total number of hours of operation during each rolling, 12-month period, and dividing by 2000 lbs/ton.

j. Emission Limitation:
Particulate emissions shall not exceed 0.310 lb/million Btu actual heat input.

Applicable Compliance Method:
Compliance shall be based upon an emission factor of 0.310 lb/million Btu. This emission factor is specified in the U.S. EPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 3.3, Table 3.3-1 (10/96).

C:\temp\permits3\8823.wpd

If required, particulate emissions shall be determined according to test Methods 1 - 5, as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources", and the procedures specified in OAC rule 3745-17-03(B)(10). Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

k. Emission Limitation:
Visible particulate emissions shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.

Applicable Compliance Method:
If required, visible particulate emissions shall be determined according to USEPA Method 9.

2. Performance testing shall be conducted as required in 40 CFR Part 60, Subpart OOO when this emissions unit processes nonmetallic minerals as defined in 40 CFR, Part 60.671. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. The emission testing shall be conducted within 180 days of becoming subject to 40 CFR Part 60.

b. The emissions testing shall be conducted to demonstrate compliance with the visible emission limitations for fugitive emissions for each crusher, screener, transfer point, and conveyor as specified in Section A.2.c of this permit, and in accordance with the requirements of 40 CFR Part 60.675.

c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for visible emissions, Method 9 of 40 CFR 60, Appendix A.

d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Southeast District Office.

e. No later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA, Southeast District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA, Southeast District Office's refusal to accept the results of the emissions test(s).

C:\temp\permits3\8823.wpd

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

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

F. Miscellaneous Requirements

1. At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) providing the appropriate exemption requirements have been met. The director may issue a “Notice of Site Approval” for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(E).

2. Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(E), the following criteria must be met for all portable facilities seeking approval for relocation:

   a. the portable source must possess an issued permit to install (PTI) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,

   b. the portable source is operating pursuant to a currently effective PTI and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).

3. In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:

   a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;

   b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major

C:\temp\permits3\8823.wpd

stationary source or a modification of an existing major stationary source at the new site; and

c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under rule 3745-15-07 of the Administrative Code and that the relocation will not result in the installation of a major stationary source or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

4. In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(E) (i.e. the 15-day option), the following additional criteria must be met:

a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;

b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);

c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);

d. a public notice, consistent with OAC rule 3745-47, has been published in the county where the proposed site(s) is/are located;

e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-05(E) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-05(F), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

5. Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

6. When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source

C:\temp\permits3\8823.wpd

or the modification of a major source, as defined in OAC rule 3745-31-01 (KKK) and (III), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

C:\temp\permits3\8823.wpd