



10/06/2026

Mrs. Stephanie Rohrkasse
Trammo Nitrogen Products, Inc.
10743 Brower Rd.
North Bend, OH 45052

Facility ID: 1431350064
Permit Number: P0140436
County: Hamilton

RE: DRAFT AIR POLLUTION TITLE V PERMIT

Permit Type: Renewal

Dear Permit Holder:

A draft of the OAC Chapter 3745-77 Title V permit for the referenced facility has been issued. The purpose of this draft is to solicit public comments. A public notice will appear in the Ohio Environmental Protection Agency (EPA) Weekly Review and Public Notices website, [Weekly Review and Public Notices](#). A copy of the public notice, the Statement of Basis, and the draft permit are enclosed. This permit can be accessed electronically on the Ohio EPA document search website here: [eDocument Search](#). Comments will be accepted as a marked-up copy of the draft permit or in narrative format. Any comments must be sent to the following:

Andrea Moore
Permit Review/Development Section
Ohio EPA, DAPC
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

and

Southwest Ohio Air Quality Agency
1701 Patricia McCollum Way
DEPT 56
Cincinnati, OH 45237

Comments and/or a request for a public hearing will be accepted within 30 days of the date the notice is published on the Ohio EPA Weekly Review and Public Notices website, [Weekly Review and Public Notices | Ohio Environmental Protection Agency](#). You will be notified if a public hearing is scheduled. A decision on processing the Title V permit will be made after consideration of comments received and oral testimony if a public hearing is conducted. You will then be provided with a Preliminary Proposed Title V permit and another opportunity to comment prior to the 45-day Proposed Title V permit submittal to U.S. EPA Region 5. The permit will be issued final after U.S. EPA review is completed and no objections to the final issuance have been received. If you have any questions, please contact Southwest Ohio Air Quality Agency at (513)946-7777.

Sincerely,

Robert Hodanbosi
Chief, Division of Air Pollution Control

cc: U.S. EPA Region 5 - Via E-Mail Notification
SWOAQA; Indiana; Kentucky

Public Notice

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at: [Weekly Review and Public Notices | Ohio Environmental Protection Agency](#) or Hearing Clerk, Ohio EPA, 50 W. Town St., Columbus, Ohio 43215. Phone: 614-644-3037 Email: HClerk@epa.ohio.gov

Draft Title V Permit Renewal

Trammo Nitrogen Products, Inc.
10743 Brower Rd.
North Bend, OH 45052

ID#: P0140436
Date of Action: 10/06/2026
Permit Desc: Production of agricultural fertilizers and industrial chemicals.

The permit can be accessed electronically and comments may be submitted at: <https://ohioepa.commentinput.com> - Search by entering the permit # P0140436 in the "Search Projects" search box.

Statement of Basis* For Air Pollution Title V Permit

*As defined in OAC rule 3745-77-01(MM): “Statement of basis” or “SOB” means a statement that sets forth the legal and factual basis for the draft [Title V] permit conditions (including references to the applicable statutory or regulatory provisions).”

Completing this form is intended to satisfy those requirements.

Facility ID:	1431350064
Facility Name:	Trammo Nitrogen Products, Inc.
Facility Description:	Production of agricultural fertilizers and industrial chemicals.
Facility Address:	10743 Brower Rd., North Bend, OH 45052
Permit #:	P0140436



This facility is subject to Title V because it is major for:

☐ Lead ☐ Sulfur Dioxide ☐ Carbon Monoxide ☐ Volatile Organic Compounds ☐ Nitrogen Oxides

☐ Particulate Matter ≤ 10 microns ☒ Single Hazardous Air Pollutant ☒ Combined Hazardous Air Pollutants ☐ GHG

And/or subject to:

☐ Maximum Available Control Technology Standard(s) ☐ GACT standard(s) that requires a Title V permit ☐ Title IV ☐ Opt-In source

A. Permit Background

1. Has each insignificant emissions unit been reviewed to confirm it meets the definition in OAC rule 3745-77-01(V)?

Yes: X

No

Comments:

2. Discuss any **common control determinations** (this includes revisions to previous determinations), include justification, factors, and facts which led to the final decision.

Discussion: NA

3. Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document resulting from **a renewal** per OAC rule 3745-77-08(E). This includes identifying conditions from previous permits that are not included in the new permit.

PTI No.: P0103851

Affected EUs: B001, P001, P002

Discussion of changes from the previous Title V: This permit renewal action updates the IEUs located at this facility and any applicable PTIs issued for these insignificant sources. No changes or PTIs since prior Title V for any significant EUs in the permit. Significant EU P002 has been shut down. Consent Decree terms were contained in the prior Title V permit and have been included with no changes in this renewal action.

4. Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document resulting from **a minor modification** per OAC rules 3745-77-08(C)(1) or (2)

PTI No.: NA

Affected EUs: NA

Minor Modification Description: NA

5. Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a **significant permit modification** per OAC rule 3745-77-08(C)(3)

PTI No.: NA

Affected EUs: NA

Significant Modification Description: NA

6. Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a **reopening** per OAC rule 3745-77-08(D)

PTI No.: NA

Affected EUs: NA

Reopening for Cause for Description: NA

7. Please identify the affected emissions unit(s) and pollutant(s) for which a **Compliance Assurance Monitoring (CAM)** Plan is required per 40 CFR 64. Provide more emissions unit specific detail in Section C.

Affected EUs: None. Emissions unit P001 has potential pre-control device emissions of nitrogen oxides (NOx) greater than 100 TPY, however the emissions unit and NOx control device are not subject to CAM per 64.2(b)(vi) since emissions unit P001 employs a NOx continuous emissions monitor to demonstrate continuous compliance with the applicable emissions limitations as specified in the Title V permit terms and conditions. Emissions unit P002 employs a control device to control particulate emissions, however pre-control device emissions of particulate are less than 100 TPY, therefore the emissions unit and control device are not subject to CAM.

8. Please identify any federal **Consent Decree (CD)** that resulted in the addition of Title V T&Cs – include the CD Number, the CD Public Notice date (if known) and Ohio EPA Permit Number (if applicable, along with final permit issuance date) that incorporates the CD requirements.

Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio

Public
Notice
Date: NA

PTI No.: NA

PTI Issuance Date: 1/21/2009

9. Please identify any **complex or unusual rule applicability determination** that is not readily apparent in the permit T&Cs and warrants additional explanation in the Statement of Basis. If the discussion is included in a PTI Permit Strategy Write Up cite the Permit Number and copy/paste or summarize the determination here.

PTI No.: NA

Discussion: NA

10. Please identify any **streamlining determinations** within the permit. Include an identification of the subsumed limit(s) and an explanation of how the resulting limit is equivalent to or more stringent than those subsumed. If the discussion exists in a PTI Permit Strategy Write Up, cite the Permit Number and summarize the determination here. This would also be noted for specific emissions units identified in C.

PTI No.: NA

Discussion: NA

11. Please identify any current **enforcement actions** to address violations at the facility resulting in a compliance plan and schedule.

Director's Final
Findings and Orders;
AGO Consent Decree;
or U.S. EPA Consent
Decree Date: NA

List the Order/Injunctive Relief number from the associated enforcement document and provide a description: NA

B. Facility-Wide Terms and Conditions

Term and Condition (paragraph)	Basis		Comments
	SIP (3745-)	Other	
B.2	77-07(A)(13)	N	Listing of insignificant emissions units that are subject to SIP-approved and/or federal regulations.
B.3	104	40 CFR Part 68	Clarifying and reference terms for the facility regarding risk management plan requirements.
B.4. and B.5.	N	40 CFR Part 63	Clarifying and reference terms for rule applicability determination regarding emissions units contained in the permit subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) for area sources.

C. Emissions Unit Terms and Conditions

Key: EU = emissions unit ID ND = negative declaration (i.e., term that indicates that a particular rule(s) is (are) not applicable to a specific emissions unit) OR = operational restriction M = monitoring requirements ENF = did noncompliance issues drive the monitoring requirements?	R = record keeping requirements Rp = reporting requirements ET = emission testing requirements (not including compliance method terms) Misc = miscellaneous requirements
---	--

Emissions Unit Table

EU(s)	Limitation	Basis	ND	OR	M	R	Rp	ET	ENF	Misc	Comments
Section C.1: B001, 48.8 mmBtu/hr gas/oil-fired boiler, capable of oil-firing during periods of gas curtailment											
B001	Visible particulate emissions shall not exceed 20	OAC rule 3745-17-07(A)	N	N	N	N	N	N	N	N	M, R, Rp, ET: Natural gas is an inherently clean fuel. If required, the permittee shall conduct Method 9 visible emissions observations to demonstrate compliance.

Emissions Unit Table

EU(s)	Limitation	Basis	ND	OR	M	R	Rp	ET	ENF	Misc	Comments
	percent opacity, as a 6-minute average.										
B001	Particulate emissions shall not exceed 0.020 lb per mmBtu for natural gas combustion. Particulate emissions shall not exceed 0.040 lb per mmBtu for fuel oil combustion.	OAC rule 3745-17-10(B)(1)	N	Y	Y	Y	Y	N	N	N	OR: The emissions unit is restricted to burning natural gas and distillate oil. ET: The emission limitations are equal to, or greater than, the emissions unit's potential to emit based upon US EPA AP-42 emission factors. If required, stack emissions testing will be conducted using EPA-approved methods.

Emissions Unit Table

EU(s)	Limitation	Basis	ND	OR	M	R	Rp	ET	ENF	Misc	Comments
B001	SO ₂ emissions shall not exceed 1.6 lb per mmBtu.	OAC rule 3745-18-06(C)	N	Y	Y	Y	Y	N	N	N	OR: The emissions units are restricted to burning natural gas and distillate oil with a restricted sulfur content limit. ET: Compliance with emission limitations determined by monitoring (oil sampling), record keeping, and reporting requirements and use of specified fuels.
B001	Permittee shall perform a tune-up annually	OAC rule 3745-110-03(A)	N	N	N	Y	N	N	N	N	R: Maintain records of annual tune-ups
Section C.2: P001, nitric acid plant with SCR											
P001	NO _x emissions shall not exceed 32.33 tons/yr.	3745-31-05(F)	N	Y	Y	Y	Y	Y	Y	N	OR: use of selective catalytic reduction device required. ENF: requirements of DOJ Consent Decree have been incorporated into permit terms for this emissions unit. All requirements for the EU have been transferred from the PTI.

Emissions Unit Table

EU(s)	Limitation	Basis	ND	OR	M	R	Rp	ET	ENF	Misc	Comments
P001	Visible emissions shall not exhibit 10 percent opacity or greater	40 CFR 60, Subpart G	N	N	N	N	N	Y	N	N	M, R, Rp: Compliance shall be demonstrated by visible emission observations conducted in accordance with 40 CFR Part 60, Subpart G
P001	1.0 lb NOx/ton 100% acid, rolling 3-hour average; 0.61 lb NOx/ton 100% acid, rolling 365 day period	DOJ Consent Decree Case#90-5-2-1-08469	N	Y	Y	Y	Y	Y	Y	N	OR: use of selective catalytic reduction device required. ENF: requirements of DOJ Consent Decree have been incorporated into permit terms for this emissions unit. All requirements for the EU have been transferred from the PTI.



**Environmental
Protection
Agency**

DRAFT

Division of Air Pollution Control
Title V Permit
for
Trammo Nitrogen Products, Inc.

Facility ID:	1431350064
Permit Number:	P0140436
Permit Type:	Renewal
Issued:	10/06/2026
Effective:	To be entered upon final issuance
Expiration:	To be entered upon final issuance

Division of Air Pollution Control Title V Permit

for
Trammo Nitrogen Products, Inc.

Table of Contents

Authorization.....	15
List of Commonly Used Abbreviations	16
A. Standard Terms and Conditions.....	17
B. Facility Wide Terms and Conditions	31
C. Emissions Unit Terms and Conditions.....	34
1. B001, Gas/Oil Boiler	35
2. P001, Nitric Acid Plant	40

Authorization

Facility ID:	1431350064
Facility Description:	Production of agricultural fertilizers and industrial chemicals.
Application Number(s):	A0081473
Permit Number:	P0140436
Permit Description:	Production of agricultural fertilizers and industrial chemicals.
Permit Type:	Renewal
Issue Date:	
Effective Date:	To be entered upon final issuance
Expiration Date:	To be entered upon final issuance
Superseded Permit Number:	P0129360

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Trammo Nitrogen Products, Inc.
10743 Brower Rd.
North Bend, OH 45052

Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Southwest Ohio Air Quality Agency
1701 Patricia McCollum Way
DEPT 56
Cincinnati, OH 45237
(513)946-7777

The above-named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Southwest Ohio Air Quality Agency. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months and no later than 6 months prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

John Logue
Director

List of Commonly Used Abbreviations

AP-42 = U.S. EPA's Compilation of Air Pollution Emissions Factors	HVLP = high volume, low pressure	PER = Permit Evaluation Report
ASTM = American Society for Testing and Materials	LAER = lowest achievable emission rate	PM = particulate matter
BACT = Best Available Control Technology	lb(s)/hr = pound(s) per hour	PM ₁₀ = particulate matter with an aerodynamic diameter less than or equal to 10 microns
BAT = Best Available Technology	LDAR = leak detection and repair	PM _{2.5} = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns
CAA = Clean Air Act	LPG = liquefied petroleum gas/propane	ppb = parts per billion
CAM = compliance assurance monitoring	MACT = maximum achievable control technology	ppm = parts per million
CEMS = continuous emissions monitoring system	MAGLC = maximum acceptable ground level concentration	PSD = Prevention of Significant Deterioration
CFC = chlorofluorocarbon	mg/m ³ = milligrams per cubic meter	psi = pounds per square inch
CFR = Code of Federal Regulations	MM = million	psia = pounds per square inch absolute
CH ₄ = methane	MMBtu = million British Thermal Units	PTE = potential-to-emit
CI = compression ignition	MSDS = material safety data sheet	PTI = Permit-to-Install
CO = carbon monoxide	MSW = municipal solid waste	PTIO = Permit-to-Install and Operate
CO ₂ = carbon dioxide	NAAQS = National Ambient Air Quality Standard	PTO = Permit-to-Operate
COM = continuous opacity monitor	NESHAP = National Emission Standard for Hazardous Air Pollutants	PWR = process weight rate
DAPC = Division of Air Pollution Control	NG = natural gas	RACM = reasonably available control measures
DO/LAA = District Office/Local Air Agency	ng/m ³ = nanograms per cubic meter	RACT = reasonably available control technology
dscf = dry standard cubic foot	NH ₃ = ammonia	RATA = relative accuracy test audit
EAC = emissions activity category	NMHC = non-methane hydrocarbons	RTO = regenerative thermal oxidizer
eDocs = electronic documents database	NMOC = non-methane organic compound	SB265 = Senate Bill 265
ERAC = Environmental Review Appeals Commission	NO = nitrogen oxide	scfm = standard cubic feet per minute
ESP = electrostatic precipitator	NO ₂ = nitrogen dioxide	SI = spark ignition
EU = emissions unit	NO _x = nitrogen oxides	SIP = State Implementation Plan
FEPTIO = Federally Enforceable Permit-to-Install and Operate	NSPS = New Source Performance Standard	SO ₂ = sulfur dioxide
FER = Fee Emissions Report	NSR = New Source Review	SSMP = startup, shutdown, and malfunction plan
FR = Federal Register	NTV = Non-Title V	TDS = total dissolved solids
GACT = generally achievable control technology	O&M = operation and maintenance	TLV = threshold limit value
GHG = greenhouse gases	OAC = Ohio Administrative Code	TO = thermal oxidizer
gr/dscf = grains per dry standard cubic foot	OC = organic compound	TPH = ton(s) per hour
H ₂ S = hydrogen sulfide	Ohio EPA = Ohio Environmental Protection Agency	TPY = ton(s) per year
H ₂ SO ₄ = sulfuric acid	ORC = Ohio Revised Code	TSP = total suspended particulates
HAP = hazardous air pollutant	Pb = lead	VE = visible particulate emissions
HCl = hydrogen chloride	PBR = Permit-By-Rule	VMT = vehicle miles traveled
HF = hydrogen fluoride	PCB = polychlorinated biphenyl	VOC = volatile organic compound
Hg = mercury	PE = particulate emissions	WPP = work practice plan
hp = horsepower	PEMS = predictive emissions monitoring system	µg/m ³ = micrograms per cubic meter



**Environmental
Protection
Agency**

Draft Title V Permit

Trammo Nitrogen Products, Inc.

Permit Number: P0140436

Facility ID: 1431350064

Effective Date: To be entered upon final issuance

A. Standard Terms and Conditions



1. Federally Enforceable Standard Terms and Conditions

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under state law only:
- (1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions
 - (2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions
 - (3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting for State-Only Requirements
 - (4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (5) Standard Term and Condition A. 30., Submitting Documents Required by this Permit

[Authority for term: ORC 3704.036(A)]

2. Monitoring and Related Record Keeping and Reporting Requirements

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
- (1) The date, place (as defined in the permit), and time of sampling or measurements.
 - (2) The date(s) analyses were performed.
 - (3) The company or entity that performed the analyses.
 - (4) The analytical techniques or methods used.
 - (5) The results of such analyses.
 - (6) The operating conditions existing at the time of sampling or measurement.

[Authority for term: OAC rule 3745-77-07(A)(3)(b)(i)]

- 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 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.

[Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii)]

- c) The permittee shall submit required reports in the following manner:
- (1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:



Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any submitted scheduled maintenance requests, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

[(Authority for term: OAC rule 3745-77-07(A)(3)(c))]

- (2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be submitted promptly to the Southwest Ohio Air Quality Agency. Except as provided below, the written reports shall be submitted by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.



In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.

[(Authority for term: OAC rule 3745-77-07(A)(3)(c)]

- (3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.20, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted to the Southwest Ohio Air Quality Agency by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.

[(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b)]

- (4) 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 (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete." Signature by the Responsible Official may be represented by entry of the personal identification number (PIN) by the Responsible Official as part of the electronic submission process or by the scanned attestation document signed by the Responsible Official that is attached to the electronically submitted written report.

[Authority for term: OAC rule 3745-77-07(A)(3)(c)(v)]

- (5) Consistent with A.2.c.1. above, reports of any required monitoring and/or record keeping information required to be submitted to Ohio EPA shall be submitted to Southwest Ohio Air Quality Agency unless otherwise specified.

[Authority for term: OAC rule 3745-77-07(A)(3)(c)]

3. Reporting of Any Exceedance of a Federally Enforceable Emission Limitation or Control Requirement Resulting from Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance 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). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.

[Authority for term: OAC rule 3745-77-07(A)(3)(c)]

4. Risk Management Plans

If applicable, the permittee shall 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"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

- a) A compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or
- b) As part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

[Authority for term: OAC rule 3745-77-07(A)(4)]

5. 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.

[Authority for term: OAC rule 3745-77-07(A)(5)]

6. 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.

[Authority for term: OAC rule 3745-77-07(A)(6)]

7. General Requirements

- a) 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 except as provided pursuant to A.16 below.
- c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with A.11 below. 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.



- f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:
- (1) The permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01 based on the permanent shutdown and removal of one or more emissions units identified in this permit; or
 - (2) The permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01 based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable; or
 - (3) A combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminant sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.

[Authority for term: OAC rule 3745-77-01, OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77-07(A)(7)]

8. 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.

[Authority for term: OAC rule 3745-77-07(A)(8)]

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

[Authority for term: OAC rule 3745-77-07(A)(9)]

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.

[Authority for term: OAC rule 3745-77-07(A)(10)]

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

- a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening



shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

- b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit and shall not require a reopening of this permit.
- c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.
- d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

[Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D)]

12. 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.

[Authority for term: OAC rule 3745-77-07(B)]

13. Compliance Requirements

- a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V 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:
 - (1) 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.
 - (2) 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 paragraph (E) of OAC rule 3745-77-03.
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.



- (4) 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 Southwest Ohio Air Quality 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:
 - (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - (2) 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.
- d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the Southwest Ohio Air Quality Agency) and the Administrator of the U.S. EPA in the following manner and with the following content:
 - (1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted on or before April 30th of each year during the permit term.
 - (2) Compliance certifications shall include the following:
 - a. Identification of each term or condition that is the basis of the certification. The identification may include a statement by the Responsible Official that every term and condition that is federally enforceable has been reviewed, and such terms and conditions with which there has been continuous compliance throughout the year are not separately identified.
 - b. The permittee's current compliance status.
 - c. Whether compliance was continuous or intermittent consistent with A.13.d)(2)a. above.
 - d. The method(s) used for determining the compliance status of the source currently and over the required reporting period consistent with A.13.d)(2)a. above.
 - e. Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.
 - (3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

[Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L)]

14. Permit Shield

- a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

- b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

[Authority for term: OAC rule 3745-77-07(F)]

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [defined as “Title I modification” in OAC rule 3745-77-01], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the Southwest Ohio Air Quality Agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days' notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the Southwest Ohio Air Quality Agency as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).

[Authority for term: OAC rules 3745-77-07(H)(1) and (2)]

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.

[Authority for term: OAC rule 3745-77-07(G)]

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

- a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.
- b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as “insignificant activities and emissions levels” as defined in OAC rule 3745-77-01. Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.
- c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).
- d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

- e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.

[Authority for term: OAC rule 3745-77-07(I)]

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Federal Register 8314, Feb. 24, 1997), in the context of any future proceeding.

(This term is provided for informational purposes only.)

19. Insignificant Activities or Emissions Levels

Each IEU that is subject to one or more applicable requirements shall comply with those applicable requirements.

[Authority for term: OAC rule 3745-77-07(A)(1)]

20. Permit-to-Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit-to-install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

[Authority for term: OAC rule 3745-77-07(A)(1)]

21. 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.

[Authority for term: OAC rule 3745-77-07(A)(1)]

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the Responsible Official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the Responsible Official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01), rendering existing permit terms and conditions

irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

Unless otherwise exempted, no emissions unit identified in this permit that has been certified by the Responsible Official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.

[Authority for term: OAC rule 3745-77-01]

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

- a) Persons operating appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.
- b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.
- c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

[Authority for term: OAC rule 3745-77-01(H)(11)]

24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or record keeping information shall be submitted to the Southwest Ohio Air Quality Agency.
- b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Southwest Ohio Air Quality Agency. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. 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, 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.)

25. Records Retention Requirements Under State Law Only

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.

26. 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.

[Authority for term: OAC rule 3745-77-07(C)]

27. Scheduled Maintenance/Malfunction Reporting for State-Only Requirements

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 Southwest Ohio Air Quality 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).

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The Southwest Ohio Air Quality Agency must be notified in writing of any transfer of this permit.

[Authority for term: OAC rule 3745-77-01(C)]

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation 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 by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

- a) Where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or
- b) Where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potential to emit; or
- c) Where the company's Responsible Official has certified that an emissions unit has been permanently shut down.

30. Submitting Documents Required by this Permit

All applications, notifications or reports required by terms and conditions in this permit to be submitted or "reported in writing" are to be submitted to Ohio EPA through the Ohio EPA's eBusiness Center: Air Services web service ("Air Services"). Ohio EPA will accept hard copy submittals on an as-needed basis if the permittee cannot submit the required documents through the Ohio EPA eBusiness Center. In the event of an alternative hard copy submission in lieu of the eBusiness Center, the post-marked date or the date the document is delivered in person will be recognized as the date submitted. Electronic submission of applications, notifications, or reports required to be submitted to Ohio EPA fulfills the requirement to submit the required information to the Director, the Southwest Ohio Air Quality Agency, and/or any other individual or organization specifically identified as an additional recipient identified in this permit unless otherwise specified. Consistent with OAC rule 3745-15-03, the required application, notification or report is considered to be "submitted" on the date the submission is successful using a valid electronic signature. Signature by the Responsible Official may be represented as provided through procedures established in Air Services.

B. Facility Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

a) None.

2. The insignificant EUs listed below are subject to requirements contained in a permit-to-install, subject to a requirement in the SIP approved versions of OAC Chapters 3745-17, 3745-18, 3745-21, and 3745-31, subject to a federal rule requirement, or otherwise subject to an *Applicable Requirement*, as defined in OAC Rule 3745-77-01:

EU ID	Operations, Property and/or Equipment Description	Applicable Requirement(s)
J001	Truck loading rack (up to 7 stations) for ammonia products, which include urea ammonium nitrate, aqua ammonia, and anhydrous ammonia; controlled by shared packed bed wet scrubbers (East/West Scrubbers)	PTI 14-05706
J002	Truck loading rack for nitric acid; controlled by shared packed bed wet scrubbers (East/West Scrubbers)	PTI 14-04042
J003	Barge unloading of urea ammonium nitrate (UAN) and ammonia; controlled by ammonia flare	PTI 14-05676
L001	15 gallon solvent cold cleaner	P0129360
P003	1.4 mmBtu/hr diesel engine to supply power to cooling tower pump during periods of power outage	PTI 14-04064
P007	125 BHP diesel-fired emergency fire water pump	PBR10056
P008	Olympian D40P2, 40 kW (CAT) emergency generator	PBR12760
T001	270,000 gallon fixed roof Nitric Acid storage tank (Acid Tank 6) controlled by shared packed bed wet scrubbers (East/West Scrubbers)	PTI 14-04064
T002	40,000 gallon fixed roof Nitric Acid storage tank (Acid Tank 7) controlled by shared packed bed wet scrubbers (East/West Scrubbers)	PTI 14-04064

(Authority for term: OAC rule 3745-77-07(A)(13))

3. This facility is subject to the requirements for Risk Management Plans found in OAC Chapter 3745-104 and 40 CFR Part 68 as specified in Section A.4. of this permit. The permittee shall comply with the Risk Management Plan submitted to the Southwest Ohio Air Quality Agency on June 10, 1999, and any subsequent plan updates.

(Authority for term: OAC rule 3745-77-07(A)(4), OAC rule 3745-104, and 40 CFR Part 68)

4. The Ohio EPA has determined that this facility operates affected sources that may be subject to the requirements of 40 CFR Part 63, Subpart JJJJJJ, the NESHAP for Industrial, Commercial and institutional Boilers. Ohio EPA is not accepting the delegation authority to implement and enforce the area source NESHAP standard. The area source NESHAP standard is implemented and enforced by U.S. EPA, Region 5. The promulgated version of this NESHAP standard and the 40 CFR Part 63, General Provisions may be accessed via the Internet from the Electronic Code of Federal Regulations (e-CFR) website <http://www.ecfr.gov/> or by contacting the Ohio EPA, DO/LAA.

The following affected sources may be subject to the area source requirements of this NESHAP standard: EU(s) B001 (exemption for gas-fired boilers combusting distillate fuel oil only during periods of gas curtailment, gas supply interruption, startups, or periodic testing on liquid fuel).

(Authority for term: 40 CFR Part 63)

5. The Ohio EPA has determined that this facility operates affected sources that may be subject to the requirements of 40 CFR Part 63, Subpart ZZZZ, the NESHAP for Stationary Reciprocating Internal Combustion Engines. Ohio EPA is not accepting the delegation authority to implement and enforce the area source requirements of this NESHAP standard. The area source requirements of this NESHAP standard are implemented and enforced by U.S. EPA, Region 5. The promulgated version of this NESHAP standard and the 40 CFR Part 63, General Provisions may be accessed via the Internet from the e-CFR website <http://www.ecfr.gov/> or by contacting the Ohio EPA, DO/LAA.

The following affected sources may be subject to the area source requirements of this NESHAP standard: Insignificant EU(s) P003, P007, and P008.

(Authority for term: 40 CFR Part 63)

C. Emissions Unit Terms and Conditions

1. B001, Gas/Oil Boiler

Operations, Property and/or Equipment Description:

48.8 MMBtu/hr gas/oil fired boiler used for production heat for the Nitric Acid Plant (P001). B001 operates off of primarily natural gas but during times of natural gas curtailment, will run on fuel oil (diesel). B001 provides steam during the oxidation of ammonia process during nitric acid production.

- a) The following EU terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

- b) Applicable Emissions Limitations and/or Control Requirements

- (1) The specific operation(s), property, and/or equipment that constitute each EU along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(A)(1)	VE from any stack shall not exceed 20% opacity, as a six-minute average, except as specified by rule.
b.	OAC rule 3745-17-10(B)(1)	PE shall not exceed 0.020 lb/mmBtu of actual heat input when burning natural gas. PE shall not exceed 0.040 lb/mmBtu of actual heat input when burning No. 2 fuel oil.
c.	OAC rule 3745-18-06(D)	SO ₂ emissions shall not exceed 1.6 lbs/mmBtu of actual heat input.
d.	OAC rule 3745-110-03(A)	See b)(2)a. and d)(1).

- (2) Additional Terms and Conditions

- a. The permittee shall perform a tune-up on this EU annually.

- c) Operational Restrictions

- (1) The permittee shall burn only natural gas and/or No.2 fuel oil in this EU.

(Authority for term: OAC rule 3745-77-07(A)(1))

- (2) The quality of the fuel oil burned in this EU shall meet a sulfur content that is sufficient to comply with the allowable SO₂ emission limitation specified in this permit.



(Authority for term: OAC rules 3745-77-07(A)(1) and 3745-18-06(C))

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall perform a tune-up on this EU annually and maintain, in a permanently bound log book, or other format approved in writing by the director the following information:
 - a. The date of the last tune-up;
 - b. The name, title and affiliation of the person who performed the tune-up and made any adjustments; and
 - c. Any other information which the Ohio EPA may require as a condition of approval of any permit for the boiler.

(Authority for term: OAC rules 3745-77-07(C)(1) and 3745-110-03(A))

- (2) For each day during which the permittee burns a fuel other than natural gas and/or No. 2 fuel oil, the permittee shall maintain a record of the type and quantity of fuel burned in this EU.

(Authority for term: OAC rule 3745-77-07(C)(1))

- (3) The permittee shall maintain the records specified in either Option 1 or Option 2 below to document the quality of the fuel oil burned in this EU.

Option 1:

For each shipment of oil received for burning in this EU, the permittee shall maintain records of the total quantity of oil received, the fuel oil type (number 2, 4, or 6), the permittee's or oil supplier's analyses for sulfur content and heat content, and the calculated SO₂ emission rate (in lbs/mmBtu). The SO₂ emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the oil for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as D240 "Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter" and D4294, "Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry," or equivalent methods as approved by the director.

These records shall be retained for a minimum of three years and shall be made available for inspection, if requested.



Option 2:

The permittee shall maintain records of the oil burned in this EU in accordance with either Alternative 1 or Alternative 2 described below.

a. Alternative 1:

For each shipment of oil received for burning in this EU, the permittee shall collect or require the oil supplier to collect a representative grab sample of oil and maintain records of the total quantity of oil received, the permittee's or oil supplier's analyses for sulfur content and heat content, and the calculated SO₂ emission rate (in lbs/mmBtu). The SO₂ emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the oil for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

b. Alternative 2:

The permittee shall collect a representative grab sample of oil that is burned in this EU for each day when the EU is in operation. If additional fuel oil is added to the tank serving this EU on a day when the EU is in operation, the permittee shall collect a sufficient number of grab samples to develop a composite sample representative of the fuel oil burned in this EU. A representative grab sample of oil does not need to be collected on days when this EU is only operated for the purpose of *test-firing*. The permittee shall maintain records of the total quantity of oil burned each day, except for the purpose of test-firing, the permittee's analyses for sulfur content and heat content, and the calculated SO₂ emission rate (in lbs/mmBtu). The SO₂ emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F).

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as ASTM methods D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the Director.

These records shall be retained for a minimum of three years and shall be made available for inspection, if requested.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))



e) Reporting Requirements

- (1) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas and/or No. 2 fuel oil was burned in this EU. Each report shall be submitted within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

- (2) The permittee shall notify the Southwest Ohio Air Quality Agency in writing of any record which shows a deviation from the allowable SO₂ emission limitation contained in this permit, based upon the SO₂ emission rates calculated in accordance with the formula specified in OAC rule 3745-18-04(F). The notification shall include a copy of such record and shall be sent to the Southwest Ohio Air Quality Agency within 45 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

f) Testing Requirements

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emissions Limitation

PE shall not exceed 0.020 lb/mmBtu of actual heat input when burning natural gas; and

PE shall not exceed 0.040 lb/mmBtu of actual heat input when burning No. 2 fuel oil.

Applicable Compliance Method

For the combustion of natural gas, compliance may be determined by multiplying the maximum natural gas usage rate of the EU (mm cu. ft/hr) by the AP-42, Fifth Edition, Section 1.4, Table 1.4-2 (revised 7/98) emission factor of 1.9 lbs of filterable PE/mm cu. ft, and then dividing by the maximum hourly heat input capacity of the EU (mmBtu/hr).

For the combustion of fuel oil, compliance may be determined by multiplying the maximum fuel oil usage rate of the EU (gallons/hr) by the AP-42, Fifth Edition, Section 1.3, Table 1.3-1 (revised 5/10) emission factor of 2.0 lbs of filterable PE/1000 gallons, and then dividing by the maximum hourly heat input capacity of the EU (mmBtu/hr).

If required, the permittee shall demonstrate compliance with the lb/mmBtu emission limitations through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 - 5 and the procedures specified in OAC rule 3745-17-03(B)(9).

(Authority for term: OAC rules 3745-77-07(C)(1) and 3745-17-10(B))

b. Emissions Limitation

SO₂ emissions shall not exceed 1.6 lbs/mmBtu of actual heat input.



Applicable Compliance Method

When combusting fuel oil, compliance with the allowable SO₂ emission limitation shall be demonstrated by the fuel oil sulfur analysis and emission rate calculations collected and recorded in d)(2).

For the combustion of natural gas, compliance may be determined by multiplying the hourly gas usage rate of the EU (mm cu. ft/hr) by the AP-42, Fifth Edition, Section 1.4, Table 1.4-2 (revised 7/98) emission factor of 0.6 lb of SO₂/mm cu. ft and then dividing by the maximum hourly heat input capacity of the EU (mmBtu/hr).

If required, the permittee shall demonstrate compliance with the lb/mmBtu emission limitation through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 - 4 and 6.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))

c. Emissions Limitation

VE from any stack shall not exceed 20% opacity, as a six-minute average, except as specified by rule.

Applicable Compliance Method

If required, compliance with the stack VE limitation shall be determined through VE observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A, and OAC rule 3745-17-03(B)(1)(a).

No visible emissions observations are specifically required to demonstrate compliance with this emission limitation but, if appropriate, may be required pursuant to OAC rule 3745-15-04(A).

(Authority for term: OAC rules 3745-17-07(A)(1), 3745-17-03(B)(1), and 3745-77-07(C)(1))

g) **Miscellaneous Requirements**

(1) None.

2. P001, Nitric Acid Plant

Operations, Property and/or Equipment Description:

Nitric Acid Plant with SCR

- a) The following EU terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) d)(11) - d)(14), and e)(2).

- b) Applicable Emissions Limitations and/or Control Requirements

- (1) The specific operation(s), property, and/or equipment that constitute each EU along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(F) (PTI P0103851, issued 01/21/2009)	NO _x emissions shall not exceed 32.33 TPY. See c)(1).
b.	40 CFR Part 60, Subpart G <i>Standards of Performance for Nitric Acid Plants</i>	VE shall not exhibit 10% opacity or greater. [40 CFR 60.72(a)(2)] The NO _x emission limitation specified by this rule is less stringent than the NO _x emission limitation established pursuant to DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089.
c.	Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio	See b)(2)c., b)(2)d., b)(2)e., and (c)(1).
d.	OAC rule 3745-17-07(A)(1)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart G.
e.	OAC rule 3745-114-01	See d)(11) through d)(14), and e)(2).



(2) Additional Terms and Conditions

- a. The application and enforcement of the provisions of the NSPS, as promulgated by the USEPA, 40 CFR Part 60, are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.
- b. Compliance with OAC rule 3745-31-05(F) shall be demonstrated by compliance with the mass emission limitation and the use of selective catalytic reduction (SCR) control technology.
- c. NO_x emissions shall not exceed 1.0 lb of NO_x (expressed as NO₂) per ton of 100% nitric acid produced averaged over 3 rolling hours of operating time. This short-term limit shall not apply during periods of startup, shutdown or malfunction of the Nitric Acid Plant or during malfunction of the SCR, provided that during such periods the permittee implements good air pollution control practices.
- d. NO_x emissions shall not exceed 0.61 lbs of NO_x (expressed as NO₂) per ton of 100% nitric acid produced averaged over all operating hours in a rolling 365-day period. This requirement shall apply at all times the nitric acid plant is in operation.
- e. The requirements established Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio shall not be relaxed.

c) Operational Restrictions

- (1) The permittee shall operate a selective catalytic reduction (SCR) device for controlling NO_x emissions on this EU.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(A)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall record the daily production rate and hours of operation.

(Authority for Term: OAC rule 3745-77-07(C)(1) and 40 CFR 60.73(c))

- (2) The permittee shall operate and maintain a NO_x CEMS on this EU. Except during CEMS breakdowns, repairs, calibration checks, and zero span adjustments, the CEMS shall operate at all times during operation of the nitric acid plant.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)



- (3) The CEMS shall consist of equipment necessary to monitor the NO_x concentration in the main stack, or the NO_x concentration of the gas stream to the main stack if an aspirating stack is used, and the NO_x concentration in any bypass stack.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (4) The CEMS shall be installed, certified, calibrated, maintained, and operated in accordance with the applicable requirements of 40 CFR 60.11, 60.13, Part 60, Appendix B, Performance Specification 2, and Part 60, Appendix F, Procedure 1.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (5) In lieu of the span value requirements of 40 CFR 60.73(a) and as contained in the alternative monitoring plan submitted 06/20/2007 pursuant to 40 CFR 60.13(i) and approved by USEPA on 07/20/2007, the CEMS shall have a dual span value in order to measure NO_x concentrations during normal operations and during a startup, shutdown, or malfunction (SSM) event. The span value for use during normal operations shall be set at 125% of the maximum estimated concentration of NO_x during normal operation. The span value for use during SSM events shall be set at 125% of the maximum estimated concentration of NO_x during an SSM event.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (6) The NO_x CEMS shall monitor and record the NO_x concentration (in ppm) and 3-hour average NO_x emission rate in units of lbs/ton from the nitric acid plant. The CEMS shall also monitor and record the rolling 365-day average NO_x emission rate from the nitric acid plant in units of lbs/ton.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (7) The CEMS shall be used to demonstrate compliance with the emission limits established in b)(2)c. and b)(2)d.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)



- (8) Consistent with 40 CFR Part 60, Appendix F, the permittee shall take all steps necessary to avoid CEMS breakdowns and minimize downtime. This shall include, but is not limited to, operating and maintaining the CEMS in accordance with best practices and maintaining an on-site inventory of spare parts or other supplies necessary to make rapid repairs of the equipment.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (9) In the event of CEMS downtime lasting longer than 24 hours, the permittee shall demonstrate compliance with the emission limits in b)(2) by implementing an alternative monitoring procedure. This procedure shall involve making physical measurements of the NO_x concentration in the gas stream to the main stack. These measurements shall be collected and analyzed once every three hours until the CEMS resumes operation, and these measurements must be recorded and included in the 365-day rolling average NO_x emission calculation.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (10) The permittee shall maintain a record of the updated conversion factors determined in f)(2) below.

(Authority for term: OAC rule 3745-77-07(C)(1))

- (11) The PTI application for EU P001 was evaluated based on the actual materials and the design parameters of the EU's exhaust system, as specified by the permittee. The *Toxic Air Contaminant Statute*, ORC 3704.03(F), was applied to this EU for each toxic air contaminant listed in OAC rule 3745-114-01 using data from the permit application; and modeling was performed for each toxic air contaminant emitted at over 1 TPY using an air dispersion model such as AERSCREEN, AERMOD, ISCST3 or other Ohio EPA-approved model. The predicted one-hour maximum ground-level concentration results from the approved air dispersion model, were compared to the MAGLC, calculated as described in Ohio EPA guidance document entitled "Review of New Sources of Air Toxic Emissions, Option A," as follows:

- a. The exposure limit, expressed as a time-weighted average concentration for a conventional eight-hour workday and a 40-hour workweek, for each toxic compound emitted from the EU (as determined from the raw materials processed and/or coatings or other materials applied), has been documented from the American Conference of Governmental Industrial Hygienists "Threshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices and in the following order of preference:
- i. TLV shall be used, if the chemical is listed; or



- ii. Short-term exposure limit (STEL) or the ceiling value; the STEL is multiplied by 0.737 to convert the 15-minute exposure limit to an equivalent eight-hour TLV.
- b. The TLV is divided by 10 to adjust the standard from the working population to the general public.
- c. This standard is adjusted to account for the duration of the exposure or the operating hours of the EU, that is, X hours per day and Y days per week, from that of eight hours per day and five days per week.
- d. The resulting calculation shall be used to determine the MAGLC:

$$\frac{TLV}{10} \times \frac{8}{X} \times \frac{5}{Y} = 4 \frac{TLV}{XY} = MAGLC$$

- e. The following summarizes the results of dispersion modeling for the significant toxic contaminant (emitted at 1 TPY or more) or *worst-case* scenario:

Toxic Contaminant: ammonia

TLV (mg/m³): 17.43

Maximum Hourly Emission Rate (lbs/hr): 21.63

Predicted 1-Hour Maximum Ground Level Concentration (ug/m³): 312.1

MAGLC (ug/m³): 415

The permittee has demonstrated that emissions of ammonia, from EU P001, are calculated to be less than 80% of the MAGLC; any new raw material or processing agent shall not be applied without evaluating each component toxic air contaminant in accordance with the *Toxic Air Contaminant Statute*, ORC 3704.03(F).

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1))

- (12) Prior to making any physical changes to or changes in the method of operation of the EU that could impact the parameters or values that were used in the predicted one-hour maximum ground-level concentration, the permittee shall re-model any change to demonstrate that the MAGLC has not been exceeded. Changes that can affect the parameters/values used in determining the one-hour maximum ground-level concentration include, but are not limited to, the following:
 - a. Changes in the composition of the materials used or the use of new materials, that would result in the emissions of a new toxic air contaminant with a lower TLV than the lowest TLV previously modeled.



- b. Changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any toxic air contaminant listed in OAC rule 3745-114-01, that was modeled from the initial (or last) application.
- c. Physical changes to the EU or exhaust parameters (for example, increased/ decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines the *Toxic Air Contaminant Statute*, ORC 3704.03(F), will be satisfied for the above changes, Ohio EPA will not consider a change to be a *modification* under OAC rule 3745-31-01 solely due to a non-restrictive change to a parameter or process operation, where compliance with the *Toxic Air Contaminant Statute*, ORC 3704.03(F), has been documented. If each change meets the definition of a *modification*, the permittee shall apply for and obtain a final PTI prior to the change. The director may consider any significant departure from the operations of the EU described in the permit application as a modification that results in greater emissions than the emissions rate modeled to determine the ground-level concentration; and he/she may require the permittee to submit a permit application for the increased emissions.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1))

- (13) The permittee shall collect, record and retain the following information for each toxic evaluation conducted to determine compliance with the *Toxic Air Contaminant Statute*, ORC 3704.03(F):
 - a. A description of the parameters/values used in each compliance demonstration and the parameters or values changed for any re-evaluation of the toxic(s) modeled (for example, the composition of materials, new toxic contaminants emitted, change in stack/exhaust parameters, etc.).
 - b. The MAGLC for each significant toxic contaminant or worst-case contaminant, calculated per the *Toxic Air Contaminant Statute*, ORC 3704.03(F).
 - c. A copy of the computer model run(s), that established the predicted one-hour maximum ground-level concentration that demonstrated the EU to be in compliance with the *Toxic Air Contaminant Statute*, ORC 3704.03(F), initially and for each change that requires re-evaluation of the toxic air contaminant emissions.
 - d. The documentation of the initial evaluation of compliance with the *Toxic Air Contaminant Statute*, ORC 3704.03(F), and documentation of any determination that was conducted to re-evaluate compliance due to a change made to the EU or the materials applied.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1))

- (14) The permittee shall maintain a record of any change made to a parameter or value entered in the dispersion model used to demonstrate compliance with the *Toxic Air Contaminant Statute*,



ORC 3704.03(F), through the predicted one-hour maximum ground-level concentration. The record shall include the date and reason(s) for the change and if the change would increase the ground-level concentration.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1))

e) Reporting Requirements

- (1) The permittee shall comply with the following quarterly reporting requirements for the EU and its continuous NO_x monitoring system:
 - a. Pursuant to the monitoring, record keeping, and reporting requirements for continuous monitoring systems contained in 40 CFR 60.7 and 60.13(h) and the requirements established in this permit, the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA DO/LAA, documenting all instances of NO_x emissions in excess of any applicable limit specified in this permit, 40 CFR Part 60, OAC Chapters 3745-14 and 3745-23, and any other applicable rules or regulations. The report shall document the date, commencement and completion times, duration, and magnitude of each exceedance, as well as the reason (if known) and the corrective actions taken (if any) for each exceedance. Excess emissions shall be reported in units of the applicable standard(s).
 - b. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall include the following:
 - i. the facility name and address;
 - ii. the manufacturer and model number of the continuous NO_x and other associated monitors;
 - iii. a description of any change in the equipment that comprises the CEMS, including any change to the hardware, changes to the software that may affect CEMS readings, and/or changes in the location of the CEMS sample probe;
 - iv. the excess emissions report (EER)*, i.e., a summary of any exceedances during the calendar quarter, as specified above;
 - v. the total NO_x emissions for the calendar quarter (tons);
 - vi. the total operating time (hours) of the EU;
 - vii. the total operating time of the continuous NO_x monitoring system while the EU was in operation;
 - viii. results and dates of quarterly cylinder gas audits;



- ix. unless previously submitted, results and dates of the RATA(s), including results in units of the applicable standard(s), (during appropriate quarter(s));
- x. unless previously submitted, the results of any RATA showing the continuous NO_x monitor out-of-control and the compliant results following any corrective actions;
- xi. the date, time, and duration of any/each malfunction** of the continuous NO_x monitoring system, EU, and/or control equipment;
- xii. the date, time, and duration of any downtime** of the continuous NO_x monitoring system and/or control equipment while the EU was in operation; and
- xiii. the reason (if known) and the corrective actions taken (if any) for each event in (b)(xi) and (xii).

Each report shall address the operations conducted and data obtained during the previous calendar quarter.

* where no excess emissions have occurred or the continuous monitoring system(s) has/have not been inoperative, repaired, or adjusted during the calendar quarter, such information shall be documented in the EER quarterly report

** each downtime and malfunction event shall be reported regardless if there is an exceedance of any applicable limit

(Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and 40 CFR 60.7)

- (2) The permittee shall submit annual reports to the appropriate Ohio EPA DO/LAA, documenting any changes made to a parameter or value used in the dispersion model, that was used to demonstrate compliance with the "Toxic Air Contaminant Statute", ORC 3704.03(F), through the predicted 1-hour maximum ground-level concentration. If no changes to the EU or the exhaust stack have been made, then the report shall include a statement to this effect. This report shall be postmarked or delivered no later than January 31 following the end of each calendar year.

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1))

f) **Testing Requirements**

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emissions Limitation
VE shall not exhibit 10% opacity or greater.



Applicable Compliance Method

Compliance with the stack visible particulate emissions limitation shall be determined through visible emissions observations performed in accordance with 40 CFR 60.11 and U.S. EPA Method 9.

(Authority for term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and 40 CFR 60.11)

b. Emissions Limitation

NO_x emissions shall not exceed 32.33 TPY.

NO_x emissions shall not exceed 0.61 lbs of NO_x (expressed as NO₂) per ton of 100% nitric acid produced averaged over all operating hours in a rolling 365-day period.

Applicable Compliance Method

Compliance shall be determined through the continuous emissions monitoring required by d)(2) through d)(10).

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

c. Emissions Limitation

NO_x emissions shall not exceed 1.0 lb of NO_x (expressed as NO₂) per ton of 100% nitric acid produced averaged over 3 rolling hours of operating time.

Applicable Compliance Method

Compliance shall be determined through the continuous emissions monitoring required by d)(2) through d)(10).

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

(2) On an annual basis the permittee shall perform either:

- a. A NO_x CEM system RATA; or
- b. A Federal Reference Method Stack Test (Method 7 of 40 CFR Part 60, Appendix A, or approved alternative methods).

The purpose of the above testing is to establish updated conversion factors for the purpose of converting the NO_x CEM monitoring data in terms of NO_x concentration, into terms of mass of NO_x per unit of acid produced. A separate conversion factor shall be established for production



of strong acids (defined as nitric acid 67% or greater in strength) and weak acids (defined as nitric acid less than 67% in strength).

Should the permittee choose to perform a Federal Reference Method Stack Test, the procedures specified in f)(3) below shall be followed.

Should the permittee choose to perform a RATA, the test methods and procedures specified in 40 CFR Part 60 Appendix B Performance Specification 2 shall be followed.

Not later than 30 days prior to the proposed RATA date(s), the permittee shall submit an "Intent to Test" notification to the Southwest Ohio Air Quality Agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the EU 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 local air agency's refusal to accept the results of the emission test(s).

Personnel from the Southwest Ohio Air Quality Agency shall be permitted to witness the RATA, examine the testing equipment, and acquire data and information necessary to ensure that the operation of the EU and the testing procedures provide a valid characterization of the emissions from the EU and/or the performance of the control equipment.

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

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)

- (3) The permittee shall conduct, or have conducted, emission testing for this EU in accordance with the following requirements:
- a. The emission testing shall be conducted within 6 months of permit expiration.
 - b. The emission testing shall be conducted to demonstrate compliance with the allowable emission rate of NO_x in b)(2)c.
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s):

Method 7 of 40 CFR Part 60, Appendix A, or approved alternative methods.
 - d. The test must consist of at least 9 reference method test runs conducted during periods of representative performance of the nitric acid plant and may serve as the CEMS



relative accuracy test required under Performance Specification 2 in Part 60, Appendix B In order to develop the conversion factors required within this term, at least 3 reference method test runs must be conducted during the production of each Strong Acid (defined as nitric acid 67% or greater in strength) and Weak Acid (defined as nitric acid less than 67% in strength). The permittee shall take all steps necessary to assure accurate measurements of 100% nitric acid production during each test run.

- e. The test(s) shall be conducted while the EU is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA DO/LAA.
- f. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA DO/LAA. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the EU operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).
- g. Personnel from the appropriate Ohio EPA DO/LAA 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 EU and the testing procedures provide a valid characterization of the emissions from the EU and/or the performance of the control equipment.
- h. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA DO/LAA within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA DO/LAA.
- i. During emission testing, the permittee shall establish conversion factors for the purpose of converting monitoring data, in terms of NO_x concentration, into terms of mass of NO_x per unit of acid production. A separate conversion factor shall be established for production of strong acids (defined as nitric acid 67% or greater in strength) and weak acids (defined as nitric acid less than 67% in strength). These conversion factors shall be used by the CEMS to calculate the NO_x emission rate expressed as lbs/ton and demonstrate compliance with the emission limits in b)(2).

(Authority for term: PTI P0103851 and OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart G, and Consent Decree, DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio)



g) Miscellaneous Requirements

- (1) The terms and conditions of PTI P0103851 included changes made to the Nitric Acid Plant economizer and exhaust stack.
- (2) The permittee shall neither generate nor use any NO_x emission reductions resulting from any projects conducted pursuant to the Consent Decree (DOJ Case No. 90-5-2-1-08469, Civil Action Number 1:07CV089, US District Court, Southern District of Ohio) for the purpose of obtaining netting credits or offsets in any PSD, major nonattainment and/or minor NSR permit or permit proceeding.