

**3745-31-08 Registration status permit-to-operate.**

- (A) For purposes of paragraph (B) of this rule:
- (1) "Maximum potential yearly emissions" means the total weight of lead, organic compounds, particulates or sulfur dioxide which is, or in the absence of control equipment would be, emitted from an air contaminant source in any one calendar year.
  - (2) "Registration status" means that the source may be operated without having obtained a permit-to-operate or variance, and exists upon notification as provided by the director.
- (B) Prior to June 30, 2008, the director may have placed an air contaminant source on registration status after submittal of an application for a permit-to-operate, rather than issuing a permit-to-operate, if the owner or operator of such source demonstrated to the satisfaction of the director that the source was in compliance with applicable law and if the following conditions were met:
- (1) The source was not subject to any mass emissions limitation or control requirement specified within or pursuant to any applicable law; or
  - (2) The source was subject to a mass emissions limitation or control requirement specified solely within Chapter(s) 3745-17, 3745-18, and/or 3745-21 of the Administrative Code; the maximum potential yearly emissions of lead and organic compounds from the source was each less than five tons; and the maximum potential yearly emissions of particulates and sulfur dioxide from the source were each less than twenty-five tons.
- (C) An air contaminant source placed on registration status as of the effective date of this rule may remain on registration status until removed in accordance with paragraph (D) or (E) of this rule.
- (D) The director may at any time require the owner or operator of an air contaminant source which obtained registration status prior to June 30, 2008, to submit an updated application for a PTIO or variance and/or to demonstrate its continued compliance with the requirements of paragraph (B) of this rule. If the owner or operator complies with this request of the director within a reasonable period of time as specified by the director, the updated application shall be processed in accordance with applicable law, including continuation of the existing registration status if appropriate. If the owner or operator fails to comply with this request of the director within a reasonable period of time as specified by the director, the permit-to-operate application previously submitted by such owner or operator for such source shall be removed from registration status and processed in accordance with applicable law. Any subsequent permit denial or notice of application deficiency shall serve as notice to the owner or operator of the source that the permit-to-operate application for such source has in fact been removed from registration status.

- (E) The director may revoke a registration status obtained prior to June 30, 2008 if the permittee requests revocation for cause and the director determines that granting the requested revocation will not result in the violation of any applicable laws. When a permittee requests a revocation pursuant to the paragraph, the director, without prior hearing, shall make a final determination on the request.

Revocation of registration status shall be final immediately after service of notice to the registration status holder.

Effective: 05/29/2014

R.C. 119.032 review dates: 01/10/2014 and 05/29/2019

CERTIFIED ELECTRONICALLY

Certification

05/19/2014

Date

Promulgated Under: 119.03

Statutory Authority: 3704.03(F), 3704.03(G)

Rule Amplifies: 3704.03(G), 3704.03(F), 3704.03(A)

Prior Effective Dates: 1/1/74, 11/7/79, 8/15/82, 6/18/01, 11/30/01, 10/17/03,  
11/3/06, 12/1/06, 6/30/08