

3745-31-01 Definitions.

- (A) Except as otherwise provided in this rule, the definitions in rule 3745-15-01 of the Administrative Code shall apply to this chapter.
- (B) "Affected source" means a major emitting facility as defined by the Clean Air Act.
- (C) "Air contaminant" means particulate matter, dust, fumes, gas, mist, smoke, vapor or odorous substances, or any combination thereof.
- (D) "Air contaminant source" means each separate operation, or activity that results or may result in the emission of any air contaminant.
- (E) "Allowable air contaminant emissions" means the emission rate calculated using the maximum rated capacity of the air contaminant source (unless the air contaminant source is subject to enforceable permit conditions which limit operating rate, or hours of operation, or both) permissible under the most stringent of the following:
- (1) Applicable federal "Standards of Performance for New Stationary Sources" adopted by the administrator of the United States environmental protection agency pursuant to section 111 of the Clean Air Act and the regulations promulgated thereunder;
 - (2) Applicable "National Emission Standard for Hazardous Air Pollutants" set forth in 40 CFR Part 61;
 - (3) Applicable state implementation plan emission limitation; or
 - (4) The emission rate specified as an enforceable permit condition.
- (F) "Applicable laws" means any applicable provisions of Chapters 3704., 3734., 3745., and 6111. of the Revised Code, as amended; rules, regulations, and orders of the Ohio EPA; the Clean Air Act, as amended; the federal Water Pollution Control Act, as amended ~~AMENDED~~; and rules and regulations of the administrator of the United States environmental protection agency.
- (G) "Authorized maximum daily waste receipt" means the maximum amount of solid waste a solid waste facility may receive at the gate in any calendar day. The disposal limit shall be expressed in tons per day for facilities utilizing scales or cubic yards per day at the gate for all other facilities. The conversion factor between tons and cubic yards shall be one ton to three cubic yards unless the solid waste is baled, in which case a one-ton to one-cubic-yard conversion factor shall be used.

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- (H) "Disposal system" means a system for disposing of sewage, industrial waste, or other wastes, and includes sewerage SEWAGE systems and treatment works.
- (I) "Install" or "installation" means to construct, erect, locate or affix any air contaminant source or any treatment works.
- (J) "Modify" or "modification" means:
- (1) Any physical change in, or change in the method of operation of:
 - (a) Any air contaminant source that:
 - (i) Increases the allowable air contaminant emissions under applicable law; or
 - (ii) Results in the emission of any type of air contaminant not previously emitted; or
 - (iii) Results in the relocation of the source to a new premises, ~~including~~ INCLUDING, but not limited to, the movement of any existing source from another state, county, or other geographic location; or
 - (iv) Is otherwise defined as a major modification under applicable regulations promulgated by the administrator of the United States environmental protection agency regarding prevention of significant deterioration or non-attainment new source review, or is defined as a modification under applicable regulations promulgated by the administrator of the United States environmental protection agency regarding new source performance standards or national emission standards for hazardous air pollutants, or SECTION 112 OF THE CLEAN AIR ACT; OR
 - (b) Any significant air contaminant source that, for the specific air contaminant or air contaminants for which the air contaminant source is classified as significant, results in an increase in the ambient air quality impact of the air contaminant source greater than the following levels as determined by atmospheric dispersion modeling or by another method acceptable to the director:

- (i) Carbon monoxide - five hundred seventy-five ug/m^3 , eight-hour average;
 - (ii) Nitrogen dioxide - fourteen ug/m^3 , twenty-four-hour average;
 - (iii) Total suspended particulate - ten ug/m^3 , twenty-four-hour average;
 - (iv) Sulfur dioxide - fifteen ug/m^3 , twenty-four-hour average;
 - (v) ~~lead~~ LEAD - 0.1 ug/m^3 , twenty-four average; or
- (c) A treatment works to allow it to process water pollutants:
- (i) In materially increased quantities; or
 - (ii) Of a materially different character; or
 - (iii) In materially higher concentrations; or
 - (iv) The addition of new connections to a public sewerage SEWAGE system shall not be considered a modification of the sewerage SEWAGE system.
- (2) A solid waste disposal facility undergoing:
- (a) Any material change in:
 - (i) The total capacity; or
 - (ii) The finished topography; or
 - (iii) The depth of excavation; or
 - (b) A substantial change, which may endanger human health, in:
 - (i) Technique of waste receipt; or
 - (ii) Type of waste received; or
 - (iii) Type of equipment used; or
 - (c) A change in the authorized maximum daily waste

receipt established for the solid waste disposal facility; or

- (d) Any other substantial alteration of said facility, unless performed in response to the terms of a permit or order of the Ohio EPA.
- (K) "New source" means any air contaminant source and/or disposal system for which an owner or operator undertakes a continuing program of installation or modification or enters into a binding contractual obligation to undertake and complete, within a reasonable time, a continuing program of installation or modification, after January 1, 1974, and which, at the time of installation or modification, would have otherwise been subject to the provisions of this chapter.
- (L) "Organic compounds" means any chemical compound containing carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates, and ammonium carbonate.
- (M) "Person" means the federal government or any agency thereof, the state or any agency thereof, any political subdivision, or any agency thereof, or any public or private corporation, individual, partnership, or other entity.
- (N) "Sewage" means any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals.
- (O) "Significant air contaminant source" means any air contaminant source which emits:
- (1) Greater than one hundred tons per year of any of the following air contaminants:
 - (a) Particulate emissions; or
 - (b) Sulfur dioxide; or
 - (c) Nitrogen oxides; or
 - (d) Organic compounds; or
 - (2) Greater than one thousand tons per year of carbon monoxide; or
 - (3) Greater than two tons per year of lead.

- (P) "Solid waste disposal facility" means any site, location, tract of land, installation, or building used for incineration, composting, sanitary landfilling, or other methods of disposal of solid wastes, and does not include any facility for which a hazardous waste facility installation and operation permit is required by Chapter 3734. of the Revised Code.
- (Q) "Temporary source" means any new source of air contaminants as defined in paragraph (K) of this rule, or modification of an air contaminant source, as defined by paragraph (J) of this rule, ~~such as a pilot plant or portable facility,~~ which is subject to a written declaration by the operator to the director that the air contaminant source will cease operation, be relocated, OR OBTAIN A NEW PERMANENT SOURCE PERMIT TO INSTALL ~~or will obtain a permit to operate that includes the temporary operation~~ within two years of the draft of declaration.
- (R) "Ug/m³" means micrograms per cubic meter.
- (S) "Water pollutant" means any sewage, industrial waste or other waste, as defined by section 6111.01 of the Revised Code.
- (T) "MAXIMUM UNCONTROLLED EMISSIONS" (ONLY USED FOR DETERMINING REGISTRATION STATUS) MEANS THE AMOUNT OF EMISSIONS FROM THE SOURCE IN TONS PER YEAR CALCULATED AT THE MAXIMUM OPERATING CAPACITY OF THE SOURCE BASED UPON OPERATING EIGHT THOUSAND SEVEN HUNDRED SIXTY HOURS PER YEAR IN THE ABSENCE OF CONTROL EQUIPMENT.
- (U) "DISTILLATE OIL" MEANS A PETROLEUM PRODUCT DESIGNATED AS NUMBER ONE FUEL OIL, NUMBER TWO FUEL OIL (WITH LESS THAN OR EQUAL TO 0.5 PER CENT BY WEIGHT SULFUR), DIESEL FUEL OR KEROSENE BY THE AMERICAN PETROLEUM INSTITUTE. ✓
- (V) "FACILITY" MEANS A PLANT COMPRISED OF A SOURCE OR GROUP OF SOURCES LOCATED ON CONTIGUOUS PROPERTY OPERATED UNDER THE CONTROL OR OWNERSHIP OF THE SAME ENTITY.
- (W) "POTENTIAL TO EMIT" MEANS THE MAXIMUM CAPACITY OF A STATIONARY SOURCE TO EMIT A POLLUTANT UNDER ITS PHYSICAL AND OPERATIONAL DESIGN. ANY PHYSICAL OR OPERATIONAL LIMITATION ON THE CAPACITY OF THE SOURCE TO EMIT A POLLUTANT, INCLUDING AIR POLLUTION CONTROL EQUIPMENT AND RESTRICTIONS ON HOURS OF OPERATION OR ON THE TYPE OR AMOUNT OF MATERIAL COMBUSTED, STORED, OR PROCESSED, SHALL BE TREATED AS PART OF ITS DESIGN IF THE LIMITATION OR THE EFFECT IT WOULD HAVE ON EMISSIONS IS FEDERALLY ENFORCEABLE.

- (X) "WATER-BORNE" MEANS A MATERIAL IN WHICH THE VOLATILE ORGANIC COMPOUND (VOC) CONTENT (AS DEFINED IN RULE 3745-21-01 OF THE ADMINISTRATIVE CODE) DOES NOT EXCEED FIVE PER CENT BY WEIGHT OF THE VOLATILE FRACTION.
- (Y) "PORTABLE SOURCE" MEANS AN AIR CONTAMINANT SOURCE THAT, IN THE DIRECTOR'S JUDGMENT, IS SPECIFICALLY DESIGNED TO BE TRANSFERRED TO A NEW SITE AS NEEDS WARRANT.
- (Z) "COMMERCIAL BAKERY" MEANS AN ESTABLISHMENT THAT IS PRIMARILY ENGAGED IN MANUFACTURING FRESH OR FROZEN BREAD, BREAD-TYPE ROLLS AND "DRY" BAKERY PRODUCTS (I.E. BISCUITS, CRACKERS, AND COOKIES). THIS DEFINITION DOES NOT INCLUDE ESTABLISHMENTS THAT PRODUCE BAKERY PRODUCTS PRIMARILY FOR DIRECT SALE ON THE PREMISES TO HOUSEHOLD CONSUMERS.

Effective: OCT 08 1993

Certification: Donald R. Schregardus

Donald R. Schregardus, Director
Ohio Environmental Protection Agency

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Date

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