

3745-31-03 Permit to install exemptions.

(A) A permit to install as required by rule 3745-31-02 of the Administrative Code must be obtained for the installation or modification of A NEW AIR CONTAMINANT SOURCE UNLESS EXEMPTED FROM THE REQUIREMENTS:

(1) ~~A new air contaminant source other than~~ PERMANENT EXEMPTIONS

(a) ~~Fuel fired boilers, furnaces, preheaters or water heaters less than one million British thermal units per hour except units burning hazardous waste fuel or waste oil~~ FOSSIL FUEL-FIRED BOILERS, PREHEATERS, AIR HEATERS, WATER HEATERS, OR HEATERS USED FOR OTHER HEAT EXCHANGE MEDIA LESS THAN TEN MILLION BRITISH THERMAL UNITS PER HOUR BURNING ONLY NATURAL GAS, DISTILLATE OIL (WITH LESS THAN OR EQUAL TO 0.5 PER CENT BY WEIGHT SULFUR), OR LIQUID PETROLEUM GAS.

(b) FOSSIL OR WOOD FUEL-FIRED BOILERS, PREHEATERS, AIR HEATERS, OR WATER HEATERS LESS THAN ONE MILLION BRITISH THERMAL UNITS PER HOUR EXCEPT UNITS BURNING WASTE FUELS OR WASTE OIL.

(c) FOSSIL FUEL-FIRED FURNACES OR DRYERS LESS THAN TEN MILLION BRITISH THERMAL UNITS PER HOUR AND BURNING ONLY NATURAL GAS, DISTILLATE OIL (WITH LESS THAN OR EQUAL TO 0.5 PER CENT BY WEIGHT SULFUR), OR LIQUID PETROLEUM GAS AND THE ONLY EMISSIONS ARE FROM THE PRODUCTS OF COMBUSTION FROM FUEL AND WATER VAPORS AND WHERE NO MELTING OR REFINING OCCURS NOR WHERE ANY BURNING OF ANY MATERIAL OCCURS.

(d) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

(e) Equipment used exclusively for the packaging of lubricants or greases, AND WATER-BORNE ADHESIVES, COATINGS OR BINDERS.

(f) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based WATER-BORNE adhesives, COATINGS OR BINDERS.

(g) BAKERY OVENS THAT BAKE:

(i) CHEMICALLY LEAVENED PRODUCTS; OR

(ii) YEAST DOUGH PRODUCTS AND THAT ARE NOT LOCATED AT A COMMERCIAL BAKERY; OR

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(iii) BISCUITS, CRACKERS, COOKIES AND OTHER SIMILAR NONLEAVENED PRODUCTS; OR

(iv) YEAST DOUGH, BREAD, BUNS AND ROLLS AT A BAKERY HAVING A TOTAL MAXIMUM YEAST DOUGH, BREAD, BUNS AND ROLLS PRODUCTION RATE OF LESS THAN OR EQUAL TO ONE THOUSAND POUNDS PER HOUR.

~~(e)~~ (h) Bakery ovens, mixers MIXERS and blenders and deep fat fryers (except deep fat fryers used to produce potato chips) where the products are edible and intended for human consumption.

~~(f)~~ (i) Laboratory equipment AND LABORATORY FUME HOODS exclusively for chemical or physical analyses and bench scale laboratory equipment.

~~(g)~~ (j) Photographic process equipment by which an image reproduced upon material sensitized to radiant energy.

~~(h)~~ (k) Equipment used for compression and injection molding of plastics (with the exception where the equipment requires an outside source of heat that either liquifies the plastic or causes sublimation of previous solid plastic material or the equipment requires the use of organic compounds as mold release agents).

~~(i)~~ ~~Storage tanks for water, aqueous solutions, and inorganic liquids (at standard temperature and pressure) except concentrated acids stored in tanks of greater than seven thousand five hundred gallons.~~

(l) STORAGE TANKS FOR:

(i) INORGANIC LIQUIDS INCLUDING WATER (AT STANDARD TEMPERATURE AND PRESSURE) EXCEPT AS DESCRIBED IN PARAGRAPH (V) OF THIS SECTION;

(ii) PRESSURIZED STORAGE FOR INORGANIC COMPOUNDS OR PROPANE, BUTANE, ISOBUTANE, AND LIQUID PETROLEUM GASES;

(iii) LIQUIDS WITH A CAPACITY OF LESS THAN SEVEN HUNDRED GALLONS;

(iv) LIQUIDS WITH A CAPACITY OF LESS THAN OR EQUAL TO TEN THOUSAND GALLONS EQUIPPED WITH SUBMERGED FILL AND WHICH STORE ORGANIC

LIQUIDS OR MIXTURES CONTAINING ORGANIC LIQUIDS (EXCLUDING PESTICIDES) WITH EACH ORGANIC LIQUID COMPONENT'S VAPOR PRESSURE OF LESS THAN OR EQUAL TO 1.5 POUNDS PER SQUARE INCH ABSOLUTE AT SEVENTY DEGREES FAHRENHEIT;

(v) ACIDS (AS DEFINED IN THE MOST RECENT EDITION OF THE CHEMICAL RUBBER COMPANY (CRC) HANDBOOK OF CHEMISTRY AND PHYSICS) STORED IN TANKS LESS THAN OR EQUAL TO SEVEN THOUSAND FIVE HUNDRED GALLONS CAPACITY.

- (j) (m) Presses used for the curing of plastic products (with the exception of presses where external heat is introduced which either liquifies or causes sublimation of previous PREVIOUSLY solid plastic material).
- (k) (n) Presses used exclusively for extruding clay.
- (l) (o) Storage tanks, storage silos, and other farm equipment located on a farm and utilized exclusively for the production of food or grain on the premises.
- (m) ~~Temporary source which, as so ordered by the director at his discretion, is to be operated for the purpose of testing air contaminant pollution emissions so that a suitable control technology can be ascertained.~~
- (n) (p) The relocation of any portable ~~or mobile facility~~ SOURCE in the state of Ohio which meets EITHER OF the following criteria:
  - (i) ~~(i)~~ THE COMPANY HAD DEMONSTRATED THE FOLLOWING:
    - (i) (a) The source is equipped with the best available control technology for such source; and ✓
    - (ii) (b) The source is operating pursuant to a currently effective permit to operate; and ✓
    - (iii) (c) The applicant has provided proper notice of intent to relocate the source to the director within a minimum of thirty days prior to the scheduled relocation; and ✓
    - (iv) (d) In the director's judgment, the proposed site is acceptable under rule 3745-15-07 ✓

of the Administrative Code.

(i) (2) THE DIRECTOR HAS ISSUED A SITE APPROVAL FOR THE NEW LOCATION PURSUANT TO RULE 3745-31-05 OF THE ADMINISTRATIVE CODE. ✓

- (e) (q) A drycleaning facility constructed between January 1, 1974 and December 31, 1981 in which the annual amounts of fabric drycleaned with perchloroethylene is less than sixty thousand pounds and is not located in Butler, Clermont, Cuyahoga, Franklin, Greene, Hamilton, Lake, Lorain, Lucas, Mahoning, Medina, Montgomery, Portage, Stark, Summit, Trumbull, Warren and Wood counties.
- (p) (r) Noncontinuous solvent recycling OR RECLAIMING units with less than twenty gallons capacity.
- (q) (s) Nonheat-set or sheet-fed presses with maximum AN ORGANIC COMPOUND potential TO EMIT ~~organic compounds emissions~~ of less than three tons per year.
- (r) (t) An incinerator designed and used to dispose of residential wastes and having a capacity for serving no more than five households.
- (s) (u) Equipment used for spraying or applying insecticides, pesticides and herbicides except at facilities producing these substances or mixtures for sale or distribution.
- ~~(t) Storage of organic or inorganic materials in tanks of less than five hundred gallons capacity.~~
- (u) (v) Combustors used exclusively for the purpose of research and development of more efficient combustion of coal or more effective prevention of air pollutant emissions from coal combustion, less than ten million British thermal units per hour and an annual average capacity factor of not more than twenty per cent.
- (w) SOLVENT COLD CLEANERS THAT MEET THE PROVISIONS OF PARAGRAPH (Q) OF RULE 3745-21-09 OF THE ADMINISTRATIVE CODE AND HAVE A LIQUID SURFACE AREA LESS THAN OR EQUAL TO TEN SQUARE FEET OR A RESERVOIR OPENING OF LESS THAN SIX INCHES IN DIAMETER.

- (x) INK-JET PRINTERS.
- (y) GRINDING AND MACHINING OPERATIONS, ABRASIVE BLASTING, PNEUMATIC CONVEYING, AND WOOD WORKING OPERATIONS CONTROLLED WITH A FABRIC FILTER, SCRUBBER OR MIST COLLECTOR DESIGNED TO EMIT NO MORE THAN 0.03 GRAINS PER DRY STANDARD CUBIC FOOT OF EXHAUST GAS WITH LESS THAN FOUR THOUSAND ACFM VOLUME AND VENTING INSIDE A BUILDING.
- (z) GRINDING, MACHINING, AND SANDING OPERATIONS, ABRASIVE CLEANING OPERATIONS (DRY OR WET), PNEUMATIC CONVEYING AND WOODWORKING OPERATIONS THAT HAVE NO VISIBLE EMISSIONS AND VENT TO THE INSIDE OF A BUILDING.
- (aa) PARTS WASHERS AND RINSE TANKS USING DETERGENT CLEANERS.
- (bb) ALUMINUM DIE-CASTING MACHINES.
- (cc) AIR CONTAMINANT SOURCES AT NONPRODUCTION RESEARCH AND DEVELOPMENT OPERATIONS WITH A POTENTIAL TO EMIT FROM ANY SOURCE OF LESS THAN ONE TON PER YEAR OF ANY CRITERIA POLLUTANT PER SOURCE.
- (dd) VEGETABLE OIL STORAGE TANKS AND PUMPS AND VALVES USED IN VEGETABLE OIL PROCESSING OPERATIONS.
- (ee) GASOLINE DISPENSING FACILITIES, AS DEFINED IN PARAGRAPH (H) OF RULE 3745-21-01 OF THE ADMINISTRATIVE CODE, OR OTHER MOTOR FUEL DISPENSING FACILITIES THAT ARE EQUIPPED WITH STAGE I VAPOR CONTROL AND ARE NOT LOCATED IN ASHTABULA, BUTLER, CLARK, CLERMONT, CLINTON, COLUMBIANA, CUYAHOGA, DELAWARE, FRANKLIN, GRAUGA, GREENE, HAMILTON, JEFFERSON, LAKE, LICKING, LORAIN, LUCAS, MAHONING, MEDINA, MIAMI, MONTGOMERY, PORTAGE, PREBLE, STARK, SUMMIT, TRUMBULL, WARREN, WASHINGTON, OR WOOD COUNTIES.
- (ff) GASOLINE DISPENSING FACILITIES, AS DEFINED IN PARAGRAPH (H) OF RULE 3745-21-01 OF THE ADMINISTRATIVE CODE, OR OTHER MOTOR FUEL DISPENSING FACILITIES THAT HAVE AN INDIVIDUAL MAXIMUM ANNUAL THROUGHPUT OF LESS THAN SIX THOUSAND GALLONS PER YEAR.
- (gg) AIR SEPARATION PLANTS.
- (hh) ALL MAINTENANCE WELDING.

- (ii) ARC WELDING WHERE EMISSIONS OF PARTICULATE MATTER ARE VENTED TO A CONTROL DEVICE LOCATED AND VENTED INSIDE THE BUILDING.
  - (jj) PASSIVE METHANE VENTING SYSTEMS FROM NON-HAZARDOUS WASTE LANDFILLS.
  - (kk) COATING APPLICATORS WITH PROPERLY DESIGNED AND OPERATED PARTICULATE CONTROL DEVICES AND VENTING SYSTEMS THAT EMPLOY LESS THAN FIVE GALLONS OF ONLY AIR-DRIED COATING MATERIAL IN ANY ONE DAY PROVIDED THAT THE APPLICATORS ARE:

    - (i) NOT LOCATED IN A NONATTAINMENT AREA FOR OZONE,
    - (ii) NOT SUBJECT TO LIMITS SPECIFIED IN OR SPECIFICALLY EXEMPTED FROM RULE 3745-21-09 OF THE ADMINISTRATIVE CODE;
    - (iii) NOT SUBJECT TO FEDERAL STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; AND
    - (iv) NOT LOCATED AT A FACILITY WITH ACTUAL EMISSIONS OF TWENTY-FIVE OR MORE TONS OF VOLATILE ORGANIC MATERIALS PER YEAR AND ARE NOT SUBJECT TO A STANDARD UNDER TITLE III OF THE CLEAN AIR ACT.
  - (ll) REFRIGERANT RECLAIMING AND RECYCLING MACHINES LOCATED AT MOTOR VEHICLE REPAIR FACILITIES.
  - (mm) NOTWITHSTANDING THE ABOVE EXEMPTIONS, ANY SOURCE REGULATED UNDER THE NATIONAL EMISSION STANDARDS FOR HAZARDOUS POLLUTANTS AND/OR THE NEW SOURCE PERFORMANCE STANDARDS SHALL APPLY FOR AND OBTAIN A PERMIT TO INSTALL PRIOR TO CONSTRUCTION OF THE NEW SOURCE.
  - (nn) CLEANUP ACTIVITIES ASSOCIATED WITH THE REMOVAL OR REMEDIAL ACTION CONDUCTED ENTIRELY ON SITE, WHERE SUCH REMEDIAL ACTION IS SELECTED AND CARRIED OUT IN COMPLIANCE WITH THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) SECTION 121 (E) AND WHERE SUCH ACTION MEETS ALL APPLICABLE AIR POLLUTION EMISSION LIMITS AND POLICIES.
- (2) DISCRETIONARY EXEMPTIONS
- ~~(2)~~ (a) The director may, at his discretion, exempt the

installation of an air contaminant source or any other source associated with the clean-up of a spill or a leaking underground storage tank from the requirements to obtain a permit to install.

- ~~(3)~~ (b) The director may, at his discretion, exempt the installation of an air contaminant source from the requirements to obtain a permit to install to deal with an emergency situation involving immediate threats to human health, property or the environment.
- ~~(4)~~ (c) The director may, at his discretion, exempt the installation of an air contaminant source from the requirements to obtain a permit to install for the emergency replacement of storage tanks associated with a leaking underground storage tank for a period not to exceed six months.
- ~~(5)~~ (d) The director may, at his discretion and in writing, exempt the installation or modification of an air contaminant source from the requirements to obtain a permit to install for a period of up to six months for purposes of research and development of more effective prevention or control of air pollutant emissions or of more efficient combustion of coal.
- (e) A TEMPORARY SOURCE WHICH, AS SO ORDERED BY THE DIRECTOR AT HIS DISCRETION, IS TO BE OPERATED FOR THE PURPOSE OF TESTING AIR CONTAMINANT POLLUTION EMISSIONS SO THAT A SUITABLE CONTROL TECHNOLOGY CAN BE ASCERTAINED AND WILL NOT OPERATE FOR MORE THAN TWO CALENDAR YEARS.
- (f) THE DIRECTOR MAY, AT HIS DISCRETION AND IN WRITING, EXEMPT THE TEMPORARY MODIFICATION OF AN AIR CONTAMINANT SOURCE FROM THE REQUIREMENTS TO OBTAIN A PERMIT TO INSTALL FOR A PERIOD OF UP TO SIXTY DAYS FOR THE PURPOSE OF EVALUATING NEW PRODUCTION FEASIBILITY AND/OR AIR QUALITY IMPACTS FROM THE TEMPORARY MODIFICATION. SUCH REQUESTS FOR THIS EXEMPTION SHALL BE MADE IN WRITING AND SHALL PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED TEMPORARY MODIFICATION TO THE SOURCE, THE TIME PERIOD OVER WHICH THE MODIFICATION WILL OCCUR, ANY CHANGES IN AIR EMISSIONS FROM THE SOURCE AS A RESULT OF THE TEMPORARY MODIFICATION, AND THE AMBIENT IMPACT OF THE EMISSIONS FROM THE SOURCE AS A RESULT OF THE TEMPORARY MODIFICATION. THE DIRECTOR MAY REQUIRE

THAT PERFORMANCE TESTS BE CONDUCTED DURING THE PERIOD OF THE TEMPORARY MODIFICATION.

(g) THE DIRECTOR MAY, AT HIS DISCRETION AND IN WRITING, EXEMPT ANY TREATABILITY STUDIES OR ON-SITE RESPONSE ACTIONS (CLEANUP OPERATIONS) THAT MEET ALL APPLICABLE AIR EMISSION LIMITS AND POLICIES FROM THE REQUIREMENT TO OBTAIN A PERMIT TO INSTALL. ANYONE REQUESTING THIS EXEMPTION MUST PROVIDE THE DIRECTOR WITH SUFFICIENT INFORMATION TO MAKE THIS DECISION.

(B) No permit to install or plan approval, whichever is applicable, is required for the modification of a disposal system if:

- (1) After modification, the disposal system will be a type that could have been installed without a permit to install or a plan approval; or
- (2) The result of the modification on environmental quality is so slight that the director has, by rule, exempted the modification from the requirements of rule 3745-31-02 of the Administrative Code.

(C) This rule shall not exempt any person from compliance with any other applicable law.

Replaces: \_\_\_\_\_

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Effective: \_\_\_\_\_

*Donald R. Schregardus*

Certification: \_\_\_\_\_

Donald R. Schregardus, Director  
Ohio Environmental Protection Agency

SEP 20 1993

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Date

Promulgated under: R.C. Chapter 119  
Rule amplifies: R.C. 3704.03, 3734.02,  
3745.05, 6111.03  
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9/18/87, 8/14/89