

3745-31-03      **Permit-to-install exemptions.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see the "Incorporation by Reference" section at the end of rule 3745-31-01 of the Administrative Code.]

- (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 as follows:

[Comment: The following exemptions relieve permittees from the obligation to apply for and obtain a permit-to-install. They do not, however, exempt any air contaminant source from requirements of the Clean Air Act, including being considered for purposes of determining whether a facility constitutes a major source or is otherwise regulated under Chapter 3745-77 of the Administrative Code or any requirement to identify insignificant activities and emission levels in a Title V permit application. In addition, this rule does not relieve the owner or operator from the requirement of including the emissions associated with the exempt sources into any major NSR permitting action.]

(1) Permanent exemptions

The following exemptions do not apply to emissions units subject to 40 CFR Part 61, the national emission standards for hazardous air pollutants (NESHAPs), with the exception of 40 CFR Part 61, Subpart M, asbestos removal activities; or emissions units subject to 40 CFR Part 63, the NESHAPs for source categories, MACT standards, unless such standard either only requires submission of a notification, and written notification satisfying the MACT notification requirements has been or will be submitted to the Ohio environmental protection agency prior to the notification deadline imposed by the MACT, or such standard does not impose any requirements (i.e., notifications, emissions limits, record keeping, etc.) to the particular emissions unit; or emissions units subject to the new source performance standards (NSPS) with the exception of 40 CFR Part 60, Subpart AAA, residential wood heaters, 40 CFR Part 60, Subpart OOO, nonmetallic mineral processing plants, and 40 CFR Part 60, Subpart I, hotmix asphalt facilities.

- (a) 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 fuel 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 vapor 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-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
  - (iii) Biscuits, crackers, cookies and other similar nonleavened projects; 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.
- (h) Mixers and blenders and deep fat fryers (except deep fat fryers used for large scale production of products) where the products are edible and intended for human consumption.
- (i) Laboratory equipment
  - (i) Laboratory equipment and laboratory fume hoods used exclusively for chemical or physical analyses and bench scale laboratory equipment.
  - (ii) Laboratory paint booths used to prepare samples for chemical or physical analysis where the actual emissions of each laboratory paint booth is less than 3.0 tons of VOC per year and where:

- (a) The owner or operator maintains records, available to the director upon request, detailing that the VOC emissions are less than 3.0 tons of VOC per year, and
  - (b) Any exhaust system that serves only coating spray equipment is supplied with a properly installed and operating particulate control system.
- (j) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.
- (k) Equipment used for injection molding of resins where no more than one million pounds of resins (thermoplastic or thermosetting) per rolling twelve-month period are used in injection machines at the facility.
- (l) Storage tanks for:
  - (i) Inorganic liquids including water (at standard temperature and pressure) except as described in paragraph (A)(1)(l)(vii) of this rule; or
  - (ii) Pressurized storage for inorganic compounds or propane, butane, isobutane, and liquid petroleum gases; or
  - (iii) Liquids with a capacity of less than seven hundred gallons; or
  - (iv) Organic liquids with a capacity of less than seventy-five cubic meters (nineteen thousand eight hundred fifteen gallons) and equipped with submerged fill, except gasoline storage tanks located at bulk gasoline plants which are subject to the requirements of paragraph (P) of rule 3745-21-09 of the Administrative Code; or
  - (v) Organic liquids with a capacity greater than or equal to seventy-five cubic meters (nineteen thousand eight hundred fifteen gallons) but less than one hundred fifty-one cubic meters (thirty-nine thousand eight hundred ninety-four gallons) storing a liquid with a maximum true vapor pressure, as defined in 40 CFR 60.111b, of less than 15.0 kilopascals (2.176 pounds per square inch absolute) and equipped with submerged fill; or
  - (vi) Organic liquids with a capacity greater than or equal to one hundred fifty-one cubic meters (thirty-nine thousand eight hundred ninety-four gallons) storing a liquid with a maximum true vapor pressure, as defined in 40 CFR 60.111b, of less than 3.5 kilopascals (0.508 pounds per square inch absolute); or

- (vii) Acids (as defined in the "Chemical Rubber Company (CRC) Handbook of Chemistry and Physics") stored in tanks less than or equal to seven thousand five hundred gallons capacity.
- (m) Compression molding presses used for the curing of plastic products that qualify for the de minimis exemption under rule 3745-15-05 of the Administrative Code. This type of press uses a thermosetting resin and involves a chemical reaction, usually involving heat, that converts the material (e.g., polyesters, polyurethanes, epoxy resins, etc.) to a solid, insoluble state using a hardening or curing operation.
- (n) Presses used exclusively for extruding clay.
- (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.
- (p) The relocation of any portable source in the state of Ohio that meets the following requirements under this paragraph:
  - (i) The company has demonstrated the following:
    - (a) The portable source was installed after January 1, 1974 and continues to comply with any applicable BAT and state or federal air pollution rule or law; and
    - (b) The portable source continues to comply with the currently effective permit-to-install or express permit-to-install (registration status) and/or any applicable permit-to-operate; and
    - (c) The applicant has provided proper notice of intent to relocate the portable source to the director within a minimum of thirty days prior to the scheduled relocation; and
    - (d) The director has issued a notice stating that in the director's judgment, the proposed site is acceptable under rule 3745-15-07 of the Administrative Code, and
    - (e) The director has issued a notice stating that in the director's judgment, relocating the portable source will not result in the installation of a major stationary source or the modification of a major stationary source.

[Comment: Relocation of any portable source that results in the installation of a major stationary source or the modification of a major stationary source must also meet all applicable requirements under this chapter, including the requirement to obtain a permit-to-

install prior to relocation. Relocation of any portable source that results in the creation of a major source, as defined in rule 3745-77-01 of the Administrative Code, must also meet all applicable requirements under the Title V program contained in Chapter 3745-77 of the Administrative Code, which may include the requirement to apply for a Title V permit.]

- (ii) The director has issued a site approval for the new location pursuant to rule 3745-31-05 of the Administrative Code.
- (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.
- (r) Noncontinuous solvent recycling or reclaiming units with less than twenty gallons capacity.
- (s) Non-heatset or sheet-fed presses with an OC potential to emit of less than three tons per year.
- (t) An incinerator designed and used to dispose of residential wastes and having a capacity for serving no more than five households.
- (u) Equipment used for spraying or applying insecticides, pesticides and herbicides except at facilities producing these substances or mixtures for sale or distribution.
- (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 (O) 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 not more than 0.03 grains of particulate per

dry standard cubic foot of exhaust gas with less than four thousand actual cubic feet per minute volume, venting inside a building, and emitting less than ten pounds per day of nonparticulate matter air contaminants.

- (z) Uncontrolled grinding, machining, and sanding operations, abrasive cleaning operations (dry or wet), pneumatic conveying and woodworking operations that have no visible emissions, vent to the inside of a building and emit less than ten pounds per day of nonparticulate matter air contaminants.
- (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 air contaminant source of less than one ton per year of any criteria pollutant per air contaminant 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, Cuyahoga, Delaware, Franklin, Geauga, Greene, Hamilton, Lake, Licking, Lorain, Lucas, Mahoning, Medina, Miami, Montgomery, Portage, Stark, Summit, Trumbull, Warren, 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 of gasoline 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 matter 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 not 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 Section 112 of the Clean Air Act.
- (ll) Refrigerant reclaiming and recycling machines located at motor vehicle repair facilities.
- (mm) Natural gas compressor engines used for maintenance activities with a heat input rate of no greater than ten million British thermal units per hour fired by natural gas, gasoline or distillate oil (with less than or equal to 0.5 per cent by weight sulfur).
- (nn) Emergency electrical generators or emergency firefighting water pumps less than or equal to fifty horsepower that burn gasoline, natural gas, distillate oil (with less than or equal to 0.5 per cent by weight sulfur), or liquid petroleum gas.
- (oo) Two-stroke or four-stroke, air-cooled, gasoline-powered engines no more than twenty horsepower used for lawnmowers, small electric generators, compressors, pumps, minibikes, snowthrowers, garden tractors or other similar uses.
- (pp) Non-road engines, subject to the following provisos:
- (i) Consistent with this exemption and pursuant to division (T)(3) of section 3745.11 of the Revised Code, permit-to-install fees for the installation of exempt non-road engines, as required under section 3745.11 of the Revised Code, are hereby waived for any permit-to-install issued for an exempt non-road engine where the permittee has not yet paid the fee.
  - (ii) This exemption does not apply to non-road engines that emit visible particulate emissions with opacities greater than twenty per cent as a six-minute average as determined by USEPA Method 9 of 40 CFR Part 60, Appendix A.
- (qq) Internal combustion engine(s) used for locomotion installed in a marine vessel, an aircraft, a locomotive, a recreational vehicle, a motor vehicle

(self-propelled vehicles designed for transporting persons or property on a street or highway), a vehicle used solely for competition, or an off-highway vehicle.

- (rr) A dynamometer operation for fully assembled motor vehicles. This exemption includes dynamometer operations used as part of final assembly of new motor vehicles, roll testing of new motor vehicles, testing of vehicles used solely for competition, testing of motor vehicles for compliance with emissions standards, motor vehicle maintenance, road testing and repair dynamometers and other similar fully assembled motor vehicle dynamometer operations.
- (ss) The one time use of a mobile treatment unit or vacuum truck in order to contain and/or prevent further migration of a hazardous material spill during an emergency response. This exemption shall be effective for thirty days from the date the mobile treatment unit or vacuum truck is first put into use unless the owner or operator meets one of the following requirements within the thirty day period:
  - (i) Applies for a permit-to-install in accordance with rule 3745-31-02 of the Administrative Code. The exemption shall expire upon final issuance or final denial of the permit-to-install.
  - (ii) Submits written notification, in accordance with paragraph (A)(4)(a)(ii) of this rule, of the applicability of a permit-by-rule in paragraph (A)(4)(e) or (A)(4)(f) of this rule. The exemption shall expire upon receipt of the written notification by the appropriate Ohio environmental protection agency district office or local air agency.

## (2) Federal based exemptions

The following exemption applies regardless of the applicability of the national emission standards for hazardous air pollutants and/or the new source performance standards.

- (a) 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.

## (3) Discretionary exemptions

- (a) The director, at his discretion, may 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.

- (b) The director, at his discretion, may 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.
- (c) The director, at his discretion, may 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.
- (d) The director, at his discretion and in writing, may exempt the installation or modification of an air contaminant source from the requirement 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 that, 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, at his discretion and in writing, may 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. A request for this exemption shall be made in writing and shall provide a detailed description of the proposed temporary modification to the air contaminant source, the time period over which the modification will occur, any changes in air emissions from the air contaminant source as a result of the temporary modification, and the ambient impact of the emissions from the air contaminant 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, at his discretion and in writing, may 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.

#### (4) Permit-by-rule exemptions

The following air contaminant sources are exempt from the requirement to obtain a permit-to-install. These exemptions are valid only as long as the owner or operator complies with all of the permit-by-rule general provisions, meets the qualifying criteria defined in the applicable permit-by-rule and complies with all of the requirements under the applicable permit-by-rule specific provisions. Upon request by the director, the owner or operator of a facility that has exceeded the permit-by-rule thresholds or that the director finds is causing or may cause a public nuisance in violation of rule 3745-15-07 of the Administrative Code shall submit an application for a permit-to-install.

These exemptions do not, however, exempt any air contaminant source from requirements of the Clean Air Act, including being considered for purposes of determining whether a facility constitutes a major source or is otherwise regulated under Chapter 3745-77 of the Administrative Code or any requirement to list insignificant activities and emission levels in a Title V permit application. In addition, this rule does not relieve the owner or operator from the requirement of including the emissions associated with the exempt sources into any major NSR permitting action.

(a) General provisions

These general provisions apply to all owner or operators who are utilizing one or more of the permit-by-rule exemptions listed in paragraphs (A)(4)(b) to (A)(4)(l) of this rule.

(i) Recordkeeping requirements

The owner or operator shall collect and maintain the records described for each air contaminant source exempted under paragraph (A)(4) of this rule and these records shall be retained in the owner or operator's files for a period of not less than five years, unless otherwise specified in each exemption. These records shall be made available to the director or any authorized representative of the director for review during normal business hours.

(ii) Notification requirements for new installations

For the purposes of this paragraph, a new permit-by-rule air contaminant source is an air contaminant source installed after the promulgation date of any new applicable permit-by-rule or July 29, 2005, whichever comes later. The owner or operator of a new permit-by-rule air contaminant source electing to use an applicable permit-by-rule exemption shall submit a written notification in a form and manner prescribed by the director prior to installation of the air contaminant source. This notification, or form, shall be submitted to the appropriate

Ohio environmental protection agency district office or local air agency, and shall contain the following information, at a minimum:

- (a) The owner or operator's and the facility contact's name;
- (b) The facility mailing address and telephone number;
- (c) The location of the air contaminant source(s);
- (d) A description of the air contaminant source, including any pollution control(s); and
- (e) A statement by the owner or operator that indicates which permit-by-rule applies to the air contaminant source.

(iii) Notification requirements for existing permitted sources

The owner or operator of an air contaminant source which is operating under an existing permit-to-install and/or permit-to-operate may continue to operate in compliance with that permit or may submit a written request to the Ohio environmental protection agency to revoke any such individual permit or permits and to allow the air contaminant source to operate under the permit-by-rule provisions. The director may revoke a permit-to-install and/or permit-to-operate if the permittee requests revocation, agrees to meet all permit-by-rule qualifying and operating conditions, and the director determines that the revocation will not result in the violation of any applicable laws. When a permittee requests a revocation pursuant to this paragraph, the director, without prior hearing, shall make a final determination on the request and inform the permittee in writing. If the director agrees with the request to operate under the permit-by-rule, then the permit-by-rule becomes applicable to the permittee on the date the existing permit-to-install and/or permit-to-operate are revoked.

(iv) Notification requirements for existing permit-by-rule sources

The owner or operator of an air contaminant source that is operating under one of the permit-by-rules that existed prior to July 29, 2005 (emergency electrical generators, injection and compression molding, crushing and screening plants, soil-vapor extraction and soil-liquid extraction) and desires to continue operating under the permit-by-rule shall submit a written notification which contains all of the elements required in paragraph (A)(4)(a)(ii) of this rule. This notification shall be submitted to the , appropriate Ohio environmental protection agency district office or local air agency and shall be submitted by July 29, 2006.

(v) Records retention requirements

Each record of any monitoring data, testing data, and support information required pursuant to a specific permit-by-rule 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 the specific permit-by-rule. Such records may be maintained in computerized form.

(vi) Reporting requirements

The owner or operator shall submit required reports in the following manner:

- (a) Reports of any monitoring and/or recordkeeping information required by a specific permit-by-rule shall be submitted to the appropriate Ohio environmental protection agency district office or local air agency.
- (b) Except as otherwise may be provided in a permit-by-rule specific reporting requirements paragraph of a specific permit-by-rule, a written report of any deviations (excursions) from emission limitations, operational restrictions, qualifying criteria, and control equipment operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in the permit-by-rule shall be submitted to the appropriate Ohio environmental protection agency district office or local air agency within thirty days of the date the deviation occurred. The report shall describe the specific limitation and/or operational restriction exceeded, the probable cause of such deviation, and any corrective actions or preventive measures that have been or will be taken.

(vii) Scheduled maintenance/malfunction reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of rule 3745-15-06 of the Administrative Code. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio environmental protection agency district office or local air agency in accordance with paragraph (B) of rule 3745-15-06 of the Administrative Code. 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 served by such control system(s).

(b) Emergency electrical generators, emergency firefighting water pumps, or emergency air compressors powered by internal combustion engines greater than fifty horsepower (37.3 Kilowatts) where each engine operates at any one facility for no more than five hundred hours per rolling twelve-month period and where such engine burns gasoline, natural gas, distillate oil (with less than or equal to 0.5 per cent by weight sulfur), or liquid petroleum gas and that maintains the following records:

- (i) Monthly records that contain the rolling twelve-month hours of operation; and
- (ii) Records that show the type of fuel used and the sulfur content (in per cent by weight) of any distillate oil used.

(c) Equipment used for injection and compression molding of resins where:

- (i) The facility does not qualify for the exemption under paragraph (A)(1)(k) or (A)(1)(m) of this rule; and
- (ii) The facility uses no more than one thousand pounds of VOC in external mold release agents and flattening spray per rolling twelve-month period; and

(a) The facility uses no thermoset resins and no more than six million pounds of thermoplastic resins (e.g., polyethylene, polypropylene, polycarbonate, and polyvinyl chloride, etc.) per rolling twelve-month period in injection machines at the facility (this type of molding operation involves materials that soften and melt upon heating or pressurization heating with no chemical change and no permanent change in physical properties. It does not involve curing, thermosetting or cross-linking.); or

(b) The facility uses no thermoplastic resins and no more than five hundred thousand pounds of thermoset resins (e.g., polyesters, polyurethanes, epoxy resins, etc.) per rolling twelve-month period in injection and compression molding machines at the facility (these types of molding operations use a thermoset resin and involve a chemical reaction, usually involving heat, that converts the material (e.g., polyesters, polyurethanes, epoxy resins, etc.) to a solid, insoluble state using a hardening or curing operation.); or

- (iii) No more than three tons of VOCs per rolling twelve-month period are emitted from injection and compression molding machines at the facility, including VOCs emitted as calculated by using emission factors approved by the Ohio environmental protection agency; and
- (iv) The facility maintains monthly records that contain the rolling twelve-month usage of thermoplastic resins, thermosetting resins and VOCs in external mold release agents and flattening spray used in all injection and compression molding machines at the facility, and the Ohio environmental protection agency approved emission factors used to calculate the emissions.

(d) Nonmetallic mineral processing plants permit-by-rule

(i) Qualifications

A nonmetallic mineral processing plant, as defined under 40 CFR Part 60, Subpart OOO, that meets the following qualifications is eligible to use this permit-by-rule:

- (a) Fixed sand and gravel plants and crushed stone plants (including concrete and asphalt paving plants) with capacities, as defined in 40 CFR 60.671, of twenty-three megagrams per hour (twenty-five tons per hour) or less;
- (b) Portable stone and gravel plants and crushed stone plants (including concrete and asphalt paving plants) with capacities, as defined in 40 CFR 60.671, of one hundred thirty-six megagrams per hour (one hundred fifty tons per hour) or less;
- (c) Common clay plants and pumice plants with capacities, as defined in 40 CFR 60.671, of nine megagrams per hour (ten tons per hour) or less; and
- (d) Fixed and portable soil screening plants with capacities, as defined in 40 CFR 60.671, of one hundred thirty-six megagrams per hour (one hundred fifty tons per hour) or less.

(ii) Requirements

A nonmetallic mineral processing plant identified in paragraph (A)(4)(d)(i) of this rule shall either employ a baghouse, wet scrubber, water sprays or combination thereof that is designed and operated to emit no more than ten per cent opacity from stack or fugitive emission points, or employ an enclosed design that is designed and operated to

emit no more than fifteen per cent opacity from stack or fugitive emission points, and that maintain the following daily records:

- (a) Material throughput in tons per day; and
  - (b) Pressure drop readings across the control device as applicable; and
  - (c) Meter readings of quantities of water used for wet scrubbing and spray applications as applicable; and
  - (d) Operating hours of the crushing and grinding equipment.
- (e) Soil-vapor extraction remediation activities located at facilities that have total combined emission rates less than fifteen pounds of OCs per day are hereby exempted from the permit-to-install requirements for a period of eighteen months from the beginning of vapor extraction activities so long as the owner or operator provides the director with the following information prior to beginning actual construction:
- (i) A description and the location of the remediation site.
  - (ii) A description of the nature and type of contamination at the site.
  - (iii) A description of the vapor extraction processes to be used in the remediation activities.
  - (iv) An estimate of the air contaminant emissions in parts per million by volume, pounds per hour and tons per year.
  - (v) A description of the costs of the vapor control equipment to be used to control emissions from the remediation activities.
  - (vi) A description of the projected start date of the remediation project, a list of the project milestones and an estimate of how long the remediation activities will operate.
  - (vii) A notice of when the soil-vapor extraction remediation activities begin, when major project milestones are met and when the remediation activities are completed.
- (f) Soil-liquid extraction remediation activities located at facilities that have total combined emission rates less than fifteen pounds of OCs per day are hereby exempted from the permit-to-install requirements for a period of eighteen months from the beginning of the liquid extraction activities so long as the owner or operator provides the director with the following information prior to beginning actual construction:

- (i) A description and the location of the remediation site.
  - (ii) A description of the nature and type of contamination at the site.
  - (iii) A description of the liquid extraction and liquid-vapor stripping processes to be used in the remediation activities.
  - (iv) An estimate of the air contaminant emissions in parts per million by volume, pounds per hour and tons per year.
  - (v) A description of the costs of the vapor control equipment to be used to control emissions from the remediation activities.
  - (vi) A description of the projected start date of the remediation project, a list of the project milestones and an estimate of how long the remediation activities will operate.
  - (vii) A notice of when the soil-liquid extraction remediation activities begin, when major project milestones are met and when the remediation activities are completed.
- (g) Auto body refinishing facility permit-by-rule

(i) Qualifications

An auto body refinishing facility that meets all of the following qualifications is eligible to use this permit-by-rule:

- (a) The facility has two or fewer paint spray booths used for painting.
- (b) The facility does not do more than fifty jobs per week.
- (c) The facility does not use more than three thousand gallons combined of all coatings, solvents, and other VOC containing materials in any calendar year.
- (d) The facility performs all painting operations in enclosed spray booth(s) which are designed to confine and direct the paint overspray, fumes, and vapors to a powered ventilation system and are equipped with either a dry filtration or water wash system(s) to capture paint overspray.
- (e) The facility applies any paint or coatings by one of the following means; high volume low pressure (HVLP) spray equipment, or electrostatic application equipment.

*(f)* The exhaust stack(s) of each paint spray booth at the facility:

- (i)* Is equipped with a fan designed to achieve an exhaust flow capacity of at least ten thousand cubic feet per minute.
- (ii)* Discharges air contaminants in a vertical direction, without obstructions like rain caps, goose neck exhaust, or other obstructions.
- (iii)* Has a stack height which is at least sixteen feet, as measured from ground level to the point of discharge to the atmosphere.
- (iv)* Has a point of discharge no closer than sixty feet to the nearest facility property line.

*(ii)* Applicable emission limitations and/or control requirements

- (a)* The applicable rules, emission limitations and control requirements that apply to the facility subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	Facility emissions of VOC shall not exceed nine pounds per hour and 11.7 tons per year. Facility emissions of combined HAPs shall not exceed nine pounds per hour and 11.7 tons per year. Facility emissions of a single HAP shall not exceed 4.5 pounds per hour and 5.85 tons per year.
Paragraph (U)(1) of rule 3745-21-09 of the Administrative Code	This operation is exempt from the requirements of this rule pursuant to paragraph (U)(2)(c) of rule 3745-21-09 of the Administrative Code.
Rule 2745-21-18 of the Administrative Code	The provisions of this rule are only applicable to facilities located in Butler, Clark, Clermont, Greene, Hamilton, Miami, Montgomery and Warren counties.

*(iii)* Operational requirements

- (a)* The owner or operator of the facility shall regularly maintain the spray painting application equipment, exhaust filtration systems, and spray booths in accordance with the recommended procedures

and maintenance intervals of the respective manufacturers in order to minimize air contaminant emissions.

(b) Paint application equipment shall be cleaned using one or more of the following means:

(i) In a device that remains closed at all times when not in use.

(ii) In a system that discharges nonatomized cleaning solvent into a waste container that remains closed when not in use.

(iii) In a reservoir that allows for disassembly and cleaning of application equipment and that is kept closed when not in use.

(iv) In a system that atomizes cleaning solvent into a waste container that is fitted with a device designed to capture atomized solvent emissions.

(c) If a water wash system is employed to control paint overspray, the facility shall comply with all applicable laws pertaining to the handling, treatment, or discharge of waste water.

(d) For facilities located in Butler, Clark, Clermont, Greene, Hamilton, Miami, Montgomery and Warren counties, the operators of paint application equipment shall be trained in the use of a high volume low pressure (HVL) sprayer or electrostatic spray equipment in accordance with the manufacturer's specifications, and the handling of a coating and any solvents used to clean the spray equipment.

(e) For facilities located in Butler, Clark, Clermont, Greene, Hamilton, Miami, Montgomery and Warren counties, the owners or operators shall store the following materials in non-absorbent, non-leaking containers and keep these containers closed at all times when not in use: fresh coatings, used coatings, solvents, VOC-containing additives and materials, VOC-containing waste materials, and cloth, paper, or absorbent applicators moistened with any of the items listed above.

(iv) Monitoring and/or recordkeeping requirements

(a) The owner or operator of the facility shall maintain annual records which list the following information for each VOC-containing material (coatings, thinners, reducers, surfacers, clean-up solvents, etc.) used or purchased by the facility in each calendar year:

- (i) The name and identification number of each material.
  - (ii) The quantity of each material used or purchased, in gallons.
  - (iii) The VOC content of each material, in pounds per gallon.
  - (iv) The total volume, in gallons, of all VOC-containing materials used or purchased.
- (b) The owner or operator of the facility shall maintain a record of the number of jobs performed per week.
- (c) The owner or operator of the facility shall maintain documentation which demonstrates each exhaust stack complies with the design requirements listed in paragraph (A)(4)(g)(i)(f) of this rule.
- (d) For facilities located in Butler, Clark, Clermont, Greene, Hamilton, Miami, Montgomery and Warren counties, the owner or operator shall submit documentation sufficient to demonstrate that all employees applying coatings are properly trained in the use of a high volume low pressure (HVLP) sprayer and electrostatic spray equipment and in the handling of a coating and any solvents used to clean the spray equipment. The owner or operator shall maintain a copy of this documentation on-site and make the documentation available to the Ohio environmental protection agency, or its representative, upon request.
- (v) Testing requirements
  - (a) Compliance with the annual material usage limitation shall be based upon the recordkeeping requirements specified in paragraph (A)(4)(g)(iv)(a) of this rule.
  - (b) Compliance with the hourly VOC/combined HAP emission limitation is based on multiplying the maximum of one job per hour by a maximum emission factor of nine pounds VOC/combined HAP per job. Compliance with the hourly single HAP emission limitation is based on multiplying the maximum of one job per hour by a maximum emission factor of 4.5 pounds single HAP per job.
  - (c) Compliance with the annual tons per year VOC/combined HAP emission limitation is based on multiplying the maximum number of jobs per week, fifty, by an emission factor of nine pounds VOC/combined HAP per job by fifty-two weeks per year and dividing by two thousand pounds per ton. Compliance with the

annual tons per year single HAP emission limitation is based on multiplying the maximum number of jobs per week, 50, by an emission factor of 4.5 pounds single HAP per job by fifty-two weeks per year and dividing by two thousand pounds per ton.

(h) Gasoline dispensing facility with Stage I controls permit-by-rule

(i) Qualifications

A gasoline dispensing facility, as defined in paragraph (H) of rule 3745-21-01 of the Administrative Code, which is not otherwise exempted under paragraphs (A)(1)(ee) or (A)(1)(ff) of this rule, and meets all of the following conditions is eligible to use this permit-by-rule:

- (a) Is located in Delaware, Franklin, Licking, Lucas, Mahoning, Stark, Trumbull, and Wood counties.
- (b) Has all gasoline storage tanks equipped with submerged fill pipes, as defined in paragraph (H) of rule 3745-21-01 of the Administrative Code.
- (c) Employs a Stage I vapor balance or vapor control system in accordance with paragraph (R) of rule 3745-21-09 of the Administrative Code to control the vapors displaced from the stationary storage tanks during delivery vessel transfer operations, unless exempted from Stage I requirements by one of the provisions of paragraph (R)(4) of rule 3745-21-09 of the Administrative Code.
- (d) Has a gasoline throughput of less than three million eight hundred thousand gallons per year.

(ii) Applicable emission limitations and/or control requirements

- (a) The applicable rules, emission limitations and control requirements that apply to the facility subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	OC emissions from the facility shall not exceed twenty-five tons per year. The facility shall employ submerged fill pipes on all gasoline storage tanks. The

	requirements of this rule also include compliance with the requirements of paragraph (R) of rule 3745-21-09 of the Administrative Code.
Paragraph (R) of rule 3745-21-09 of the Administrative Code	The control efficiency of the vapor balance or vapor control system shall be at least ninety per cent by weight for VOCs.

## (iii) Operational restrictions

The facility shall comply with the following operational restrictions for the Stage I vapor control system:

- (a) The vapor balance system shall be kept in good working order and shall be used at all times during the transfer of gasoline.
- (b) There shall be no leaks in the delivery vessel pressure/vacuum relief valves and hatch covers.
- (c) There shall be no leaks in the vapor lines or liquid lines during the transfer of gasoline.
- (d) The transfer of gasoline from a delivery vessel to a stationary storage tank shall be conducted by use of submerged fill into the storage tank. The submerged fill pipe(s) are to be installed so they are within six inches of the bottom of the storage tank.
- (e) All fill caps shall be in place and clamped during normal storage conditions.
- (f) The owner or operator of the facility shall repair within fifteen days any leak from the vapor balance system or vapor control system which is employed to meet the requirements of paragraph (R)(1) of rule 3745-21-09 of the Administrative Code when such leak is equal to or greater than one hundred per cent of the lower explosive limit as propane, as determined under paragraph (K) of rule 3745-21-10 of the Administrative Code.

## (iv) Monitoring and/or recordkeeping requirements

- (a) The owner or operator of the facility shall maintain records of the results of any leak checks, including, at a minimum, the following information:
  - (i) Date of inspection.

(ii) Findings (may indicate no leaks discovered or location, nature, and severity of each leak).

(iii) Leak determination method.

(iv) Corrective action (date each leak repaired and reasons for any repair interval in excess of fifteen calendar days).

(v) Inspector's name and signature.

(b) The owner or operator of the facility shall maintain records of the annual gasoline and diesel/kerosene/used oil (if applicable) throughput for the facility.

(v) Permit-by-rule specific reporting requirements

(a) Any leak from the vapor balance system or vapor control system that is not repaired within fifteen days after identification shall be reported to the appropriate Ohio environmental protection agency district office or local air agency within thirty days after the repair is completed.

(b) Any owner or operator of a facility which is claiming an exemption from the Stage I vapor control requirements pursuant to paragraph (R)(4) of rule 3745-21-09 of the Administrative Code is exempt from paragraphs (A)(4)(h)(ii) to (A)(4)(h)(iv) of this rule but shall comply with the following requirements:

(i) The owner or operator shall maintain records of the quantity of gasoline delivered to the facility during each month, and shall retain these records for a period of three years.

(ii) The owner or operator shall notify the applicable Ohio environmental protection agency district office or local air agency if the gasoline throughput for any rolling twelve-month period is equal to or greater than one hundred twenty thousand gallons within forty-five days after the exceedance occurs.

(vi) Testing requirements

(a) Compliance with the annual OC emission limitation is based on multiplying the maximum annual gasoline throughput specified in this permit-by-rule (three million eight hundred thousand gallons) by an emission factor of thirteen pounds of OCs per one thousand gallons of gasoline and dividing by two thousand pounds per ton.

The OC emissions from all diesel, kerosene, and used oil tank filling and dispensing operations, if present at the facility, are assumed to be negligible.

(i) Gasoline dispensing facility with Stage I and Stage II controls permit-by-rule

(i) Qualifications

A gasoline dispensing facility, as defined by paragraph (H) of rule 3745-21-01 of the Administrative Code, which is not otherwise exempted under paragraph (A)(1)(ee) or (A)(1)(ff) of this rule, and meets all of the following conditions is eligible to use this permit-by-rule:

- (a) Is located in Ashtabula, Butler, Clark, Clermont, Cuyahoga, Geauga, Greene, Hamilton, Lake, Lorain, Medina, Miami, Montgomery, Portage, Summit, and Warren counties.
- (b) Employs storage tanks equipped with submerged fill pipes, as defined by paragraph (H) of rule 3745-21-01 of the Administrative Code.
- (c) Employs a Stage I vapor balance or vapor control system in accordance with paragraph (R) of rule 3745-21-09 of the Administrative Code, unless exempted from Stage I requirements pursuant to paragraph (R)(4) of rule 3745-21-09 of the Administrative Code.
- (d) Employs a CARB certified Stage II vapor control system, as defined by paragraph (H) of rule 3745-21-01 of the Administrative Code, and in accordance with paragraph (DDD) of rule 3745-21-09 of the Administrative Code, unless exempted from Stage II requirements by one of the provisions of paragraph (DDD)(4) of rule 3745-21-09 of the Administrative Code.

[Comment: The meaning of CARB certified and CARB certification used throughout this permit-by-rule shall be consistent with the definition specified by paragraph (H) of rule 3745-21-01 of the Administrative Code.]

- (e) Has a gasoline throughput of less than sixteen million gallons per year.

(ii) Applicable emission limitations and/or control requirements

- (a) The applicable rules, emission limitations and control requirements that apply to the facility subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	OC emissions from the facility shall not exceed twenty-five tons per year. The facility shall employ submerged fill pipes on all storage tanks. The requirements of this rule also include compliance with the requirements of paragraphs (R) and (DDD) of rule 3745-21-09 of the Administrative Code.
Paragraph (R) of rule 3745-21-09 of the Administrative Code	The control efficiency of the Stage I vapor balance or vapor control system shall be at least ninety per cent by weight for VOCs.
Paragraph (DDD) of rule 3745-21-09 of the Administrative Code	The control efficiency of the Stage II vapor control system shall be at least ninety-five per cent by weight for VOCs.

(iii) Operational restrictions

- (a) The owner or operator shall comply with the following operational restrictions for the Stage I vapor control system:
- (i) The vapor balance system shall be kept in good working order and shall be used at all times during the transfer of gasoline.
  - (ii) There shall be no leaks in the delivery vessel pressure/vacuum relief valves and hatch covers.
  - (iii) There shall be no leaks in the vapor lines or liquid lines during the transfer of gasoline.
  - (iv) The transfer of gasoline from a delivery vessel to a stationary storage tank shall be conducted by use of submerged fill into the storage tank. The submerged fill pipe(s) are to be installed so they are within six inches of the bottom of the storage tank.
  - (v) All fill caps shall be in place and clamped during normal storage conditions.
  - (vi) The owner or operator of the facility shall repair within fifteen days any leak from the vapor balance system or vapor control

system which is employed to meet the requirements of paragraph (R)(1) of rule 3745-21-09 of the Administrative Code when such leak is equal to or greater than one hundred per cent of the lower explosive limit as propane, as determined under paragraph (K) of rule 3745-21-10 of the Administrative Code.

- (b) The owner or operator shall install, operate and maintain the Stage II vapor control system in accordance with the manufacturer's specifications, the applicable CARB certification, and all requirements of paragraph (DDD)(1) of rule 3745-21-09 of the Administrative Code.

(iv) Monitoring and/or recordkeeping requirements

- (a) The owner or operator shall maintain records of the results of any leak checks, including, at a minimum, the following information:

- (i) Date of inspection.

- (ii) Findings (may indicate no leaks discovered or location, nature, and severity of each leak).

- (iii) Leak determination method.

- (iv) Corrective action (date each leak repaired and reasons for any repair interval in excess of fifteen calendar days).

- (v) Inspector's name and signature.

- (b) The owner or operator shall maintain records as specified by paragraph (DDD)(3) of rule 3745-21-09 of the Administrative Code and any records required by the applicable CARB certification. The owner or operator does not need to maintain copies of the most recent permit-to-operate and permit-to-operate application, as required by paragraph (DDD)(3)(a) of rule 3745-21-09 of the Administrative Code if electing to operate under this permit-by-rule.

- (c) The owner or operator of the facility shall maintain records of the annual gasoline and diesel/kerosene/used oil (if applicable) throughput for the facility.

(v) Permit-by-rule specific reporting requirements

- (a) Any owner or operator who is claiming an exemption for a facility from the Stage I or Stage II vapor control requirements pursuant to paragraphs (R)(4) or (DDD)(4) of rule 3745-21-09 of the Administrative Code shall notify the appropriate Ohio environmental protection agency district office or local air agency using the written notification procedures described in paragraph (A)(4)(a) of this rule to describe the nature of the exemption.
- (b) Any leak from the vapor balance system or vapor control system that is not repaired within fifteen days after identification shall be reported to the appropriate Ohio environmental protection agency district office or local air agency within thirty days after the repair is completed.
- (c) A comprehensive written report on the results of any tests performed in accordance with the testing requirements of paragraph (A)(4)(h)(vi) of this rule shall be submitted to the appropriate Ohio environmental protection agency district office or local air agency within thirty days following the completion of the tests.

(vi) Testing requirements

- (a) Within sixty days after the installation or modification of a Stage II vapor control system, the owner or operator shall perform the tests specified by paragraph (DDD)(2) of rule 3745-21-09 of the Administrative Code.

At intervals not to exceed five years, the owner or operator of the facility shall repeat and demonstrate compliance with the static leak test requirements contained in appendix A to rule 3745-21-10 of the Administrative Code (unless a greater frequency is specified in the applicable CARB certification), and the dynamic pressure performance test requirements contained in appendix B to rule 3745-21-10 of the Administrative Code (unless the dynamic pressure performance test is not applicable to the specific Stage II vapor control system, as specified in the applicable CARB certification).

Not later than thirty days prior to any required tests, the owner or operator of the facility shall submit a test notification to the appropriate Ohio environmental protection agency district office or local air agency. The test notification shall describe the proposed test methods and procedures, the time and the date of the tests, and the person who will be conducting the tests. Failure to submit such notification prior to the tests may result in the Ohio environmental

protection agency's refusal to accept the results of the tests. Personnel from the appropriate Ohio environmental protection agency district office or local air agency shall be permitted to witness the tests, examine the testing equipment, and acquire data and information during the tests. After completion of any tests, the facility shall complete and retain on site a copy of the post test inspection form contained in appendix C to rule 3745-21-10 of the Administrative Code.

- (b) The owner or operator of the gasoline dispensing facility shall perform and comply with any vapor control system tests (i.e., static leak tests, air-to-liquid ratio, etc.) specified in the applicable CARB certification for the vapor control system installed. The tests shall be performed at the frequency specified in the CARB certification. If the applicable CARB certification for the vapor recovery system does not include such testing requirements, the owner or operator shall, at a minimum, comply with the static leak and dynamic pressure test requirements at intervals specified in paragraph (DDD)(2) of rule 3745-21-09 of the Administrative Code.
- (c) Compliance with the annual OC emission limitation is based on multiplying the maximum annual gasoline throughput specified in this permit-by-rule (sixteen million gallons) by an emission factor of 3.1 pounds of OCs per thousand gallons of gasoline and dividing by two thousand pounds per ton. The OC emissions from all diesel, kerosene, and used oil tank filling and dispensing operations, if present at the facility, are assumed to be negligible.

(vii) Miscellaneous requirements

- (a) All Stage II vapor control systems employed at facilities operating under this permit-by-rule, including all associated underground and above ground plumbing, shall be installed, tested, operated and maintained in accordance with the applicable CARB certification. Copies of CARB certification documents, including executive orders, approval letters, equipment advisories, and equivalent test procedures are available from the appropriate Ohio environmental protection agency district office or local air agency upon request.

(j) Boiler and heater permit-by-rule

(i) Qualifications

Boilers, preheaters, air heaters, water heaters, or heaters used for other heat exchange media that meet all of the following qualifications are eligible to use this permit-by-rule:

[Comment: Air contaminant sources which meet the definition of process heater as specified in 40 CFR Part 60, Subpart Dc are not eligible to use this permit-by-rule.]

- (a) The maximum rated heat input capacity of the air contaminant source is greater than ten million British thermal units per hour and less than or equal to one hundred million British thermal units per hour.
  - (b) The air contaminant source is capable of burning only natural gas.
  - (c) The emissions from the air contaminant source consist entirely of the products of fuel combustion.
  - (d) Air contaminant sources with a maximum rated heat input capacity of greater than fifty million British thermal units per hour shall be equipped with low-NO<sub>x</sub> burners or other combustion control techniques designed to meet an emission limitation of not greater than 0.050 pound of nitrogen oxides per million British thermal units of heat input.
- (ii) Applicable emission limitations and/or control requirements
- (a) The applicable rules, emission limitations, and control requirements that apply to each air contaminant source subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A) of rule 3745-17-07 of the Administrative Code	The visible particulate matter emission limitations specified by this rule are less stringent than the visible particulate matter emission limitation established pursuant to paragraph (A)(3) of rule 3745-31-05 of the Administrative Code.
Paragraph (B) of rule 3745-17-10 of the Administrative Code	Particulate matter emissions shall not exceed 0.020 pound per million British thermal units of actual heat input.
Paragraph (B) of rule 3745-23-06 of the Administrative Code	Units meeting the permit-by-rule qualification criteria satisfy the latest available control techniques and operating

	practices pursuant to the rule.
Paragraph (A) of rule 3745-18-06 of the Administrative Code	Air contaminant sources are exempt from this rule when natural gas is the only fuel burned.
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	Particulate matter emissions shall not exceed 8.76 tons per year. Nitrogen oxides emissions shall not exceed 5.0 pounds per hour and 21.90 tons per year. Carbon monoxide emissions shall not exceed 8.24 pounds per hour and 36.07 tons per year. OC emissions shall not exceed 1.08 pounds per hour and 4.72 tons per year. Sulfur dioxide emissions shall not exceed 0.06 pound per hour and 0.26 ton per year. Visible particulate matter emissions shall not exceed five per cent opacity, as a six-minute average. The requirements of this rule also include compliance with the requirements of rule 3745-18-06, rule 3745-23-06, and paragraph (B) of rule 3745-17-10 of the Administrative Code.
40 CFR Part 60, Subpart Dc	This regulation does not specify emission limitations for air contaminant sources that only fire natural gas.

(iii) Monitoring and/or recordkeeping requirements

- (a) The owner or operator shall maintain, at the location of the air contaminant source, documentation showing the maximum rated heat input capacity of the air contaminant source(s) and evidence that the air contaminant source(s) can only fire natural gas.
- (b) The owner or operator shall maintain monthly records of the total amount of natural gas fired for the air contaminant source(s).

(iv) Permit-by-rule specific reporting requirements

- (a) For air contaminant sources installed after July 29, 2005, the owner or operator electing to use this permit-by-rule shall report the following, in accordance with 40 CFR Part 60, Subpart Dc, to the appropriate Ohio environmental protection agency district office or local air agency at the appropriate times:
  - (i) Construction date (no later than thirty days after such date).
  - (ii) Actual start-up date (within fifteen days after such date).

(iii) Date of performance testing (if required, at least thirty days prior to testing).

(iv) The maximum rated heat input capacity of the air contaminant source(s) and the type of fuel(s) fired (no later than thirty days after installation date).

(v) Testing requirements

(a) Compliance with the hourly emission limitations is based on multiplying the maximum hourly gas firing capacity of the air contaminant source (in million cubic feet per hour) by the emission factor specified by the United States environmental protection agency in Section 1.4 of the "Compilation of Air Pollutant Emission Factors (AP-42)", (in pounds per million cubic feet fired) for each pollutant. Compliance with the pounds per million British thermal units particulate emission limitation is based on dividing the filterable particulate emission factor specified by the United States environmental protection agency in Section 1.4 of the "Compilation of Air Pollutant Emission Factors (AP-42)" by one thousand twenty. If required by the Ohio environmental protection agency, the owner or operator shall demonstrate compliance with the pounds per million British thermal units and hourly emission limitations of this permit-by-rule in accordance with the appropriate test methods specified in 40 CFR Part 60, Appendix A.

(b) Compliance with the annual emission limitations shall be assumed as long as compliance with the pound per million British thermal units and hourly emission limitations are maintained. These annual emission limitations represent the emissions calculated at the maximum capacity of the equipment and eight thousand seven hundred sixty hours per year of operation.

(c) If required by the Ohio environmental protection agency, compliance with the visible particulate emission limitations shall be demonstrated in accordance with USEPA Method 9 of 40 CFR Part 60, Appendix A.

(k) Small printing facility permit-by-rule

(i) Qualifications

A printing facility that meets the following qualifications is eligible to use this permit-by-rule:

- (a) The facility has one or more printing lines which utilize only the screen, digital, flexographic, letterpress, non-heatset lithographic, or heatset lithographic printing processes, and which do not utilize add-on emission control equipment.
- (b) The facility emits no more than ten tons of VOCs, five tons of a single HAP and ten tons of combined HAPs in any calendar year as demonstrated by either calculating actual facility-wide emissions, using methods approved by the Ohio environmental protection agency, or by electing to comply with the material usage limitations specified in paragraph (A)(4)(k)(i)(c) of this rule.
- (c) In lieu of calculating emissions to demonstrate compliance with the annual facility emission limitations specified in paragraph (A)(4)(k)(i)(b) of this rule, the owner or operator may elect to qualify the facility for this permit-by-rule by meeting the following material usage limitations for all materials employed at the facility in any calendar year:
  - (i) Uses no more than one thousand three hundred thirty-three gallons of materials containing the same single HAP and no more than two thousand six hundred sixty-seven gallons of materials containing any HAPs.
  - (ii) Operates only heatset offset lithographic printing lines and uses no more than twenty thousand pounds of ink, cleaning solvent, and fountain solution additives combined; or
  - (iii) Operates only non-heatset offset lithographic printing lines and uses no more than two thousand eight hundred fifty gallons of cleaning solvent, and fountain solution additives combined; or
  - (iv) Operates only digital printing lines and uses no more than two thousand four hundred twenty-five gallons of solvent from inks and clean-up solutions and other solvent-containing materials combined; or
  - (v) Operates only screen or letterpress printing lines and uses no more than two thousand eight hundred fifty gallons of solvent from inks and clean-up solutions and other solvent-containing materials combined; or
  - (vi) Operates only water-based or ultraviolet (UV)-cured material flexographic printing lines and uses no more than eighty

thousand pounds of water-based inks, coatings, and adhesives, combined; or

(vii) Operates only solvent based material flexographic printing lines and uses no more than twenty thousand pounds of solvent from inks, dilution solvents, coatings, cleaning solutions and adhesives, combined; or

(viii) Operates any combination of screen, digital, flexographic, letterpress, non-heatset lithographic, or heatset lithographic printing lines and the facility uses no more than the most stringent of the material usage limitations contained in paragraphs (A)(4)(k)(iii) to (A)(4)(k)(viii) of this rule for the type of air contaminant source(s) at the facility.

(ii) Applicable emission limitations and/or control requirements

(a) The applicable rules, emission limitations and control requirements that apply to the facility subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	Facility emissions shall not exceed ten tons of VOC, five tons of a single HAP and ten tons of combined HAPs for any calendar year.
Paragraph (Y)(2)(b) of rule 3745-21-09 of the Administrative Code (flexographic presses only)	Exempt from the requirements of paragraph (Y)(1) of rule 3745-21-09 of the Administrative Code since the qualifying criteria ensure that the combined maximum usage of coatings and inks in all presses at the facility is less than one hundred forty-eight tons per year.

(iii) Monitoring and/or recordkeeping requirements

(a) The owner or operator of the printing facility shall maintain annual records at the facility that list the following information for each graphic arts material (ink, fountain solution additives, clean-up solvents, etc.) employed in the facility during each calendar year:

(i) The name and identification number of each material employed.

(ii) The quantity of each material employed, in gallons or pounds.

- (iii) The OC content of each material, in pounds per gallon, or per cent, by weight.
- (iv) The individual HAP content for each HAP-containing material, in pounds of individual HAP per gallon of material.
- (v) The total combined HAP content of each material, in pounds of total HAP per gallon of material.
- (vi) The annual summation of usage in gallons, or pounds, of each graphic arts material if the facility elects to demonstrate compliance with the material usage limitations specified in paragraph (A)(4)(k)(c) of this rule; or
- (vii) The annual summation of total facility emissions of VOC, individual HAP, and combined HAP from all graphic arts materials employed if the facility elects to calculate actual emissions to demonstrate compliance with the emission limitations specified in paragraph (A)(4)(k)(b) of this rule.

(iv) Permit-by-rule specific reporting requirements

- (a) If a small printing facility exempt under this paragraph (A)(4)(k) of this rule should elect to operate under the permit-by-rule provisions for a midsize printing facility specified by paragraph (A)(4)(l) of this rule, the owner or operator of such facility shall comply with the notification requirements of paragraph (A)(4)(a)(ii) of this rule prior to operating under the permit-by-rule provisions for midsize printing facilities.

(v) Testing Requirements

- (a) Compliance with the annual material usage limitations shall be based upon the recordkeeping requirements specified in paragraph (A)(4)(k)(iii)(a) of this rule.
- (b) For screen, letterpress, and non-heatset lithographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitations, in gallons, multiplied by a maximum VOC content of 7.0 pounds per gallon, and divided by two thousand pounds per ton. For digital printing, compliance with the annual VOC emission limitation is based on the annual material usage limitations, in gallons, multiplied by a maximum VOC content of 7.5 pounds per gallon, and divided by two thousand pounds per ton. For water-based or ultraviolet (UV)-

cured flexographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitation, in pounds, multiplied by an assumed maximum VOC content of twenty-five per cent, and divided by two thousand pounds per ton. For solvent-based flexographic printing and heatset lithographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitation, in pounds, multiplied by an assumed maximum VOC content of one hundred per cent, and divided by two thousand pounds per ton. For all printing types, compliance with the annual HAP emission limitations is based on the annual material usage limitations specified in paragraph (A)(4)(k)(i)(c)(i) of this rule, in gallons, multiplied by a maximum HAP content of 7.5 pounds per gallon, and divided by two thousand pounds per ton.

- (c) An owner or operator of the facility electing to demonstrate compliance with the annual VOC, HAP, and combined HAP emission limitations by calculating the actual facility emissions may use the actual material VOC contents and usage rates from records required by paragraph (A)(4)(k)(iii) of this rule. The calculations shall be performed annually using methods approved by the Ohio environmental protection agency.

(l) Mid-size printing facility permit-by-rule

(i) Qualifications

A printing facility that meets the following qualifications is eligible to use this permit-by-rule:

- (a) The facility has one or more printing lines which utilize only the screen, digital, flexographic, letterpress, non-heatset lithographic, or heatset lithographic printing processes, and which do not utilize add-on emission control equipment.
- (b) The facility emits no more than twenty-five tons of VOCs, five tons of a single HAP and 12.5 tons of combined HAPs in any rolling, twelve-month period as demonstrated by either calculating actual facility-wide emissions, using methods approved by the Ohio environmental protection agency, or by electing to comply with the material usage limitations specified in paragraph (A)(4)(l)(i)(c) of this rule.
- (c) In lieu of calculating emissions to demonstrate compliance with the facility emission limitations specified in paragraph (A)(4)(l)(i)(b) of this rule, the facility may elect to qualify for this permit-by-rule

by meeting the following material usage limitations for all materials employed at the facility in any rolling, twelve-month period:

- (i) Uses no more than one thousand three hundred thirty-three gallons of materials containing the same single HAP and no more than three thousand three hundred thirty-three gallons of materials containing any HAPs.
  - (ii) Operates only heatset offset lithographic printing lines and uses no more than fifty thousand pounds of ink, cleaning solvent, and fountain solution additives combined; or
  - (iii) Operates only non-heatset offset lithographic printing lines and uses no more than seven thousand one hundred gallons of cleaning solvent and fountain solution additives combined; or
  - (iv) Operates only digital printing lines and uses no more than six thousand gallons of solvent from inks and clean-up solutions and other solvent containing materials combined; or
  - (v) Operates only screen or letterpress printing lines and uses no more than seven thousand one hundred gallons of solvent from inks and clean-up solutions and other solvent containing materials combined; or
  - (vi) Operates only water-based or ultraviolet (UV)-cured material flexographic printing lines and uses no more than two hundred thousand pounds of water-based inks, coatings, and adhesives, combined; or
  - (vii) Operates only solvent based material flexographic printing lines and uses no more than fifty thousand pounds of solvent from inks, dilution solvents, coatings, clean-up solutions and adhesives, combined; or
  - (viii) Operates any combination of screen, digital, flexographic, letterpress, non-heatset lithographic, or heatset lithographic printing processes and the facility uses no more than the most stringent of the material usage limits contained in paragraphs (A)(4)(I)(iii) to (A)(4)(I)(viii) of this rule for the type of air contaminant source(s) at the facility.
- (d) The facility employs cleanup solutions which meet all of the following standards:

- (i) Cleanup solutions either shall not exceed thirty per cent VOC, by weight, as applied, or shall have a VOC composite partial pressure of ten millimeters of mercury (mmHg) or less at twenty degrees Celsius (sixty-eight degrees Fahrenheit).
- (ii) Cleanup solutions shall be kept in covered containers during transport and storage.
- (iii) Shop towels contaminated with cleanup solution shall be kept, when not in use, in covered containers.
- (iv) The use of cleanup solutions not meeting the condition in paragraph (A)(4)(l)(i)(d)(i) of this rule shall not exceed a combined total of one hundred ten gallons in any rolling, twelve-month period.

(ii) Applicable emission limitations and/or control requirements

- (a) The applicable rules, emission limitations, and control requirements that apply to the facility subject to this permit-by-rule are defined in the following table:

Applicable Rule(s)	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code	Facility emissions shall not exceed twenty-five tons of VOC, five tons of a single HAP and 12.5 tons of combined HAPs for any rolling, twelve-month period.
Paragraph (Y)(2)(b) of rule 3745-21-09 of the Administrative Code (flexographic presses only)	Exempt from the requirements of paragraph (Y)(1) of rule 3745-21-09 of the Administrative Code since the qualifying criteria ensure that the combined maximum usage of coatings and inks in all presses at the facility is less than one hundred forty-eight tons per year.

(iii) Monitoring and/or recordkeeping requirements

- (a) The owner or operator of the printing facility shall maintain monthly records at the facility that list the following information for each graphic arts material (ink, fountain solution additives, cleanup solvents, etc.) employed in the facility:
  - (i) The name and identification number of each material employed.

- (ii) The quantity of each material employed, in gallons or pounds.
  - (iii) The OC content of each material, in pounds per gallon, or per cent by weight.
  - (iv) The individual HAP content for each HAP-containing material, in pounds of individual HAP per gallon of material.
  - (v) The total combined HAP content of each material, in pounds of combined HAP per gallon of material.
  - (vi) The rolling, twelve-month summation of usage in gallons of each graphic arts material employed if the facility elects to demonstrate compliance with the material usage limitations specified in paragraph (A)(4)(I)(i)(c) of this rule; or
  - (vii) The rolling, twelve-month summation of total facility emissions of VOC, individual HAP, and combined HAP from all graphic arts materials employed if the facility elects to calculate actual emissions to demonstrate compliance with the emission limitations specified in paragraph (A)(4)(I)(i)(b) of this rule.
- (iv) Testing requirements
- (a) Compliance with the rolling, twelve-month material usage thresholds and/or emission limitations shall be based upon the recordkeeping requirements specified in paragraph (A)(4)(I)(iii)(a) of this rule.
  - (b) For screen, letterpress, and non-heatset lithographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitations, in gallons, multiplied by a maximum VOC content of 7.0 pounds per gallon, and divided by two thousand pounds per ton. For digital printing, compliance with the annual VOC emission limitation is based on the annual material usage limitations, in gallons, multiplied by a maximum VOC content of 7.5 pounds per gallon, and divided by two thousand pounds per ton. For water-based or UV-cured flexographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitation, in pounds, multiplied by an assumed maximum VOC content of twenty-five per cent, and divided by two thousand pounds per ton. For solvent-based flexographic printing and heatset lithographic printing, compliance with the annual VOC emission limitation is based on the annual material usage limitation, in pounds,

multiplied by an assumed maximum VOC content of one hundred per cent, and divided by two thousand pounds per ton. For all printing types, compliance with the annual HAP emission limitations is based on the annual material usage limitations specified in paragraph (A)(4)(1)(i)(c)(i) of this rule, in gallons, multiplied by a maximum HAP content of 7.5 pounds per gallon, and divided by two thousand pounds per ton.

- (c) An owner or operator of the facility electing to demonstrate compliance with the annual VOC, HAP, and combined HAP emission limitations by calculating the actual facility emissions may use the actual material VOC contents and usage rates from records required by paragraph (A)(4)(1)(iii) of this rule. The calculations shall be performed using methods approved by the Ohio environmental protection agency.

Effective: 12/01/2006

R.C. 119.032 review dates: 09/14/2006 and 12/01/2011

CERTIFIED ELECTRONICALLY

Certification

11/20/2006

Date

Promulgated Under: 119.03

Statutory Authority: 3704.03(F)

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

Prior Effective Dates: 1/1/74, 8/15/82, 9/18/87, 8/14/89, 10/8/93, 6/1/94,  
4/12/96, 4/27/98, 11/30/01, 10/17/03, 7/29/05