

3745-31-13

Attainment provisions - review of major stationary sources and major modifications, stationary source applicability and exemptions.

(A) Start construction limitations

In accordance with this chapter of the Administrative Code, no *major stationary source* or *major modification* located in an attainment area shall *begin actual construction* unless, at a minimum, the requirements in rules 3745-31-01 through 3745-31-20 of the Administrative Code have been met and the *stationary source* has obtained a valid Ohio EPA permit to *install*.

(B) Air pollutants covered

The requirements contained in rules 3745-31-10 through 3745-31-20 of the Administrative Code shall apply to any *major stationary source* and any *major modification* as defined by these rules with respect to each air pollutant subject to regulation under the Clean Air Act that the *stationary source* would emit, except for air pollutants listed under 112 of the Clean Air Act and except as otherwise allowed in rule 3745-31-13 of the Administrative Code.

(C) Attainment/non attainment applicability

The requirements contained in rules 3745-31-10 through 3745-31-20 of the Administrative Code apply only to any *major stationary source* or *major modification* that would be constructed in an area that is designated as attainment or unclassifiable under 40 CFR 81.336.

(D) Discretionary exemption

Upon request, the director, at his discretion, may exempt the following *stationary sources* from the requirements contained in rules 3745-31-10 through 3745-31-20 of the Administrative Code as applied to a particular *major stationary source* or *major modification* if:

- (1) The *major stationary source* would be or is a non-profit health or non-profit educational institution or a *major modification* that would occur at such an institution;
or
- (2) The *stationary source* or *modification* is a portable *stationary source* that has previously received a permit under requirements equivalent to those contained in

rules 3745-31-10 through 3745-31-20 of the Administrative Code if:

- (a) The owner or operator of the *stationary source* proposes to relocate and emissions of the *stationary source* at the new location would be temporary; and
- (b) The emissions from the *stationary source* would not exceed its *allowable emissions*; and
- (c) The emissions from the *stationary source* would not impact a Class I area or any area where an applicable increment is known to be violated; and
- (d) Reasonable written notice is given to the director prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the reviewing authority not less than thirty days in advance of the proposed relocation unless a different time duration is previously approved by the director.

(E) *Stationary sources* located in or impacting nonattainment areas

The requirements contained in rules 3745-31-10 through 3745-31-20 of the Administrative Code do not apply to a *major stationary source* or *major modification* with respect to a particular air pollutant if the owner or operator demonstrates that, as to that air pollutant, the *stationary source* or *major modification* is located in an area designated as nonattainment under Section 107 of the Clean Air Act. This exemption does not apply to *stationary sources* or *major modifications* that are located in an attainment area that impact a nonattainment areas pursuant to paragraph (D) of Rule 3745-31-23 of the Administrative Code.

(F) Temporary increases

The requirements equivalent to those contained in rules 3745-31-10 through 3745-31-20 of the Administrative Code do not apply to a proposed *major stationary source* or *major modification* with respect to a particular air pollutant if the *allowable emissions* of that air pollutant from a new

stationary source, or the *net emissions increase* of that air pollutant from a *modification*, would be temporary and would impact no Class I area and no area where an applicable increment is known to be violated.

(G) Class II area limitations

The requirements contained in rules 3745-31-08 through 3745-31-10 of the Administrative Code as they relate to any maximum allowable increase for a Class II area do not apply to a *modification* of a *major stationary source* that was in existence on March 1, 1978 if the net increase in *allowable emissions* of each air pollutant subject to regulation under the Clean Air Act from the *modification* after the application of *best available control technology* would be less than fifty tons per year.

(H) Exemptions to preapplication ambient monitoring

The director may exempt a proposed *major stationary source* or *major modification* from the requirements of rule 3745-31-14 of the Administrative Code with respect to ambient monitoring for a particular air pollutant if:

- (1) The emissions increase of the air pollutant from a new *stationary source* or the new emissions increase of the air pollutant from a *modification* would cause, in any area, air quality impacts less than the following amounts:
 - (a) Carbon monoxide - five hundred seventy-five $\mu\text{g}/\text{cm}$, eight-hour average;
 - (b) Nitrogen dioxide - fourteen $\mu\text{g}/\text{cm}$, annual average;
 - (c) Particulate matter less than 10 microns - ten $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (d) Sulfur dioxide - thirteen $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (e) Ozone - no de minimis air quality level is provided for ozone. However, any net increase of one hundred tons per year or more of *volatile organic compounds* subject to the attainment provisions of Chapter 3745-31 of the Administrative Code would be required to perform

an impact analysis including the gathering of ambient air quality data;

- (f) Lead - 0.1 $\mu\text{g}/\text{cm}$, three-month average;
 - (g) Mercury - 0.25 $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (h) Beryllium - 0.001 $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (i) Fluorides - 0.25 $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (j) Vinyl chloride - fifteen $\mu\text{g}/\text{cm}$, twenty-four-hour average;
 - (k) Total reduced sulfur - ten $\mu\text{g}/\text{cm}$, one-hour average;
 - (l) Hydrogen sulfide - 0.2 $\mu\text{g}/\text{cm}$, one-hour average;
 - (m) Reduced sulfur compounds - ten $\mu\text{g}/\text{cm}$, one-hour average; or
- (2) The ambient concentrations of the air pollutant in the area that the *stationary source or modification* would affect are less than the concentrations listed in paragraph (H) (1) of this rule; or
 - (3) The air pollutant is not listed in paragraph (H) (1) of this rule; or
 - (4) The director determines that representative monitoring data is available.

Effective: April 12, 1996

Certification: original signed by Donald R. Schregardus
Donald R. Schregardus, Director
Ohio Environmental Protection Agency

March 15, 1996

Date

Promulgated under: R.C. 119

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