

## TITLE V

### Insignificant Activities Issues

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There have been several issues on how to properly characterize insignificant activities in the Title V program. The following should resolve any misunderstandings on the correct application of the rule.

**Question: How do you properly evaluate an emissions unit's potential to emit to determine whether or not it is an insignificant activity as provided for in OAC rule 3745-77-01 (U)(3)?**

**This provision reads as follows:**

**"any emission unit with the potential to emit five tons or less per year of any regulated air pollutant other than a hazardous air pollutant and not more than twenty per cent of an applicable major source threshold under the act."**

*Answer: The calculated annual emissions rate absent of any air pollution controls for 24 hours per day and 365 days per year of any regulated air pollutant other than a hazardous air pollutant.*

**Discussion:** Ohio was progressive in establishing truly small and insignificant emissions units as insignificant activities that are exempted from detailed Title V permit requirements. Staff should not confuse this requirement with the definition of potential to emit from a stationary source. That concept and definition are used for a totally different purpose to establish applicability as a Title V major facility. Many states have established insignificant activities as only those activities that have no applicable requirements. In Ohio, an emissions unit can have applicable requirements but still be insignificant due to small potential emissions. As you know, the use of theoretical potential is consistent with the manner that you determine potential to emit with OAC Chapter 3745-35 emissions units to establish whether or not they may qualify for registration status. Obviously, well-controlled emissions units are the most important to describe in the Title V permit as significant activities to ensure compliance with the various applicable requirements.

**Question: If an emissions unit is otherwise insignificant, pursuant to OAC rule 3745-77-01(U)(3), except for the fact that it emits a small amount of hazardous air pollutants (HAPs), can the emissions unit still be classified as an insignificant activity? If the emissions unit can still be classified as an insignificant activity, please define the HAP emissions levels where this would apply.**

*Answer: The criteria for "insignificant activities" in OAC rule 3745-77-01(U)(3) specifically does not allow HAP emission. However, per OAC rule 3745-77-01(U)(1) de minimis emissions units are insignificant activities and an emissions unit that is de minimis can emit small quantities of HAPs. Therefore, the DAPC has taken the position that an emissions unit, which would otherwise be insignificant except for the fact that it emits very small quantities HAPs, can be classified as an "insignificant activity" if the HAP portion of the total emissions are de minimis on a potential to emit basis.*

*The de minimis exemptions are described in OAC rule 3745-15-05. For HAP emissions from an emissions unit to be de minimis, the potential emissions of total HAPs cannot exceed 5.47*

*pounds per day (one ton = 2000 lbs./365 days = 5.47 lbs. per day) or one ton per year.*

**Described below are three hypothetical situations that illustrate how the above-mentioned guidance should be applied:**

**Example one:**

An air contaminant source ("emissions unit") at a facility has the potential to emit 3 tons per year (TPY) of Heptane, 0.5 TPY of Benzene, and 0.3 TPY of Toluene. Both Benzene and Toluene are HAPs, while Heptane is a volatile organic compound (VOC) but not a HAP. This emissions unit can be classified as an insignificant activity since the collective HAP emissions in this example Benzene and Toluene did not exceed 5.47 lbs./day (one ton per year) and the total potential to emit for any regulated pollutant for this emissions unit is less than 5 TPY.

**Example two:**

An emissions unit has the potential to emit 3 TPY of Heptane, 0.5 TPY of Benzene, and 0.6 TPY of Toluene. This emissions unit cannot be classified as an insignificant activity, since the total potential emissions of HAPs (Benzene and Toluene) are more than one TPY. HAP emissions, except for de minimis quantities, are not allowed for insignificant activities.

**Example three:**

An emissions unit has the potential to emit 1 TPY of Heptane (a VOC, but not a HAP), 0.2 TPY of Benzene, and 0.1 TPY of Toluene. Potential emissions for each regulated pollutant are less than 10 lbs./day. The total potential HAP emissions (Benzene and Toluene) are less than one ton per year. This emissions unit is an insignificant activity, since the emissions unit is de minimis under OAC rule 3745-15-05 and ORC 3704.011 and OAC rule 3745-77-01(U)(1) defines de minimis emissions units as insignificant activities.

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