



# Permit-by-Rule Notification Form Unpaved Roadways and Parking Areas

## Division of Air Pollution Control

Submission of this form constitutes notice that the party identified in Section I of this form intends to be authorized to install/operate a source of air pollution according to the permit-by-rule provisions of OAC 3745-31-03(C)(1) and (C)(2)(I). By submitting this form, the applicant agrees to operate and maintain the facility and equipment in accordance with the applicable permit-by-rule provisions. An original signature is needed and forms transmitted by fax will not be accepted. Complete all information as indicated by the instructions.

### I. Applicant Information / Mailing Address

Company (Applicant) Name: \_\_\_\_\_

Mailing (Applicant) Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

### II. Facility / Site Location Information

Facility Name: \_\_\_\_\_

Facility Address / Location: \_\_\_\_\_ County: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Facility Contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Ohio EPA Facility ID Number (10-digit) if known – See Instructions: \_\_\_\_\_

### III. Reason for Submitting Notification:

Initial request  Modification  Ownership change

Request for revocation of current permit - See Instructions and complete additional information below

Permit to install (PTI) or Permit to operate (PTO) number  
\_\_\_\_\_  
\_\_\_\_\_

Emission Unit ID (4-digit)  
\_\_\_\_\_  
\_\_\_\_\_

### IV. Permit-by-Rule Qualifying Option:

The facility-wide total unpaved roadways and parking areas are greater than twelve thousand square feet but less than thirty thousand square feet in size.

I certify under penalty of law that all statements or assertions of fact made in this notification are true and complete, and shall subject the signatory to liability under state laws forbidding false or misleading statements.

Applicant Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### RETAIN A COPY OF THIS FORM FOR YOUR RECORDS

Mail the original, signed form to the appropriate Air Permit Review Agency for your county. (Please click on the link <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/permitting/ohio-epa-district-offices-and-local-air-pollution-control-agencies> for mailing address).  
Rev 07/22

#### For Ohio EPA Use Only:

FACILITY ID: \_\_\_\_\_

Date received  
\_\_\_\_\_

# INSTRUCTIONS: Permit-by-Rule Form Unpaved Roadways and Parking Areas

## GENERAL INSTRUCTIONS:

Provide complete responses to all applicable questions. Submittal of an incomplete form will delay review and processing. If you need assistance, contact your Ohio EPA District Office or Local Air Agency for assistance. Contact the Ohio EPA, Division of Air Pollution Control at (614) 644-2270 for more information on contacting your local district office or go to <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/permitting/ohio-epa-district-offices-and-local-air-pollution-control-agencies> and select the office that covers your facility's location. For more information on the permit-by-rule process, including online tracking of your notification form, go to <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/permitting/permit-by-rule-pbr>.

This is a notification form for the unpaved roadways and parking areas intended to be installed and/or operated according to the permit-by-rule provisions of OAC 3745-31-03(C)(1) and (C)(2)(I). The permit-by-rule (PBR) provisions cover all applicable emission limitations and control requirements, operational restrictions, reporting requirements and testing requirements which are part of unpaved roadways and parking areas but do not cover other types of air pollution sources, if present at the facility, such as solvent parts washers, boilers, gasoline dispensing facilities or diesel electrical generators which may require air pollution permits. For copies of these regulations, contact your Ohio EPA District Office or Local Air Agency or go to <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/regulations>.

- I. Enter the company name, corporate name or other name and mailing address for the legal entity which owns or operates the facility specified in the permit-by-rule notification (example: Shelly Materials or ABC Corporation). Provide the name of the individual to be contacted concerning questions about the notification form being submitted.
- II. Enter the name and address for the facility at which the permit-by-rule for unpaved roadways exist (example: Shelly Materials, or ABC Corporation). This could be the same as the applicant name if the facility has no independent name. This address information is the location of the facility and not the mailing address, unless they are the same. Provide the name of the individual at the facility to be contacted concerning questions about the operation of the facility. Please specify the 10-digit Ohio EPA facility ID number if the facility has been issued air pollution permits from the Ohio EPA. If no permits exist, leave this blank. The facility ID number is contained in permits to install, permits to operate, or fee emission reports sent to the facility by Ohio EPA. If not known, contact the District Office or Local Air Agency with jurisdiction in the area the facility is located to confirm the facility ID number.
- III. Check all applicable boxes. Check "Initial" if this is a new installation or the first request to operate under a permit-by-rule provision. Check "modification" if making substantial changes (example: an increase in unpaved roadways and parking areas) since the initial notification. Check "Ownership change" if the facility has changed names, contact person, or has a new owner intending to operate under a permit-by-rule provision. If using this form to also request the revocation of existing permits, specify the permit numbers and all applicable 4-digit emission unit IDs (F001, etc.) These numbers are contained in permits to install, permits to operate, or fee emission reports sent to the facility by Ohio EPA. If not known, contact the District Office or Local Air Agency with jurisdiction in the area the facility is located to confirm the permit numbers and emission unit ID numbers.
- IV. In order to qualify for permit-by-rule under OAC rule 3745-31-03(C)(2)(I), the facility-wide total unpaved roadways and parking areas must be greater than twelve thousand square feet but less than thirty thousand square feet in size.

**Signature Requirements** – This notification will be deemed incomplete if it is not signed by the appropriate signatory. Please see the following guidance at [https://ohioepa.custhelp.com/app/answers/detail/a\\_id/1200](https://ohioepa.custhelp.com/app/answers/detail/a_id/1200) for more information on who is authorized to sign this form or contact your Ohio EPA District Office or Local Air Agency.

## Permit-by-Rule Requirements: Unpaved roadways and parking areas

*Excerpts from applicable sections of OAC rules 3745-31-03(C)(1) and (C)(2)(I) are included with these Instructions for convenience. An owner or operator who wishes to apply for PBR concerning unpaved roadways and parking areas must comply with all applicable requirements specified in paragraphs (C)(1) – General Provisions, and Source Specific Provisions (C)(2)(I) – Unpaved roadways and parking areas.*

### **(C) Permit-by-rule.**

The following air contaminant sources may elect to be permitted under this paragraph in lieu of the requirement to obtain a permit-to-install or PTIO under rule 3745-31-02 of the Administrative Code. These permits-by-rule 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 or PTIO.

These permits-by-rule 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 significant or 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 these sources into any major NSR permitting action.

### **(1) General provisions.**

These general provisions apply to all owner or operators who are utilizing one or more of the permits-by-rule listed in paragraph (B) of this rule.

#### **(a) Recordkeeping requirements.**

The owner or operator shall collect and maintain the records described for each air contaminant source electing to be permitted under paragraph (B) 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 permit-by-rule. These records shall be made available to the director or any authorized representative of the director for review during normal business hours.

#### **(b) 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 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:

- (i) The owner or operator's and the facility contact's name.
- (ii) The facility mailing address and telephone number.
- (iii) The location of the air contaminant source.
- (iv) A description of the air contaminant source, including any pollution control.
- (v) A statement by the owner or operator that indicates which permit-by-rule applies to the air contaminant source.

#### **(c) Notification requirements for existing permitted sources.**

The owner or operator of an air contaminant source which is operating under an existing permit-to-install, PTIO 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, PTIO 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, PTIO or permit-to-operate are revoked.

#### **(d) 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 (B)(1)(b) 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.

(e) 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.

(f) Reporting requirements.

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

- (i) Reports of any monitoring 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.
- (ii) 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 or operational restriction exceeded, the probable cause of such deviation, and any corrective actions of preventive measures that have been or will be taken.

(g) 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 air contaminant source or any associated air pollution control system 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 shall be accompanied by the shutdown of the air contaminant source that is served by such control system.

**(2) Source Specific provisions.**

**(I) Unpaved roadways and parking areas.**

(i) Qualifications.

The facility-wide total unpaved roadways and parking areas are greater than twelve thousand square feet but less than thirty thousand square feet in size.

(ii) Applicable emission limitations and 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	Applicable Emission Limitations/Control Requirements
Paragraph (A)(3) of rule 3745-31-05 of the Administrative Code.	The owner or operator shall employ fugitive dust control measures in order to minimize or eliminate fugitive dust emissions.
Paragraph (B)(5) of rule 3745-17-07 of the Administrative Code (applicable only if this emissions unit is located in an area identified in Appendix A of rule 3745-17-08 of the Administrative Code).	No visible particulate emissions (PE) except for thirteen minutes during any sixty minute period.
Paragraph (B) of rule 3745-17-08 of the Administrative Code (applicable only if this emissions unit is located in an area identified in Appendix A of rule 3745-17-08 of the Administrative Code).	As described in paragraph (C)(2)(l)(ii)(b) of this rule.
Rule 3745-15-07 of the Administrative Code.	The owner or operator shall not allow the unpaved roadway and parking area's dust emissions to cause a public nuisance.

(b) The permittee shall employ reasonably available control measures to minimize or eliminate visible PE of fugitive dust by any of the following:

- (i) The periodic application of asphalt, oil (excluding any used oil as defined in paragraph (A)(12) of rule 3745-279-01 of the Administrative Code), water or other suitable dust suppression chemicals on gravel roads and parking lots.
- (ii) The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- (iii) Requiring open-bodied vehicles transporting materials likely to become airborne to have such materials covered at all times if the control measure is necessary for the materials being transported.

(iii) Operational restrictions.

The permittee shall treat the unpaved roadways and parking areas by application of chemical stabilization/dust suppressants or watering at sufficient treatment frequencies to ensure compliance. This paragraph shall not prohibit the permittee from employing other control measures to ensure compliance.

The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit-by-rule. Implementation of the control measures shall not be necessary for roadways and parking areas that are covered with snow or ice or if precipitation has occurred that is sufficient for that day to ensure emissions will be minimized or eliminated. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by using the control measure.

(iv) Monitoring and recordkeeping requirements.

- (a) The permittee shall monitor the roadways and parking areas to determine if treatment is necessary.
- (b) The permittee shall determine the frequency of monitoring the roadways and parking areas based on their knowledge of ambient conditions, the frequency of use, the roadway type, and the roadway condition in order to minimize or eliminate fugitive dust emissions.
- (c) The permittee shall maintain records of the following information:
  - (i) The dates the control measures were implemented.
  - (ii) A description of the type of control measure implemented (watering, sweeping, application of dust suppressant, etc.).

These records shall be maintained following paragraphs (C)(2)(a)(i) and (C)(2)(a)(v) of this rule.

(v) Reporting requirements.

The permittee shall provide copies of the records required in paragraph (C)(2)(l)(iv) of this rule to the Ohio EPA upon request.

(vi) Testing requirements.

None.