

MAR 15 1996

3745-31-01 Definitions.

L.S.C.

- (A) Except as otherwise provided in this rule, the definitions in rule 3745-15-01 of the Administrative Code shall apply to this chapter.
- (B) "ACTUAL EMISSIONS" MEANS THE ACTUAL RATE OF EMISSIONS OF AN AIR POLLUTANT FROM AN EMISSIONS UNIT, AS DETERMINED IN ACCORDANCE WITH PARAGRAPHS (B) (1) THROUGH (B) (3) OF THIS RULE.
- (1) ACTUAL EMISSIONS AS OF A PARTICULAR DATE SHALL EQUAL THE AVERAGE RATE, IN TONS PER YEAR, AT WHICH THE EMISSIONS UNIT ACTUALLY EMITTED THE AIR POLLUTANT DURING A TWO-YEAR PERIOD THAT PRECEDES THE PARTICULAR DATE AND IS REPRESENTATIVE OF NORMAL EMISSIONS UNIT OPERATION. THE DIRECTOR MAY ALLOW THE USE OF A DIFFERENT TIME PERIOD UPON A DETERMINATION THAT IT IS MORE REPRESENTATIVE OF NORMAL EMISSIONS UNIT OPERATION. ACTUAL EMISSIONS SHALL BE CALCULATED USING THE EMISSIONS UNIT'S ACTUAL OPERATING HOURS, PRODUCTION RATES AND TYPES OF MATERIALS PROCESSED, STORED OR COMBUSTED DURING THE SELECTED TIME PERIOD.
- (2) THE DIRECTOR MAY PRESUME THAT EMISSIONS UNIT-SPECIFIC ALLOWABLE EMISSIONS FOR THE EMISSIONS UNIT ARE EQUIVALENT TO THE ACTUAL EMISSIONS OF THE EMISSIONS UNIT.
- (3) FOR ANY EMISSIONS UNIT THAT HAS NOT BEGUN NORMAL OPERATIONS ON THE PARTICULAR DATE, ACTUAL EMISSIONS SHALL EQUAL THE POTENTIAL TO EMIT OF THE EMISSIONS UNIT ON THAT DATE.
- ~~(B)~~ ~~"Affected source" means a major emitting facility as defined by the Clean Air Act.~~
- (C) "Air contaminant" means particulate matter, dust, fumes, gas, mist, RADIONUCLIDES, smoke, vapor or odorous substances, or any combination thereof.
- (D) "Air contaminant source" means each separate operation, or activity that results or may result in the emission of any air contaminant. THIS DEFINITION APPLIES TO OPERATIONS OR ACTIVITIES THAT EMIT AIR CONTAMINANTS, WHETHER REGULATED UNDER OHIO LAW OR REGULATED UNDER THE CLEAN AIR ACT.
- ~~(E)~~ ~~"Allowable air contaminant emissions" means the emission rate calculated using the maximum rated capacity of the air contaminant source (unless the air contaminant source is subject to enforceable permit conditions which limit operating rate, or hours of~~

~~operation, or both) permissible under the most stringent of the following:~~

- ~~(1) Applicable federal "Standards of Performance for New Stationary Sources" adopted by the administrator of the United States environmental protection agency pursuant to section 111 of the Clean Air Act and the regulations promulgated thereunder;~~
- ~~(2) Applicable "National Emission Standard for Hazardous Air Pollutants" set forth in 40 CFR Part 61;~~
- ~~(3) Applicable state implementation plan emission limitation; or~~
- ~~(4) The emission rate specified as an enforceable permit condition.~~

(E) "ALLOWABLE EMISSIONS" MEANS THE EMISSIONS RATE OF AN AIR CONTAMINANT SOURCE CALCULATED USING THE MAXIMUM RATED CAPACITY OF THE AIR CONTAMINANT SOURCE (UNLESS THE AIR CONTAMINANT SOURCE IS SUBJECT TO FEDERALLY ENFORCEABLE LIMITS THAT RESTRICT THE OPERATING RATE OR HOURS OF OPERATION, OR BOTH), AND THE MOST STRINGENT OF THE FOLLOWING:

- (1) THE APPLICABLE STANDARDS AS SET FORTH IN 40 CFR PARTS 60 AND 61;
- (2) THE OHIO STATE IMPLEMENTATION PLAN EMISSIONS LIMITATION, INCLUDING THOSE WITH A FUTURE COMPLIANCE DATE; OR
- (3) THE EMISSION RATE SPECIFIED AS A FEDERALLY ENFORCEABLE PERMIT CONDITION; OR
- (4) THE EMISSION RATE SPECIFIED IN A PERMIT TO INSTALL THAT IS ENFORCEABLE BY THE STATE.

(F) "Applicable laws" means any applicable provisions of Chapters 3704., 3734., 3745., and 6111. of the Revised Code, as amended; rules, regulations, and orders of the Ohio EPA; the Clean Air Act, as amended; the federal Water Pollution Control Act, as amended; and rules and regulations of the administrator of the United States environmental protection agency.

(G) "Authorized maximum daily waste receipt" means the maximum amount of solid waste a solid waste DISPOSAL

facility may receive at the gate in any calendar day. The disposal limit shall be expressed in tons per day for facilities utilizing scales or cubic yards per day at the gate for all other facilities. The conversion factor between tons and cubic yards shall be one ton to three cubic yards unless the solid waste is baled, in which case a one-ton to one-cubic-yard conversion factor shall be used.

(H) "BASELINE AREA" MEANS ANY INTRASTATE AREA (AND EVERY PART THEREOF) DESIGNATED AS ATTAINMENT OR UNCLASSIFIABLE UNDER SECTION 107(d) OF THE CLEAN AIR ACT IN WHICH THE MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION ESTABLISHING THE BASELINE DATE WOULD CONSTRUCT OR WOULD HAVE AN AIR QUALITY IMPACT EQUAL TO OR GREATER THAN 1 MICROGRAM PER CUBIC METER (ANNUAL AVERAGE) OF THE AIR POLLUTANT FOR WHICH THE BASELINE DATE IS ESTABLISHED.

AREA REDESIGNATIONS UNDER SECTION 107(d) OF THE CLEAN AIR ACT CANNOT INTERSECT OR BE SMALLER THAN THE AREA OF IMPACT OF ANY MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION THAT:

- (1) ESTABLISHES A BASELINE DATE; OR
- (2) IS SUBJECT TO 40 CFR 52.21 OR UNDER REGULATIONS APPROVED PURSUANT TO 40 CFR 51.166, AND WOULD BE CONSTRUCTED IN THE SAME STATE AS THE STATE PROPOSING THE REDESIGNATION.

(I) "BASELINE CONCENTRATION" MEANS THAT AMBIENT CONCENTRATION LEVEL THAT EXISTS IN THE BASELINE AREA AT THE TIME OF THE APPLICABLE BASELINE DATE. A BASELINE CONCENTRATION IS DETERMINED FOR EACH AIR POLLUTANT FOR WHICH A BASELINE DATE IS ESTABLISHED AND SHALL INCLUDE: THE ACTUAL EMISSIONS REPRESENTATIVE OF SOURCES IN EXISTENCE ON THE APPLICABLE BASELINE DATE; AND THE ALLOWABLE EMISSIONS OF MAJOR STATIONARY SOURCES THAT COMMENCED CONSTRUCTION BEFORE JANUARY 6, 1975 BUT WERE NOT IN OPERATION BY THE APPLICABLE BASELINE DATE. THE FOLLOWING WILL NOT BE INCLUDED IN THE BASELINE CONCENTRATION AND WILL AFFECT THE APPLICABLE MAXIMUM ALLOWABLE INCREASE(S):

- (1) ACTUAL EMISSIONS FROM ANY MAJOR STATIONARY SOURCE ON WHICH CONSTRUCTION COMMENCED AFTER JANUARY 6, 1975; AND

(2) ACTUAL EMISSIONS INCREASES AND DECREASES AT ANY STATIONARY SOURCE OCCURRING AFTER THE BASELINE DATE.

(J) "BASELINE DATE" MEANS THE EARLIEST DATE AFTER AUGUST 7, 1977 THAT AN OWNER OR OPERATOR OF A MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION SUBJECT TO 40 CFR 52.21 SUBMITS A COMPLETE APPLICATION UNDER THAT SECTION.

THE BASELINE DATE IS ESTABLISHED FOR EACH AIR POLLUTANT FOR WHICH INCREMENTS OR OTHER EQUIVALENT MEASURES HAVE BEEN ESTABLISHED IF:

(1) THE AREA IN WHICH THE PROPOSED MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION WOULD BE CONSTRUCTED IS DESIGNATED AS ATTAINMENT OR UNCLASSIFIABLE UNDER SECTION 107(d) OF THE CLEAN AIR ACT FOR THE AIR POLLUTANT ON THE DATE OF ITS COMPLETE APPLICATION UNDER 40 CFR 52.21 OR UNDER REGULATIONS APPROVED PURSUANT TO 40 CFR 51.166; AND

(2) IN THE CASE OF A MAJOR STATIONARY SOURCE, THE AIR POLLUTANT WOULD BE EMITTED IN SIGNIFICANT AMOUNTS OR, IN THE CASE OF A MAJOR MODIFICATION, THERE WOULD BE A SIGNIFICANT NET EMISSIONS INCREASE OF THE AIR POLLUTANT.

(K) "BEGIN ACTUAL CONSTRUCTION" MEANS, IN GENERAL, INITIATION OF PHYSICAL ON-SITE CONSTRUCTION ACTIVITIES ON AN EMISSIONS UNIT THAT ARE OF A PERMANENT NATURE. SUCH ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO, INSTALLATION OF BUILDING SUPPORTS AND FOUNDATIONS, LAYING OF UNDERGROUND PIPEWORK, AND CONSTRUCTION OF PERMANENT STORAGE STRUCTURES. WITH RESPECT TO A CHANGE IN METHOD OF OPERATION, THIS TERM REFERS TO THOSE ON-SITE ACTIVITIES, OTHER THAN PREPARATORY ACTIVITIES, THAT MARK THE INITIATION OF THE CHANGE.

(L) "BEST AVAILABLE CONTROL TECHNOLOGY" MEANS AN EMISSIONS LIMITATION (INCLUDING A VISIBLE EMISSIONS STANDARD) BASED UPON THE MAXIMUM DEGREE OF REDUCTION FOR EACH AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAN AIR ACT THAT WOULD BE EMITTED FROM ANY PROPOSED MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION THAT THE DIRECTOR, ON A CASE-BY-CASE BASIS, TAKING INTO ACCOUNT ENERGY, ENVIRONMENTAL AND ECONOMIC IMPACTS AND OTHER COSTS, DETERMINES IS ACHIEVABLE FOR SUCH MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION THROUGH APPLICATION OF PRODUCTION PROCESSES OR AVAILABLE METHODS, SYSTEMS AND TECHNIQUES, INCLUDING FUEL

COMBUSTION TECHNIQUES FOR CONTROL OF SUCH AIR POLLUTANT. IN NO EVENT SHALL APPLICATION OF BEST AVAILABLE CONTROL TECHNOLOGY RESULT IN EMISSIONS OF ANY AIR POLLUTANT THAT WOULD EXCEED THE EMISSIONS ALLOWED BY ANY APPLICABLE STANDARD UNDER 40 CFR PARTS 60 AND 61. IF THE DIRECTOR DETERMINES THAT TECHNOLOGICAL OR ECONOMIC LIMITATIONS ON THE APPLICATION OF MEASUREMENT METHODOLOGY TO A PARTICULAR EMISSIONS UNIT WOULD MAKE THE IMPOSITION OF AN EMISSIONS STANDARD INFEASIBLE, A DESIGN, EQUIPMENT, WORK PRACTICE, OPERATIONAL STANDARD, OR COMBINATION THEREOF MAY BE APPROVED BY THE DIRECTOR INSTEAD TO SATISFY THE REQUIREMENT FOR THE APPLICATION OF BEST AVAILABLE CONTROL TECHNOLOGY. SUCH STANDARD SHALL, TO THE DEGREE POSSIBLE, SET FORTH THE EMISSIONS REDUCTION ACHIEVABLE BY IMPLEMENTATION OF SUCH DESIGN, EQUIPMENT, WORK PRACTICE OR OPERATION AND SHALL PROVIDE FOR COMPLIANCE BY MEANS THAT ACHIEVE EQUIVALENT RESULTS.

- (M) "BEST AVAILABLE TECHNOLOGY" MEANS ANY COMBINATION OF WORK PRACTICES, RAW MATERIAL SPECIFICATIONS, THROUGHPUT LIMITATIONS, SOURCE DESIGN CHARACTERISTICS, AN EVALUATION OF THE ANNUALIZED COST PER TON OF AIR POLLUTANT REMOVED, AND AIR POLLUTION CONTROL DEVICES THAT HAVE BEEN PREVIOUSLY DEMONSTRATED TO THE DIRECTOR OF ENVIRONMENTAL PROTECTION TO OPERATE SATISFACTORILY IN THIS STATE OR OTHER STATES WITH SIMILAR AIR QUALITY ON SUBSTANTIALLY SIMILAR AIR POLLUTION SOURCES.
- (N) "CLEAN COAL TECHNOLOGY" MEANS ANY TECHNOLOGY, INCLUDING TECHNOLOGIES APPLIED AT THE PRECOMBUSTION, COMBUSTION, OR POSTCOMBUSTION STAGE, AT A NEW OR EXISTING FACILITY THAT WILL ACHIEVE SIGNIFICANT REDUCTIONS IN AIR EMISSIONS OF SULFUR DIOXIDE OR OXIDES OF NITROGEN ASSOCIATED WITH THE UTILIZATION OF COAL IN THE GENERATION OF ELECTRICITY, PROCESS STEAM, OR INDUSTRIAL PRODUCTS, AND THAT IS NOT IN WIDESPREAD USE AS OF THE DATE OF ENACTMENT OF THE CLEAN AIR ACT AMENDMENTS OF 1990.
- (O) "COMMENCE" AS APPLIED TO CONSTRUCTION OF A MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION MEANS THAT THE OWNER OR OPERATOR EITHER HAS:
- (1) BEGUN, OR CAUSED TO BEGIN, A CONTINUOUS PROGRAM OF ACTUAL ON-SITE CONSTRUCTION OF THE MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION, TO BE COMPLETED WITHIN A REASONABLE TIME; OR
 - (2) ENTERED INTO BINDING AGREEMENTS OR CONTRACTUAL OBLIGATIONS (WHICH CANNOT BE CANCELED OR MODIFIED

WITHOUT SUBSTANTIAL LOSS TO THE OWNER OR OPERATOR) TO UNDERTAKE A PROGRAM OF ACTUAL CONSTRUCTION OF THE MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION TO BE COMPLETED WITHIN A REASONABLE TIME.

- ~~(Z)~~ (P) "Commercial bakery" means an establishment that is primarily engaged in manufacturing fresh or frozen bread, bread-type rolls and "dry" bakery products (i.e. E.G. biscuits, crackers, and cookies). This definition does not include establishments that produce bakery products primarily for direct sale on the premises to household consumers.
- (Q) "COMPLETE", IN REFERENCE TO AN APPLICATION FOR A PERMIT, MEANS THAT THE APPLICATION CONTAINS ALL THE INFORMATION NECESSARY FOR PROCESSING THE APPLICATION. DESIGNATING AN APPLICATION COMPLETE FOR PURPOSES OF PERMIT PROCESSING DOES NOT PRECLUDE THE DIRECTOR FROM REQUESTING OR ACCEPTING ANY ADDITIONAL INFORMATION.
- (R) "CONSTRUCTION" MEANS ANY PHYSICAL CHANGE OR CHANGE IN THE METHOD OF OPERATION (INCLUDING FABRICATION, ERECTION, INSTALLATION, DEMOLITION OR MODIFICATION OF AN EMISSIONS UNIT) THAT WOULD RESULT IN A CHANGE IN ACTUAL EMISSIONS.
- (S) "CRITERIA POLLUTANT" MEANS PARTICULATE MATTER, NITROGEN OXIDES, VOLATILE ORGANIC COMPOUNDS, SULFUR DIOXIDE, CARBON MONOXIDE, LEAD OR ANY OTHER AIR POLLUTANT FOR WHICH A NATIONAL AMBIENT AIR QUALITY STANDARD HAS BEEN PROMULGATED UNDER SECTION 109 OF THE CLEAN AIR ACT.
- ~~(H)~~ (T) "Disposal system" means a system for disposing of sewage, industrial waste, or other wastes, and includes sewage systems and treatment works.
- (U) "Distillate oil" means a petroleum product designated as number one fuel oil, number two fuel oil (with less than or equal to 0.5 per cent by weight sulfur), diesel fuel or kerosene by the American petroleum institute.
- (V) "EMISSIONS UNIT" MEANS EACH SEPARATE OPERATION, OR ACTIVITY THAT EMITS OR WOULD HAVE THE POTENTIAL TO EMIT ANY AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAN AIR ACT. THIS TERM DOES NOT INCLUDE OPERATIONS OR ACTIVITIES THAT EMIT AIR POLLUTANTS REGULATED UNDER STATE LAW BUT ARE NOT REGULATED UNDER THE CLEAN AIR ACT.
- ~~(V)~~ (W) "~~Facility" means a plant comprised of a source or group of sources located on contiguous property operated~~

~~under the control or ownership of the same entity.~~ ALL OF THE AIR CONTAMINANT SOURCES THAT BELONG TO THE SAME INDUSTRIAL GROUPING, ARE LOCATED ON ONE OR MORE CONTIGUOUS OR ADJACENT PROPERTIES, AND ARE UNDER THE CONTROL OF THE SAME PERSON (OR PERSONS UNDER COMMON CONTROL) EXCEPT THE ACTIVITIES OF ANY VESSEL AND THOSE EMISSIONS RESULTING DIRECTLY FROM AN INTERNAL COMBUSTION ENGINE FOR TRANSPORTATION PURPOSES OR FROM A NONROAD ENGINE OR NONROAD VEHICLE AS DEFINED IN SECTION 216 OF THE CLEAN AIR ACT. AIR CONTAMINANT SOURCES SHALL BE CONSIDERED AS PART OF THE SAME INDUSTRIAL GROUPING IF THEY BELONG TO THE SAME "MAJOR GROUP" (I.E., THEY HAVE THE SAME TWO-DIGIT CODE) AS DESCRIBED IN THE MOST RECENT PUBLISHED VERSION "STANDARD INDUSTRIAL CLASSIFICATION MANUAL, 1987."

- (X) "FEDERAL LAND MANAGER" MEANS, WITH RESPECT TO ANY LANDS IN THE UNITED STATES, THE SECRETARY OF THE DEPARTMENT WITH AUTHORITY OVER SUCH LANDS.
- (Y) "FEDERALLY ENFORCEABLE" MEANS ALL LIMITATIONS AND CONDITIONS THAT ARE ENFORCEABLE BY THE ADMINISTRATOR (OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY), INCLUDING THOSE REQUIREMENTS DEVELOPED PURSUANT TO 40 CFR PARTS 60 AND 61, REQUIREMENTS WITHIN THE OHIO STATE IMPLEMENTATION PLAN, ANY PERMIT REQUIREMENTS DESIGNATED AS FEDERALLY ENFORCEABLE ESTABLISHED PURSUANT TO 40 CFR 52.21 OR UNDER REGULATIONS APPROVED PURSUANT TO 40 CFR PART 51, SUBPART (I), INCLUDING OPERATING PERMITS ISSUED UNDER AN USEPA-APPROVED PROGRAM THAT IS INCORPORATED INTO THE OHIO STATE IMPLEMENTATION PLAN AND EXPRESSLY REQUIRES ADHERENCE TO ANY PERMIT ISSUED UNDER SUCH PROGRAM.
- (Z) "FUGITIVE EMISSIONS" MEANS THOSE EMISSIONS THAT CANNOT REASONABLY PASS THROUGH A STACK, CHIMNEY, VENT OR OTHER FUNCTIONALLY EQUIVALENT OPENING.
- (AA) "HIGH TERRAIN" MEANS ANY AREA HAVING AN ELEVATION OF NINE HUNDRED FEET OR MORE ABOVE THE BASE OF THE STACK OF A STATIONARY SOURCE.
- (BB) "INDIAN GOVERNING BODY" MEANS THE GOVERNING BODY OF ANY TRIBE, BAND, OR GROUP OF INDIANS SUBJECT TO THE JURISDICTION OF THE UNITED STATES AND RECOGNIZED BY THE UNITED STATES AS POSSESSING POWER OF SELF-GOVERNMENT.
- (CC) "INDIAN RESERVATION" MEANS ANY FEDERALLY RECOGNIZED RESERVATION ESTABLISHED BY TREATY, AGREEMENT, EXECUTIVE ORDER, OR ACT OF CONGRESS.

(DD) "INNOVATIVE CONTROL TECHNOLOGY" MEANS ANY SYSTEM OF AIR POLLUTION CONTROL THAT HAS NOT BEEN ADEQUATELY DEMONSTRATED IN PRACTICE, BUT WOULD HAVE A SUBSTANTIAL LIKELIHOOD OF ACHIEVING GREATER CONTINUOUS EMISSION REDUCTION THAN ANY CONTROL SYSTEM IN CURRENT PRACTICE OR OF ACHIEVING AT LEAST COMPARABLE REDUCTIONS AT LOWER COST IN TERMS OF ENERGY, ECONOMICS OR NON AIR QUALITY ENVIRONMENTAL IMPACTS.

~~(I)~~ (EE) "Install or "installation" means to ~~construct~~ BEGIN ACTUAL CONSTRUCTION, erect, locate, or affix any air contaminant source or any treatment works. ✓

(FF) "LOW TERRAIN" MEANS ANY AREA OTHER THAN HIGH TERRAIN.

(GG) "LOWEST ACHIEVABLE EMISSION RATE", FOR ANY STATIONARY SOURCE, MEANS THE MORE STRINGENT RATE OF EMISSIONS BASED ON THE FOLLOWING:

- (1) THE MOST STRINGENT EMISSIONS LIMITATION THAT IS CONTAINED IN THE IMPLEMENTATION PLAN OF ANY STATE FOR SUCH CLASS OR CATEGORY OF STATIONARY SOURCE, UNLESS THE OWNER OR OPERATOR OF THE PROPOSED STATIONARY SOURCE DEMONSTRATES THAT SUCH LIMITATIONS ARE NOT ACHIEVABLE; OR
- (2) THE MOST STRINGENT EMISSIONS LIMITATION THAT IS ACHIEVED IN PRACTICE BY SUCH CLASS OR CATEGORY OF STATIONARY SOURCE. THIS LIMITATION, WHEN APPLIED TO A MODIFICATION, MEANS THE LOWEST ACHIEVABLE EMISSIONS RATE FOR THE NEW OR MODIFIED EMISSIONS UNITS WITHIN THE STATIONARY SOURCE. IN NO EVENT SHALL THE APPLICATION OF THIS TERM PERMIT A PROPOSED NEW OR MODIFIED STATIONARY SOURCE TO EMIT ANY AIR POLLUTANT IN EXCESS OF THE AMOUNT ALLOWABLE UNDER APPLICABLE NEW SOURCE STANDARDS OF PERFORMANCE.

(HH) "MAJOR MODIFICATION" MEANS ANY PHYSICAL CHANGE IN OR CHANGE IN THE METHOD OF OPERATION OF A MAJOR STATIONARY SOURCE THAT WOULD RESULT IN A SIGNIFICANT NET EMISSIONS INCREASE. ANY NET EMISSIONS INCREASE THAT IS CONSIDERED SIGNIFICANT FOR VOLATILE ORGANIC COMPOUNDS SHALL BE CONSIDERED SIGNIFICANT FOR OZONE. A PHYSICAL CHANGE OR CHANGE IN THE METHOD OF OPERATION SHALL NOT INCLUDE:

- (1) ROUTINE MAINTENANCE, ROUTINE REPAIR, AND ROUTINE REPLACEMENT;
- (2) USE OF AN ALTERNATIVE FUEL OR RAW MATERIAL BY REASON OF AN ORDER UNDER SECTION 2 (A) AND (B) OF

THE ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT OF 1974 (OR ANY SUPERSEDING LEGISLATION) OR BY REASON OF A NATURAL GAS CURTAILMENT PLAN PURSUANT TO THE FEDERAL POWER ACT;

- (3) USE OF AN ALTERNATIVE FUEL BY REASON OF AN ORDER OR RULE UNDER SECTION 125 OF THE CLEAN AIR ACT;
- (4) USE OF AN ALTERNATIVE FUEL AT A STEAM GENERATING UNIT TO THE EXTENT THAT THE FUEL IS GENERATED FROM MUNICIPAL SOLID WASTE;
- (5) USE OF AN ALTERNATIVE FUEL OR RAW MATERIAL BY A STATIONARY SOURCE THAT:
- (a) THE STATIONARY SOURCE WAS CAPABLE OF ACCOMMODATING BEFORE DECEMBER 21, 1976, UNLESS SUCH CHANGE WOULD BE PROHIBITED UNDER ANY FEDERALLY ENFORCEABLE PERMIT CONDITION THAT WAS ESTABLISHED AFTER DECEMBER 21, 1976, PURSUANT TO 40 CFR 52.21 OR UNDER REGULATIONS APPROVED PURSUANT TO 40 CFR SUBPART I OR 40 CFR 51.166; OR
- (b) THE STATIONARY SOURCE IS APPROVED TO USE UNDER ANY PERMIT ISSUED UNDER THIS RULING;
- (6) AN INCREASE IN THE HOURS OF OPERATION OR IN THE PRODUCTION RATE, UNLESS SUCH CHANGE IS PROHIBITED UNDER ANY FEDERALLY ENFORCEABLE PERMIT CONDITION THAT WAS ESTABLISHED AFTER DECEMBER 21, 1976 PURSUANT TO 40 CFR 52.21 OR UNDER REGULATIONS APPROVED PURSUANT TO 40 CFR 51 SUBPART I OR 40 CFR 51.166; OR
- (7) ANY CHANGE IN OWNERSHIP AT A STATIONARY SOURCE.

(II)

"MAJOR STATIONARY SOURCE" MEANS ANY STATIONARY SOURCE OR ANY GROUP OF STATIONARY SOURCES THAT ARE DESCRIBED IN PARAGRAPHS (II) (1) OR (II) (2) OF THIS RULE EXCEPT AS RESTRICTED UNDER (II) (3) THROUGH (II) (4) OF THIS RULE.

- (1) FOR STATIONARY SOURCES LOCATED IN A NONATTAINMENT AREA FOR A GIVEN REGULATED AIR POLLUTANT:

ANY STATIONARY SOURCE OF AIR POLLUTANTS THAT EMITS, OR HAS THE POTENTIAL TO EMIT 100 TONS PER YEAR OR MORE OF ANY AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAN AIR ACT INCLUDING LEAD COMPOUNDS BUT EXCLUDING OTHER AIR POLLUTANTS

PARAGRAPHS

TO

REGULATED DUE TO BEING LISTED UNDER SECTION 112 OF THE CLEAN AIR ACT, OR

(2) FOR STATIONARY SOURCES LOCATED IN AN ATTAINMENT AREA FOR A GIVEN REGULATED AIR POLLUTANT:

(a) ANY OF THE FOLLOWING STATIONARY SOURCES OF AIR POLLUTANTS THAT EMITS, OR HAS THE POTENTIAL TO EMIT, 100 TONS PER YEAR OR MORE OF ANY AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAN AIR ACT, EXCLUDING AIR POLLUTANTS REGULATED DUE TO BEING LISTED UNDER SECTION 112 OF THE CLEAN AIR ACT:

- (i) FOSSIL FUEL-FIRED STEAM ELECTRIC PLANTS OF MORE THAN TWO HUNDRED FIFTY MILLION BRITISH THERMAL UNITS PER HOUR HEAT INPUT;
- (ii) COAL CLEANING PLANTS (WITH THERMAL DRYERS);
- (iii) KRAFT PULP MILLS;
- (iv) PORTLAND CEMENT PLANTS;
- (v) PRIMARY ZINC SMELTERS;
- (vi) IRON AND STEEL MILL PLANTS;
- (vii) PRIMARY ALUMINUM ORE REDUCTION PLANTS;
- (viii) PRIMARY COPPER SMELTERS;
- (ix) MUNICIPAL INCINERATORS CAPABLE OF CHARGING MORE THAN TWO HUNDRED FIFTY TONS OF REFUSE PER DAY;
- (x) HYDROFLUORIC, SULFURIC OR NITRIC ACID PLANTS;
- (xi) PETROLEUM REFINERIES;
- (xii) LIME PLANTS;
- (xiii) PHOSPHATE ROCK PROCESSING PLANTS;
- (xiv) COKE OVEN BATTERIES;
- (xv) SULFUR RECOVERY PLANTS;
- (xvi) CARBON BLACK PLANTS (FURNACE PROCESS);
- (xvii) PRIMARY LEAD SMELTERS;
- (xviii) FUEL CONVERSION PLANTS;
- (xix) SINTERING PLANTS;
- (xx) SECONDARY METAL PRODUCTION PLANTS;
- (xxi) CHEMICAL PROCESS PLANTS;
- (xxii) FOSSIL FUEL BOILERS (OR COMBINATIONS THEREOF) TOTALING MORE THAN TWO HUNDRED FIFTY MILLION BRITISH THERMAL UNITS PER HOUR HEAT INPUT;
- (xxiii) PETROLEUM STORAGE AND TRANSFER UNITS WITH A TOTAL STORAGE CAPACITY EXCEEDING THREE HUNDRED THOUSAND BARRELS;
- (xxix) TACONITE ORE PROCESSING PLANTS;

(xxv) GLASS FIBER PROCESSING PLANTS; AND
(xxvi) CHARCOAL PRODUCTION PLANTS, OR

(b) NOTWITHSTANDING THE STATIONARY SOURCE SIZE SPECIFIED IN PARAGRAPH (II) (2) (a) OF THIS RULE, ANY STATIONARY SOURCE THAT EMITS, OR HAS THE POTENTIAL TO EMIT, TWO HUNDRED FIFTY TONS PER YEAR OR MORE OF ANY AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAR AIR ACT, OR

(c) ANY PHYSICAL CHANGE THAT WOULD OCCUR AT A STATIONARY SOURCE NOT QUALIFYING UNDER PARAGRAPH (II), AS A MAJOR STATIONARY SOURCE, IF THE CHANGE WOULD CONSTITUTE A MAJOR STATIONARY SOURCE BY ITSELF.

OF THIS RULE

(3) A MAJOR STATIONARY SOURCE THAT IS MAJOR FOR VOLATILE ORGANIC COMPOUNDS SHALL BE CONSIDERED MAJOR FOR OZONE.

(4) THE FUGITIVE EMISSIONS OF A STATIONARY SOURCE SHALL NOT BE INCLUDED IN DETERMINING FOR ANY OF THE PURPOSES OF THIS RULING WHETHER IT IS A MAJOR STATIONARY SOURCE, UNLESS THE STATIONARY SOURCE BELONGS TO ONE OF THE FOLLOWING CATEGORIES OF STATIONARY SOURCES:

- (a) COAL CLEANING PLANTS (WITH THERMAL DRYERS);
- (b) KRAFT PULP MILLS;
- (c) PORTLAND CEMENT PLANTS;
- (d) PRIMARY ZINC SMELTERS;
- (e) IRON AND STEEL MILLS;
- (f) PRIMARY ALUMINUM ORE REDUCTION PLANTS;
- (g) PRIMARY COPPER SMELTERS;
- (h) MUNICIPAL INCINERATORS CAPABLE OF CHARGING MORE THAN 250 TONS OF REFUSE PER DAY;
- (i) HYDROFLUORIC, SULFURIC, OR NITRIC ACID PLANTS;
- (j) PETROLEUM REFINERIES;
- (k) LIME PLANTS;
- (l) PHOSPHATE ROCK PROCESSING PLANTS;
- (m) COKE OVEN BATTERIES;
- (n) SULFUR RECOVERY PLANTS;
- (o) CARBON BLACK PLANTS (FURNACE PROCESS);
- (p) PRIMARY LEAD SMELTERS;
- (q) FUEL CONVERSION PLANTS;
- (r) SINTERING PLANTS;
- (s) SECONDARY METAL PRODUCTION PLANTS;
- (t) CHEMICAL PROCESS PLANTS;

- (u) FOSSIL-FUEL BOILERS (OR COMBINATION THEREOF) TOTALING MORE THAN 250 MILLION BRITISH THERMAL UNITS PER HOUR HEAT INPUT;
- (v) PETROLEUM STORAGE AND TRANSFER UNITS WITH A TOTAL STORAGE CAPACITY EXCEEDING 300,000 BARRELS;
- (w) TACONITE ORE PROCESSING PLANTS;
- (x) GLASS FIBER PROCESSING PLANTS;
- (y) CHARCOAL PRODUCTION PLANTS;
- (z) FOSSIL FUEL-FIRED STEAM ELECTRIC PLANTS OF MORE THAN 250 MILLION BRITISH THERMAL UNITS PER HOUR HEAT INPUT;
- (aa) ANY OTHER STATIONARY SOURCE CATEGORY WHICH, AS OF AUGUST 7, 1980, IS BEING REGULATED UNDER SECTION 111 OR 112 OF THE CLEAN AIR ACT.

~~(T)~~ (JJ) "Maximum uncontrolled emissions" (only used for determining registration status) means the amount of emissions from the source AIR CONTAMINANT SOURCE in tons per year calculated at the maximum operating capacity of the source AIR CONTAMINANT SOURCE based upon operating eight thousand seven hundred sixty hours per year in the absence of control equipment.

~~(J)~~ (KK) "Modify" or "modification" means:

- (1) Any physical change in, or change in the method of operation of:
 - (a) Any air contaminant source that:
 - (i) ~~Increases~~ RESULTS IN AN INCREASE IN the allowable air contaminant emissions under applicable law; or
 - (ii) ~~Results in the emission of any type of air contaminant not previously emitted;~~ ~~or~~ RESULTS IN THE INCREASE IN EMISSION OF GREATER THAN THE DE MINIMIS LEVELS IN RULE 3745-15-05 OF THE ADMINISTRATIVE CODE OF ANY TYPE OF AIR CONTAMINANT NOT PREVIOUSLY EMITTED; OR
 - (iii) Results in the relocation of the AIR CONTAMINANT source to a new premises, including, but not limited to, the movement of any existing AIR CONTAMINANT source from another state, county, or other geographic location; or
 - (iv) Is otherwise defined as a major

~~modification under applicable regulations promulgated by the administrator of the United States environmental protection agency regarding prevention of significant deterioration or non attainment new source review, or is defined as a modification under applicable regulations promulgated by the administrator of the United States environmental protection agency regarding new source performance standards or national emission standards for hazardous air pollutants, or Section 112 of the Clean Air Act.~~

- (v) 'MODIFY' OR 'MODIFICATION' SHALL NOT INCLUDE ROUTINE MAINTENANCE, ROUTINE REPAIR, AND ROUTINE REPLACEMENT; USE OF AN ALTERNATE FUEL OR RAW MATERIAL THAT THE SOURCE IS CAPABLE OF ACCOMMODATING AND IS NOT EXPRESSLY PROHIBITED FROM USING UNDER ANY PERMIT CONDITION OR APPLICABLE REQUIREMENT OF THE FEDERAL CLEAN AIR ACT; AN INCREASE IN THE HOURS OF OPERATION OR IN THE PRODUCTION RATE THAT IS NOT EXPRESSLY PROHIBITED UNDER ANY PERMIT CONDITION OR APPLICABLE REQUIREMENT OF THE OHIO EPA OR THE FEDERAL CLEAN AIR ACT.
- (vi) 'MODIFY' OR 'MODIFICATION' SHALL NOT INCLUDE POLLUTION CONTROL OR POLLUTION PREVENTION PROJECTS THAT THE DIRECTOR HAS DETERMINED, IN WRITING, ARE ENVIRONMENTALLY BENEFICIAL. ENVIRONMENTALLY BENEFICIAL PROJECTS DO NOT INCLUDE THOSE THAT CAUSE OR CONTRIBUTE TO A VIOLATION OF A NATIONAL AMBIENT AIR QUALITY STANDARD, CAUSE OR CONTRIBUTE TO A VIOLATION OF AN INCREMENT PER PARAGRAPH (B) OF RULE 3745-31-11 OF THE ADMINISTRATIVE CODE, ADVERSELY IMPACT A VISIBILITY LIMITATION, OR ARE EXPRESSLY PROHIBITED UNDER ANY OHIO EPA OR FEDERAL CLEAN AIR ACT PERMIT CONDITION OR APPLICABLE REQUIREMENT.
- (vii) 'MODIFY' OR 'MODIFICATION' SHALL NOT INCLUDE ALLOWABLE EMISSION INCREASES DUE TO AN ALTERNATIVE EMISSION LIMIT THAT

SATISFIES THE CRITERIA SET FORTH IN DIVISION (E) OF SECTION 3704.03 AND IS CONSISTENT WITH DIVISION (K) OF SECTION 3704.036 OF THE REVISED CODE.

- (b) Any significant air contaminant source that, for the specific air contaminant or air contaminants for which the air contaminant source is classified as significant, results in an increase in the ambient air quality impact of the air contaminant source greater than the following levels as determined by atmospheric dispersion modeling or by another method acceptable to the director:
 - (i) Carbon monoxide - five hundred seventy-five $\mu\text{g}/\text{m}^3$, eight hour average;
 - (ii) Nitrogen dioxide - fourteen $\mu\text{g}/\text{m}^3$, twenty-four hour average;
 - (iii) Total suspended particulate - ten $\mu\text{g}/\text{m}^3$, twenty-four hour average;
 - (iv) Sulfur dioxide - fifteen $\mu\text{g}/\text{m}^3$, twenty-four hour average;
 - (v) Lead - 0.1 $\mu\text{g}/\text{m}^3$, twenty-four hour average; or
 - (c) A treatment works to allow it to process water pollutants:
 - (i) In materially increased quantities; or
 - (ii) Of a materially different character; or
 - (iii) In materially higher concentrations; or
 - (iv) The addition of new connections to a public sewage system shall not be considered a modification of the sewage system.
- (2) A solid waste disposal facility undergoing:
- (a) Any substantial change, including but not limited to a vertical expansion or a new unit, in:
 - (i) The total capacity; or

- (ii) The finished topography; or
- (iii) The depth of excavation; or
- (b) A substantial change, which may endanger human health, in:
 - (i) Technique of waste receipt; or
 - (ii) Type of waste received; or
 - (iii) Type of equipment used; or
- (c) A change in the authorized maximum daily waste receipt established for the solid waste disposal facility; or
- (d) An "environmental improvement" in accordance with paragraph (D) of rule 3745-27-07 of the Administrative Code; or
- (e) Any other substantial change of said SOLID WASTE DISPOSAL facility, unless performed in response to the terms of a permit or order of the Ohio EPA.

(LL) "NECESSARY PRE-CONSTRUCTION APPROVALS OR PERMITS" MEANS THOSE PERMITS OR APPROVALS REQUIRED UNDER FEDERAL AIR POLLUTION CONTROL LAWS AND REGULATIONS AND THOSE AIR POLLUTION CONTROL LAWS AND REGULATIONS THAT ARE PART OF THE FEDERALLY APPROVED OHIO STATE IMPLEMENTATION PLAN.

(MM) "NET EMISSIONS INCREASE" MEANS THE AMOUNT BY WHICH THE SUM OF THE FOLLOWING, EXCEPT AS LIMITED BY PARAGRAPH (MM) (3) OF THIS RULE, EXCEEDS ZERO:

- (1) ANY INCREASE IN ACTUAL EMISSIONS FROM A PARTICULAR PHYSICAL CHANGE OR CHANGE IN THE METHOD OF OPERATION AT A STATIONARY SOURCE; AND
- (2) ANY OTHER INCREASES AND DECREASES IN ACTUAL EMISSIONS AT THE STATIONARY SOURCE THAT ARE CONTEMPORANEOUS WITH THE PARTICULAR CHANGE AND ARE OTHERWISE CREDITABLE.
- (3) THE FOLLOWING SUBPARAGRAPHS LIMIT PARAGRAPHS (MM) (1) AND (MM) (2) OF THIS RULE:
 - (a) AN INCREASE OR DECREASE IN ACTUAL EMISSIONS IS CONTEMPORANEOUS WITH THE INCREASE FROM THE PARTICULAR CHANGE ONLY IF IT OCCURS WITHIN

FIVE YEARS BEFORE THE DATE THAT THE INCREASE FROM THE PARTICULAR CHANGE OCCURS.

- (b) AN INCREASE OR DECREASE IN ACTUAL EMISSIONS IS CREDITABLE ONLY IF THE DIRECTOR HAS NOT RELIED ON IT IN ISSUING A PERMIT FOR THE STATIONARY SOURCE UNDER REGULATIONS APPROVED PURSUANT TO THIS RULE, IF THE PERMIT IS IN EFFECT WHEN THE INCREASE IN ACTUAL EMISSIONS FROM THE PARTICULAR CHANGE OCCURS.
- (c) AN INCREASE OR DECREASE IN ACTUAL EMISSIONS OF SULFUR DIOXIDE OR PARTICULATE MATTER THAT OCCURS BEFORE THE APPLICABLE BASELINE DATE IS CREDITABLE ONLY IF IT IS REQUIRED TO BE CONSIDERED IN CALCULATING THE AMOUNT OF MAXIMUM ALLOWABLE INCREASES REMAINING AVAILABLE.
- (d) AN INCREASE IN ACTUAL EMISSIONS IS COUNTED ONLY TO THE EXTENT THAT THE NEW LEVEL OF ACTUAL EMISSIONS EXCEEDS THE OLD LEVEL.
- (e) A DECREASE IN ACTUAL EMISSIONS IS COUNTED ONLY TO THE EXTENT THAT:
- (i) THE OLD LEVEL OF ACTUAL EMISSIONS OR THE OLD LEVEL OF ALLOWABLE EMISSIONS, WHICHEVER IS LOWER, EXCEEDS THE NEW LEVEL OF ACTUAL EMISSIONS;
- (ii) IT IS FEDERALLY ENFORCEABLE AT AND AFTER THE TIME THAT ACTUAL CONSTRUCTION ON THE PARTICULAR CHANGE BEGINS; AND
- (iii) IT HAS APPROXIMATELY THE SAME QUALITATIVE SIGNIFICANCE FOR PUBLIC HEALTH AND WELFARE AS THAT ATTRIBUTED TO THE INCREASE FROM THE PARTICULAR CHANGE.
- (f) AN INCREASE THAT RESULTS FROM A PHYSICAL CHANGE AT A STATIONARY SOURCE OCCURS WHEN THE EMISSIONS UNIT ON WHICH CONSTRUCTION OCCURRED BECOMES OPERATIONAL AND BEGINS TO EMIT A PARTICULAR AIR POLLUTANT. ANY REPLACEMENT UNIT THAT REQUIRES SHAKEDOWN BECOMES OPERATIONAL ONLY AFTER A REASONABLE SHAKEDOWN PERIOD, NOT TO EXCEED ONE HUNDRED EIGHTY DAYS.

~~(K)~~ (NN) "New source" means any air contaminant source and/or disposal system for which an owner or operator

undertakes a continuing program of installation or modification or enters into a binding contractual obligation to undertake and complete, within a reasonable time, a continuing program of installation or modification, after January 1, 1974, and THAT at the time of installation or modification, would have otherwise been subject to the provisions of this chapter. THE REPLACEMENT OF AN ENTIRE AIR CONTAMINANT SOURCE IS CONSIDERED A NEW SOURCE.

- (OO) "OHIO STATE IMPLEMENTATION PLAN" MEANS THE PLAN SUBMITTED TO AND APPROVED BY U.S. EPA BY THE STATE OF OHIO IN RESPONSE TO SECTION 110 OF THE CLEAN AIR ACT.
- ~~(L)~~ (PP) "Organic compounds" means any chemical compound containing carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates, and ammonium carbonate, NON LANDFILL GAS METHANE AND ETHANE.
- ~~(M)~~ (OO) "Person" means the federal government or any agency thereof, the state or any agency thereof, any political subdivision, or any agency thereof, or any public or private corporation, individual, partnership, or other entity.
- ~~(Y)~~ (RR) "Portable source" means an air contaminant source that, in the director's judgment, is specifically designed to be transferred to a new site as needs warrant.
- ~~(W)~~ (SS) "Potential to emit" means the maximum capacity of a stationary source to emit a AN AIR pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the STATIONARY source to emit a AN AIR pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. SECONDARY EMISSIONS DO NOT COUNT IN DETERMINING THE POTENTIAL TO EMIT OF A STATIONARY SOURCE.
- (TT) "SECONDARY EMISSIONS" MEANS EMISSIONS THAT OCCUR AS A RESULT OF THE CONSTRUCTION OR OPERATION OF A MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION, BUT DO NOT COME FROM THE MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION ITSELF. FOR THE PURPOSE OF THIS RULE, SECONDARY EMISSIONS MUST BE SPECIFIC, WELL DEFINED, QUANTIFIABLE, AND IMPACT THE SAME GENERAL AREAS AS THE STATIONARY SOURCE OR MODIFICATION THAT CAUSES THE

SECONDARY EMISSIONS. SECONDARY EMISSIONS INCLUDE EMISSIONS FROM ANY OFF-SITE SUPPORT OPERATION THAT WOULD NOT BE CONSTRUCTED OR INCREASE THEIR EMISSIONS EXCEPT AS A RESULT OF THE CONSTRUCTION OR OPERATION OF THE MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION. SECONDARY EMISSIONS DO NOT INCLUDE ANY EMISSIONS THAT COME DIRECTLY FROM A MOBILE EMISSIONS UNIT, SUCH AS EMISSIONS FROM THE TAILPIPE OF A MOTOR VEHICLE, FROM A TRAIN OR FROM A VESSEL.

~~(N)~~ (UU) "Sewage" means any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals.

~~(O)~~ (VV) "Significant air contaminant source" means any air contaminant source which THAT emits:

- (1) Greater than one hundred tons per year of any of the following air contaminants:
 - (a) Particulate emissions; or
 - (b) Sulfur dioxide; or
 - (c) Nitrogen oxides; or
 - (d) Organic compounds; or
- (2) Greater than one thousand tons per year of carbon monoxide; or
- (3) Greater than two tons per year of lead.

(WW) "SIGNIFICANT" IN REFERENCE TO A NET EMISSIONS INCREASE OR THE POTENTIAL OF A STATIONARY SOURCE TO EMIT ANY OF THE FOLLOWING AIR POLLUTANTS, MEANS A RATE OF EMISSIONS THAT WOULD EQUAL OR EXCEED ANY OF THE FOLLOWING RATES:

<u>AIR POLLUTANT</u>	<u>EMISSIONS RATE (TON/YR)</u>
<u>CARBON MONOXIDE</u>	100
<u>NITROGEN OXIDES</u>	40
<u>SULFUR DIOXIDE</u>	40
<u>PARTICULATE MATTER</u> LESS THAN 10 MICRONS	15
<u>OZONE</u> (VOLATILE ORGANIC COMPOUNDS)	40
<u>LEAD (APPLICABLE TO NON</u> ATTAINMENT AREAS ONLY)	0.6
<u>FLUORIDES (EXCLUDING HYDROGEN FLUORIDE)</u>	3
<u>SULFURIC ACID MIST</u>	7
<u>TOTAL REDUCED SULFUR</u> (EXCLUDING HYDROGEN SULFIDE)	10
<u>REDUCED SULFUR COMPOUNDS</u> (EXCLUDING HYDROGEN SULFIDE)	10

MUNICIPAL WASTE COMBUSTOR ORGANIC (MEASURED AS TOTAL TETRA- THROUGH OCTA- CHLORINATED DIBENZO-P-DIOXINS AND DIBENZOFURANS): 3.2 GRAMS PER YEAR (0.007055 POUNDS PER YEAR).

MUNICIPAL WASTE COMBUSTOR METALS (MEASURED AS PARTICULATE MATTER): 14 MEGAGRAMS PER YEAR (15 TONS PER YEAR).

MUNICIPAL WASTE COMBUSTOR ACID GASES (MEASURED AS SULFUR DIOXIDE AND HYDROGEN CHLORIDE): 36 MEGAGRAMS PER YEAR (40 TONS PER YEAR).

"SIGNIFICANT", IN REFERENCE TO A NET EMISSIONS INCREASE OR THE POTENTIAL OF A STATIONARY SOURCE TO EMIT AN AIR POLLUTANT SUBJECT TO REGULATION UNDER THE CLEAN AIR ACT, EXCLUDING AIR POLLUTANTS REGULATED DUE TO BEING LISTED UNDER SECTION 112 OF THE CLEAN AIR ACT, MEANS THAT THE AIR POLLUTANT AND EMISSIONS RATE TABLE IN PARAGRAPH (WW) OF THIS RULE DOES NOT LIST, ANY EMISSIONS RATE.

NOTWITHSTANDING PARAGRAPH (AAA) OF THIS RULE, "SIGNIFICANT" MEANS ANY EMISSIONS RATE OR ANY NET EMISSIONS INCREASE ASSOCIATED WITH A MAJOR STATIONARY SOURCE OR MAJOR MODIFICATION THAT WOULD BE CONSTRUCTED WITHIN TEN KILOMETERS OF A CLASS I AREA, AND HAVE AN IMPACT ON SUCH AREA EQUAL TO OR GREATER THAN ONE MICROGRAM PER CUBIC METER (TWENTY-FOUR HOUR AVERAGE).

~~(P)~~ (XX) "Solid waste disposal facility" means any site, location, tract of land, installation, or building used for incineration, composting, sanitary landfilling, or other methods of disposal of solid wastes, and does not include any facility for which a hazardous waste facility installation and operation permit is required by Chapter 3734. of the Revised Code.

(YY) "STATIONARY SOURCE" MEANS ALL OF THE EMISSIONS UNITS THAT BELONG TO THE SAME INDUSTRIAL GROUPING, ARE LOCATED ON ONE OR MORE CONTIGUOUS OR ADJACENT PROPERTIES, AND ARE UNDER THE CONTROL OF THE SAME PERSON (OR PERSONS UNDER COMMON CONTROL) EXCEPT THE ACTIVITIES OF ANY VESSEL AND THOSE EMISSIONS RESULTING DIRECTLY FROM AN INTERNAL COMBUSTION ENGINE FOR TRANSPORTATION PURPOSES OR FROM A NONROAD ENGINE OR NONROAD VEHICLE AS DEFINED IN SECTION 216 OF THE CLEAN AIR ACT. EMISSIONS UNITS SHALL BE CONSIDERED AS PART OF THE SAME INDUSTRIAL GROUPING IF THEY BELONG TO THE SAME "MAJOR GROUP" (I.E., THAT HAVE THE SAME TWO-DIGIT CODE) AS DESCRIBED IN THE MOST RECENT PUBLISHED VERSION "STANDARD INDUSTRIAL CLASSIFICATION MANUAL, 1987."

~~(Q)~~ (ZZ) "Temporary source" means any new source of air contaminants ~~as defined in paragraph (K) of this rule,~~ or modification of an air contaminant source, ~~as defined by paragraph (J) of this rule,~~ which THAT is subject to a written declaration by the operator to the director that the air contaminant source will cease operation, be relocated, or obtain a new permanent source permit to install within two years of the draft of declaration.

~~(R)~~ (AAA) " $\mu\text{Ug}/\text{m}^3$ " OR " $\mu\text{g}/\text{cm}$ " means microgram per cubic meter.

(BBB) "VOLATILE ORGANIC COMPOUNDS" OR "VOC" SHALL HAVE THE SAME MEANING AS DEFINED IN RULE 3745-21-01 OF THE ADMINISTRATIVE CODE.

~~(S)~~ (CCC) "Water pollutant" means any sewage, industrial waste or other waste, as defined by section 6111.01 of the Revised Code.

~~(X)~~ (DDD) "Water-borne" means a material in which the WATER CONTENT OF THE VOLATILE FRACTION IS AT LEAST 95 PER CENT BY WEIGHT. ~~volatile organic compound (VOC) content (as defined in rule 3745-21-01 of the Administrative Code) does not exceed five per cent by weight of the volatile fraction.~~

Replaces: _____

Effective: APR 12 1996

Certification: Donald R. Schregardus
Donald R. Schregardus, director
Ohio Environmental Protection Agency

MAR 15 1996
Date

Promulgated under: R.C. 119
Rule amplifies: R.C. 3704.03, 3734.02,
6111.03
Rule authorized by: R.C. 3704.03,
3734.02, 6111.03
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