

3745-31-05 Criteria for Decision by Director.

- (A) The Director shall not issue a Permit to Install unless on the basis of the information appearing in the application and information gathered by or furnished to the Ohio EPA, he determines that installation or modification and operation of the new source of air pollutants, new source treatment works, or solid waste disposal facility will
- (1) not prevent or interfere with the attainment or maintenance of applicable ambient water quality standards or ambient air quality standards; and
 - (2) not result in a violation of any applicable laws including, but not limited to, the laws governing:
 - (a) effluent standards adopted by the Director or the Administrator of the United States Environmental Protection Agency
 - (b) emission standards
 - (c) Federal Standards of Performance for New Stationary Sources adopted by the Administrator of the United States Environmental Protection Agency; and
 - (3) employ the best available technology; and
 - (4) not cause significant degradation of the air or water, if at the time of installation or modification either the ambient air or the receiving water meets or is better than applicable air or water quality standards.
- (B) In deciding whether to grant a Permit to Install, the Director may take into consideration:
- (1) the impact of the installation or modification process itself upon environmental quality; and
 - (2) the short and long term impact of the source of air pollutants; treatment works, or solid waste disposal facility on environmental quality; and
 - (3) the social and economic impact of granting or denying the Permit to Install.
- (C) The Director may impose such terms and conditions as part of a Permit to Install as are appropriate or necessary to ensure compliance with the applicable

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laws and to ensure adequate protection of environmental quality.

- (D) The Director may require the installation of monitoring devices before, during, or after installation or modification to determine the quality of the ambient air and/or water and the quantity and quality of emissions from the source of air pollutants or treatment works. The Director shall require such monitoring equipment to be of a design and to be operated so as to produce data which can be analyzed in terms of applicable air and water quality standards and air and water emission standards or limitations. In addition, the Director may require that the applicant perform other environmental quality tests including but not limited to soil samples and bioassays, either on a single occasion or on a regular basis, before, during, or after installation or modification to ensure adequate protection of environmental quality.
- (E) Within one hundred eighty (180) days after a completed application is filed, the Director shall issue a proposed order granting or denying the Permit.

Effective Date	January 1, 1974	.
Former Rule Number	EP-30-05	.
Promulgated under RC Chap.	119	.
Statutory Authority:RCS	3704.03	.
	3734.02	.
	3734.05	.
	6111.03	.

CERTIFICATION

Jan Anderson, Secretary
12-21-76

