



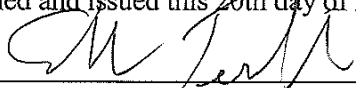
**AIR QUALITY
GENERAL PERMIT TO CONSTRUCT/OPERATE
FOR AREA SOURCE NESHAP FACILITIES
AND SMALL NSPS FACILITIES
(Minor Facilities)**

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
707 NORTH ROBINSON, P. O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677**

In compliance with the provisions of the Oklahoma Clean Air Act, as amended (27A O.S. § 2-5-101, et seq.) and rules promulgated thereunder, operators of facilities subject to one or more area source National Emission Standards for Hazardous Air Pollutants (NESHAPs) under 40 CFR Part 63 and/or one or more New Source Performance Standards (NSPS) under 40 CFR Part 60, as described under Part 1, Section III below, are hereby granted permission to construct such facilities as specified in an Authorization to Construct and/or to operate such facilities as specified in an Authorization to Operate (hereinafter referred to collectively as "Authorizations") issued under this general permit by the Department of Environmental Quality (DEQ). Parts 1 through 3 and Appendices A and B of this permit specify emissions limitations and standards that constitute applicable requirements, including state-only requirements, and include operational requirements and limitations necessary to assure compliance with all applicable air pollution rules. All covered facilities shall remain subject to the Oklahoma Clean Air Act, Oklahoma Statutes Title 27A §§ 2-5-101 to -117, and the Air Pollution Control rules promulgated thereunder at Oklahoma Administrative Code ("OAC"), Title 252, Chapter 100 in effect on the issuance date of the Authorization.

The owner or operator of an eligible facility may request that the facility be granted an Authorization in accordance with this general permit by submitting to the Air Quality Division (AQD) a DEQ Notice of Intent (NOI) Form and a complete set of General Permit Application Forms for an Area Source NESHAP Facility/Small NSPS Facility. Eligible facilities may apply for coverage under this permit at any time during the permit term. No facility, or part thereof, is authorized to construct or operate pursuant to the terms of this general permit unless an application for an Authorization using an NOI Form has been received by the AQD, or an Authorization has been issued for that facility.

Signed and issued this 20th day of May, 2009.



Eddie Terrill, Director, Air Quality Division

TABLE OF CONTENTS

PART 1 REQUIREMENTS FOR GENERAL PERMITS

 Section I. Authority 3

 Section II. Applicability/Exemptions 3

 Section III. Eligibility..... 3

 Section IV. Authorizations 4

 Section V. Addition, Modification, Reconstruction, or Replacement..... 5

 Section VI. Permit Term 6

PART 2 SPECIFIC CONDITIONS

 Section I. Points of Emissions and Limitations for Each Point 7

 Section II. Federal Standards 7

PART 3 STANDARD CONDITIONS 9

APPENDIX A

 Area Source Standards Scheduled for Promulgation..... 14

APPENDIX B

 Definitions..... 15

PART 1 – REQUIREMENTS FOR GENERAL PERMITS

This permit is issued for the Area Source NESHAP Facility/Small NSPS Facility source category to establish (A) terms and conditions to implement applicable air pollution rules, (B) terms and conditions to implement applicable air pollution rules for specified categories of changes to those permitted sources, and (C) terms and conditions for new requirements that apply to sources with existing permits. The permit is issued after finding that there are several permittees, permit applicants, or potential permit applicants who have the same or substantially similar operations, emissions, activities, or facilities; the permittees, permit applicants, or potential permit applicants emit the same types of regulated air pollutants; the operations, emissions, activities, or facilities are subject to the same or similar standards, limitations, and operating requirements; and the operations, emissions, activities, or facilities are subject to the same or similar monitoring requirements.

SECTION I. AUTHORITY

This permit is developed in accordance with the provisions of OAC 252:100-7-15 and 100-7-18.

SECTION II. APPLICABILITY/EXEMPTIONS

The owner or operator of a facility that is subject to one or more area source NESHAP and/or one or more NSPS, but that otherwise meets the definition of either a “de minimis facility” or a “permit exempt facility” in OAC 252:100-7-1.1 (see Appendix B) may use this general permit to fulfill the requirement of OAC 252:100-7-2 to obtain a minor facility construction or operating permit.

SECTION III. ELIGIBILITY

- A. This permit is limited to facilities that have actual emissions less than 40 TPY of any regulated pollutant, and potential emissions less than 100 TPY of any criteria pollutant, 10 TPY of any individual hazardous air pollutant (HAP), and 25 TPY of all HAPs. Note that facilities in certain source categories are required to include fugitive emissions to determine major source status under the definition of “major source” in OAC 252:100-8-2 (see Appendix B). Fugitive emissions affect eligibility only for these facilities.
- B. Except as provided in Paragraph E below, and Part 3, Section V of this permit, this permit is limited to air pollutant emitting sources located at area source facilities that are subject to one or more of the NESHAPs under 40 CFR Part 63. Area source facilities in source categories that are specifically required to obtain a Part 70 permit under the applicable Federal Standard are not eligible for coverage under this permit. (See also Appendix A of this permit.)
- C. The following types of facilities are generally eligible for coverage under this permit.

1. New facilities.
 2. Existing facilities, including those with previously issued minor facility construction and/or operating permits or those previously exempted from the requirement to obtain a permit.
 3. Facilities existing prior to the effective date of any applicable standard that would have created specific quantifiable and enforceable emission rates.
- D. Facilities for which material facts were misrepresented or omitted from the permit application (i.e., NOI) and the applicant knew or should have known of such misrepresentation or omission are not eligible for this permit.
- E. Facilities with emissions units subject to NSPS requirements under 40 CFR Part 60 but that otherwise meet the eligibility requirements for this permit may obtain an Authorization to Construct and/or an Authorization to Operate under this permit, if such NSPS requirements are specifically noted in the NOI and incorporated into the Authorization. Minor facilities in source categories that are specifically required to obtain a Part 70 permit under the applicable Federal Standard are not eligible for coverage under this permit.
- F. The DEQ may not issue an Authorization under this permit to an applicant that has not paid all money owed to the DEQ or is not in substantial compliance with the Environmental Quality Code, rules of the Board, and/or the terms of any existing DEQ permits and orders. The DEQ may impose specific conditions on the applicant to assure compliance and/or a separate schedule that the DEQ considers necessary to achieve required compliance. Facilities that are not in compliance with all applicable State and Federal air requirements may become eligible for an Authorization to Operate under this permit through submission of an acceptable compliance plan.
- G. The DEQ may refuse issuance of an Authorization to an applicant even though the facility meets the above eligibility criteria. In such a case, DEQ will provide to the facility a written explanation providing the reason(s) for the decision.

SECTION IV. AUTHORIZATIONS

An applicant for an Authorization under this General Permit may obtain coverage under this permit in one of the following ways.

- A. An applicant proposing to construct a new facility that meets all of the eligibility requirements, excluding those facilities described in Part 1, Section III.F, may apply for an Authorization to Construct by submitting a Notice of Intent to Construct (NOI Form and a complete set of General Permit Application Forms for an Area Source NESHAP Facility/Small NSPS Facility, along with the proper fee). Coverage under this permit for these applicants is effective, and the permittee may commence construction, upon receipt by the DEQ of the NOI. Acceptable documentation of receipt of the NOI is the earliest

of (1) a legible dated U.S. Postal Service postmark (private metered postmarks are not acceptable); (2) a dated receipt from a commercial carrier or the U.S. Postal Service; or (3) a DEQ date stamped application. The DEQ will issue the Authorization to Construct after confirming that the application is administratively and technically complete, the proper fee has been received, and that the facility is eligible for coverage under the permit. For all delegated NESHAPs and NSPS, submittal of a completed NOI to Construct shall be considered to fulfill the notification requirements of 40 CFR §63.9(b)(5)(i) and 40 CFR §60.7(a)(1) or (4), provided the NOI states specifically which NESHAP and/or NSPS apply, and includes any additional information specified for the notifications required under the applicable NESHAP and 40 CFR §63.9(b)(5), or the applicable NSPS and 40 CFR §60.7(a)(1)-(4). For NESHAPs and NSPS that have not been delegated, all required notifications must be submitted (within the specified times) to EPA, with a copy submitted to DEQ [see also 40 CFR §63.9(a)(3) & (4)].

- B. An applicant proposing to construct a new facility that meets the eligibility requirements listed in Part 1, and that is subject to Section III.F or G above, must apply for an individual minor facility construction permit for the facility, since a case-by-case determination is most likely required in order to establish enforceable requirements and/or limitations. Following construction, the owner or operator may apply for an Authorization to Operate under the General Permit under Paragraph C below, or apply for an individual operating permit.
- C. An applicant proposing to obtain an Authorization to Operate under this permit for a facility that meets the eligibility requirements listed in Part 1 must submit a Notice of Intent to Operate (NOI Form and a complete set of General Permit Application Forms for an Area Source NESHAP Facility/Small NSPS Facility, along with the proper fee). Any of the relevant requirements and limitations in an existing Authorization or permit, and any new specific conditions that may be necessary to ensure compliance with applicable rules and regulations, may be incorporated into the Authorization to Operate. For an existing facility that did not obtain a construction permit that would have been required at the time of construction, the applicant must include fees for both an individual minor facility construction permit and the Authorization to Operate with the NOI to Operate.

**SECTION V. ADDITION, MODIFICATION, RECONSTRUCTION, OR
REPLACEMENT**

Addition, modification, reconstruction, or replacement of an affected emission unit, equipment or process (including a change that would increase emissions) at an existing facility already covered by an Authorization to Operate under this general permit is authorized under the following conditions, and those specified in Part 3, Section II of this permit. Note that an applicant proposing to modify an existing facility need not obtain a new Authorization to Operate, unless a minor facility construction permit is required to make a modification.

- A. The permittee shall send a written Notice of Modification to AQD within 15 days of the startup of a new or reconstructed affected source under NESHAP or affected facility

under NSPS, unless the applicable standard specifies a different time for submittal of the notification of startup required under 40 CFR §60.7(a)(3) and §63.9(b)(5)(ii). If the applicable standard does not require such notification, then the permittee must submit a Notice of Modification to AQD within 30 days following the start-up of the changes. The Notice of Modification shall state specifically which NESHAP and/or NSPS the affected emission unit, equipment or process would be subject to after the modification; the actual startup date of the change; and any additional information specified for the notifications required under the applicable NESHAP and 40 CFR §63.9(b)(5), or the applicable NSPS and 40 CFR §60.7(a)(1)-(4). The Notice of Modification shall also include a statement that the facility continues to meet the permit's eligibility requirements following the modification. Submittal of the completed Notice of Modification as required above shall be considered to fulfill the notification requirements of 40 CFR §63.9(b)(5) and 40 CFR §60.7(a)(1)-(4) for all delegated NESHAPs and NSPS. For NESHAPs and NSPS that have not been delegated, affected sources/facilities must submit all required notifications (within the specified times) to EPA, with a copy submitted to DEQ [see also 40 CFR §63.9(a)(3) & (4)].

- B. The permittee shall attach a copy of the Notice of Modification to a copy of the Authorization to Operate per the recordkeeping requirements of Part 3, Section IV.A.
- C. The permittee shall submit an application for and obtain an individual construction permit (or Authorization to Construct under another available General Permit) before making any modification or change of operations that would cause the facility to no longer meet the permit's eligibility requirements.
- D. The permittee shall send to AQD a copy of any initial performance test(s) conducted under NESHAP or NSPS requirements.

SECTION VI. PERMIT TERM

This general permit shall remain valid and in effect unless it is modified or revoked in accordance with DEQ rules.

The DEQ shall establish, at the time this permit is modified, the terms and conditions under which existing Authorizations under this permit will be eligible for reauthorization under a modified general permit.

PART 2 - SPECIFIC CONDITIONS

Facilities shall be designed, constructed, and operated to meet the following terms and conditions, and any other applicable air pollution rules specified in this permit, the facility's Authorization, and any other requirements specified by rule or statute.

SECTION I. Points of Emissions and Limitations for Each Point:
[OAC 252:100-7-15 and 7-18]

Facilities permitted under this permit are not subject to unit-specific or facility-wide emissions limitations, unless such limitations are incorporated from a minor facility individual construction permit, or were developed from source-specific testing required by NESHAP or NSPS regulations. However, to remain eligible for this permit, facility emissions must remain less than 40 TPY actual emissions of any regulated pollutant, with potential emissions less than 100 TPY of any criteria pollutant, 10 TPY of any individual hazardous air pollutant (HAP), and 25 TPY of all HAPs.

The permittee shall submit an annual emissions inventory as required under Part 3, Section VI of this permit. Emissions shall be calculated and documented in accordance with OAC 252:100-5-2.1(c) and (d), or as otherwise specified in this permit or an Authorization.

In no case shall the permittee cause or allow the emission of any regulated air pollutant in such a concentration as to cause or contribute to a violation of ambient air quality standards or other applicable air pollution rules.

SECTION II. Federal Standards

A. NESHAPs

The permittee shall comply with all applicable requirements in 40 CFR Part 63. Specifically, the permittee shall comply with the (one or more) area source NESHAPs that apply to the facility. Note that the Subpart for each source category specifies the portions of 40 CFR Part 63 Subpart A – General Provisions (e.g., notification, performance testing, monitoring, recordkeeping and reporting, and control device requirements) that apply to that category. Compliance is required upon the schedule listed in the promulgated NESHAP regulations, without regard to the issuance date of the GP Authorization or NOI.

The permittee shall also comply with any additional requirements that are incorporated by reference or specified as applicable in the area source NESHAP, such as requirements in other subparts of 40 CFR Part 63, in 40 CFR Part 60, etc.

B. NSPS

The permittee shall comply with all applicable requirements in 40 CFR Part 60. Specifically, the permittee shall comply with any NSPS Subpart(s) that apply to the facility, as identified in the facility Authorization, as well as the portions of 40 CFR Part 60 Subpart A – General Provisions (e.g., notification and recordkeeping, performance tests, monitoring, and control device requirements) that apply to the source category. Compliance is required upon the schedule listed in the promulgated NSPS regulations, without regard to the issuance date of the GP Authorization or NOI.

The permittee shall also comply with any additional requirements that are incorporated by reference or specified as applicable in the NSPS, such as requirements in other subparts of 40 CFR Part 60, in 40 CFR Part 63, etc.

PART 3 – STANDARD CONDITIONS

SECTION I. DUTY TO COMPLY

The permittee shall comply with all conditions of this permit and any Authorizations issued hereunder. This permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. Any permit non-compliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, for revocation of the approval to operate under the terms of this general permit, or for denial of an application to operate under the terms of this general permit.

[OAC 252:100-7-15(e) and 7-18]

SECTION II. AUTHORIZATIONS AND FACILITY MODIFICATIONS

- A. An Authorization shall be corrected if any applicable emission limitation or standard is found to be absent or is found to be in error. Correction of an Authorization shall not change the Effective Date of the Authorization.
- B. The permittee shall obtain a major source construction permit for any modification that would cause an existing facility to no longer be classified as a minor facility.
- C. The permittee shall obtain a minor facility construction permit for any modification described under Part 1, Section IV.B or V.C of this permit. All other facility modifications may be constructed without a new Authorization, or without a construction permit, provided that the permittee notifies the DEQ in writing of the modification within 15 days following the start of operation. [OAC 252:100-7-17(a)]
- D. The permittee shall apply for a new Authorization to Operate or a minor facility operating permit within 60 days of commencing operation of any new or modified facility authorized under an Authorization to Construct issued under this permit. [OAC 252:100-7-18(a)]
- E. An Authorization to Construct issued under this permit will terminate and become null and void if the construction is not commenced within 18 months of the issuance date, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-7-15(f)]

SECTION III. REPORTING OF DEVIATIONS FROM PERMIT TERMS

In the event of any release which results in excess emissions, or when periodic compliance testing shows engine exhaust emissions in excess of the lb/hr limitations, the permittee shall comply with the provisions of OAC 252:100-9 for excess emissions during startup, shutdown, and malfunction of air pollution control equipment. [OAC 252:100-9]

SECTION IV. MONITORING, TESTING, RECORDKEEPING & REPORTING

- A. The permittee shall keep a permanent copy of the Authorization to Operate, with the latest Notice of Modification attached, either on site, at a nearby manned facility, or at the nearest field office. The permittee shall keep records as specified in this permit and any Authorization issued under this permit, including a copy of all Notices of Modification. These records, including monitoring data and support information, shall be retained either on site, at a nearby manned facility, or at the nearest field office for a period of at least five years unless a longer period is specified by an applicable rule or statute. Support information includes all original recordings for continuous monitoring instrumentation and copies of all reports required by this permit or the Authorization. Records may be maintained in paper, electronic, or computerized form. [OAC 252:100-5-2.1(c) and OAC 252:100-43]
- B. All testing must be conducted by methods approved by the Executive Director under the direction of qualified personnel. All tests shall be made and the results calculated in accordance with test procedures described or referenced in the permit and approved by Air Quality. [OAC 252:100-43]
- C. The permittee shall document that all testing is conducted using methods specified in 40 CFR Parts 51 (SIP), 60 (NSPS), 61 (NESHAP), and 63 (MACT), as applicable, or as otherwise specified in this permit or in an Authorization. A copy of these records shall be retained with the facility's testing records. [OAC 252:100-43]
- D. If the permittee monitors any pollutant more frequently than required by this permit, the results of this monitoring shall be included in the calculations used for determining compliance with the conditions of this permit. [OAC 252:100-43-6]
- E. The permittee shall submit to AQD a copy of all reports submitted to EPA as required by 40 CFR Part 60, 61, and 63 for all affected emission units, equipment or processes constructed or operated under this permit subject to such standards. [OAC 252:100-2]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

Any Authorization issued after the effective date of a new or modified requirement or standard applicable to a unit located at the facility, may incorporate such requirement or standard, which shall supersede any corresponding permit requirement that is less stringent than the newer requirement or standard. [OAC 252:100-7-15(a) and 7-18]

SECTION VI. ANNUAL EMISSIONS INVENTORY AND FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories or allowable emissions. [OAC 252:100-5]

SECTION VII. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

SECTION VIII. PROPERTY RIGHTS

- A. This permit does not convey any property rights of any sort or any exclusive privilege.
- B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued.

SECTION IX. DUTY TO PROVIDE INFORMATION

- A. The permittee shall furnish to the DEQ upon receipt of a written request and within sixty (60) days of the request, unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, or revoking and reissuing or terminating the permit or to determine compliance with the permit or the Authorization. [27A O.S. § 2-5-105(17)]
- B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(17). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.
- C. The transferor shall notify the AQD of the sale or transfer of ownership of this facility in writing not later than 30 days following the change in ownership.[27A O.S. § 2-5-112(G)]

SECTION X. DUTY TO SUPPLEMENT

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in any information submittal, shall promptly submit such supplementary facts or corrected information. [OAC 252:100-4-7-8]

SECTION XI. REOPENING, MODIFICATION AND REVOCATION

- A. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit or an Authorization modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated non-compliance does not stay any permit condition.
[27A O.S. § 2-5-112(B)(1)]
- B. The permitting authority will reopen and revise or revoke this permit as necessary to remedy deficiencies if the DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable air pollution rules.
[27A O.S. § 2-5-112(B)(3)]

SECTION XII. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the DEQ to (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

- A. enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit or the Authorization;
- B. have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit or the Authorization;
- C. inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit or the Authorization; and
- D. sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or the Authorization.

[27A O.S. § 2-5-105]

SECTION XIII. DE MINIMIS FACILITIES

The permittee is hereby authorized to operate emissions sources and/or conduct activities that are listed on the "De Minimis Facilities" list in OAC 252:100, Appendix H.

SECTION XIV. GENERAL PROVISIONS UNDER NSPS AND NESHAPS

The permittee shall comply with all applicable requirements of the corresponding General Provisions, as set forth in 40 CFR Part 60 Subpart A, and CFR Part 63 Subpart A, for all affected emission units, equipment or processes constructed or operated under this permit subject to NSPS or NESHAP.

[OAC 252:100-2 and Appendix Q]

SECTION XV. STRATOSPHERIC OZONE PROTECTION 40 CFR PART 82

The permittee shall comply with all applicable requirements of 40 CFR Part 82 Subparts A through H for the use of ozone-depleting substances, especially regulated refrigerants; and the maintaining, servicing, and repairing of any equipment using such substances.

SECTION XVI. UPDATE OF AUTHORIZATION TO OPERATE

AQD reserves the right to require a facility to apply for an updated Authorization to Operate in order to clarify the Authorization based on a substantial number of Notices of Modification.

SECTION XVII. CONTROL OF FUGITIVE DUST

The permittee shall implement reasonable precautions or measures to minimize fugitive dust emissions from the handling, transporting or disposition of any substance or material which is likely to be scattered by the air or wind or is susceptible to being airborne or wind-borne. In addition, the permittee shall not cause or permit the discharge of any visible fugitive dust emissions beyond the property line in such a manner as to damage or to interfere with the use of adjacent properties, or to cause or contribute to the violation of ambient air quality standards. [OAC 252:100-29]

SECTION XVIII. OPEN BURNING

Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in OAC 252:100-13. [OAC 252:100-13]

SECTION XVIII. VISIBLE EMISSIONS AND PARTICULATES

No person shall allow or permit the discharge of any fumes, aerosol, mist, gas, smoke, vapor, particulate matter, or any combination thereof, exhibiting greater than 20 percent equivalent opacity, except for short-term occurrences. At no time may the opacity exceed 20 percent for one six-minute period in any consecutive 60 minutes, nor more than three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. [OAC 252:100-25]

APPENDIX A

Table A-1: Proposed Standards (as of 5/20/2009)		
Subpart	Proposal Date*	Area Source Category
VVVVVV	10/06/08	Chemical Manufacturing Industry – 9 Source Categories: Agricultural Chemicals & Pesticides Manufacturing Cyclic Crude & Intermediate Production Industrial Inorganic Chemical Manufacturing Industrial Organic Chemical Manufacturing Inorganic Pigments Manufacturing Miscellaneous Organic Chemical Manufacturing (MON) Pharmaceutical Production Plastic Materials and Resins Manufacturing Synthetic Rubber Manufacturing
ZZZZZZ	02/09/09	Aluminum, Copper, and Other Nonferrous Foundries
ZZZZ	03/05/09	Reciprocating Internal Combustion Engines – Existing
*Federal Register Notice Publication Date		

Table A-2: Standards Scheduled for Promulgation			
Promulgation Deadline	Area Source Categories	Promulgation Deadline	Area Source Categories
June 15, 2009	Asphalt Processing & Asphalt Roofing Manufacturing	June 15, 2009	Paints & Allied Products Manufacturing,
June 15, 2009	Brick & Structural Clay	June 15, 2009	Prepared Feeds Manufacturing
June 15, 2009	Chemical Preparations	June 15, 2009	Sewage Sludge Incineration
July 15, 2010	Institutional/Commercial/ Industrial Boilers		

Table A-3: Part 70 Permit Required	
Part 63 Subpart	Source Category
MMMMMM	Carbon Black Production
EEE	Hazardous Waste Incineration
IIII	Mercury Cell Chlor-Alkali Plants
SSSSSS	Pressed & Blown Glass & Glassware Manufacturing
LLL	Portland Cement Manufacturing
EEEEEE	Primary Copper Smelting
GGGGGG	Primary Nonferrous Metals – Zinc, Cadmium, and Beryllium
FFFFFF	Secondary Copper Smelting
YYYYY	Stainless & Non-stainless Steel Manufacturing: Electric Arc Furnaces (EAF)
NSPS CCCC & 62. III*	Commercial Industrial Solid Waste Incinerators – CISWI
NSPS Ec & 62. HHH*	Medical Waste Incinerators – HMIWI
NSPS EEEE*	Other Solid Waste Incineration Units – OSWI
NSPS AAAA & 62. JJJ	Small Municipal Waste Combustors
* These source categories are subject to the indicated subparts under 40 CFR Parts 60 (NSPS) and 62 (Approval and Promulgation of State Plans for Designated Facilities and Pollutants).	

APPENDIX B

DEFINITIONS

The following definitions apply for terms used in this general permit.

“**Area source**” means any stationary source of hazardous air pollutants that is not a major source as defined in this part. (From 40 CFR §63.2)

“**NESHAP**” means the National Emission Standards for Hazardous Air Pollutants issued by EPA under 40 CFR Part 61 or 63. This general permit deals only with NESHAPs under Part 63.

“**Notice of Modification**” means a written notice informing AQD of any modification or change of operations at the facility that would add an affected emission unit, equipment or a process that is subject to NESHAP or NSPS, or that would modify an affected emission unit, equipment or a process such that it becomes subject to NESHAP or NSPS. The notice must state specifically which NESHAP or NSPS the affected emission unit, equipment or process would be subject to after the modification; the actual startup date of the change; and any additional information specified for the notifications required under the applicable NESHAP and 40 CFR §63.9(b)(5), or the applicable NSPS and 40 CFR §60.7(a)(1)-(4). The Notice of Modification also must include a statement that the facility continues to meet the permit’s eligibility requirements following the modification. Any modification or change of operations that would change its facility-wide emissions above the “permit exempt facility” levels (see definition at OAC 252:100-7-1.1) would require an application for an individual construction permit.

“**NSPS**” means the New Source Performance Standards issued by EPA under 40 CFR Part 60.

Unofficial copies of several pertinent definitions from DEQ rules are provided below for informational purposes only. Contact DEQ for current, official copies.

From OAC 252:100-7-1.1:

“**De minimis facility**” means a facility that meets the requirements contained in paragraphs (A) and (B) of this definition.

(A) All the air pollutant emitting activities at the facility are on the de minimis list contained in Appendix H [to Subchapter 100] or the facility meets all of the following de minimis criteria:

- (i) The facility has actual emissions of 5 tpy or less of each regulated air pollutant, except that fraction of particulate matter that exhibits an aerodynamic particulate diameter of more than 10 micrometers (μm).
- (ii) The facility is not a "major source" as defined in OAC 252:100-8-2.
- (iii) The facility is not a "major stationary source" as defined in OAC 252:100-8-31 for facilities in attainment areas.
- (iv) The facility is not a "major stationary source" as defined in OAC 252:100-8-51 for facilities in nonattainment areas.

(v) The facility is not operated in conjunction with another facility or source that is subject to air quality permitting.

(vi) The facility has not opted to obtain or retain an Air Quality Division permit.

(B) The facility is not subject to the Federal NSPS (40 CFR Part 60) or the Federal NESHAP (40 CFR Parts 61 and 63).”

"Minor facility" means a facility which is not a Part 70 source.

“Permit exempt facility” means a facility that:

(A) has actual emissions in every calendar year that are 40 tpy or less of each regulated air pollutant;

(B) is not a de minimis facility as defined in OAC 252:100-7-1.1;

(C) is not a "major source" as defined in OAC 252:100-8-2 for Part 70 sources;

(D) is not a "major stationary source" as defined in OAC 252:100-8-31 for PSD facilities in attainment areas;

(E) is not a "major stationary source" as defined in OAC 252:100-8-51 for facilities in nonattainment areas;

(F) is not operated in conjunction with another facility or source that is subject to air quality permitting;

(G) is not subject to an emission standard, equipment standard, or work practice standard in the Federal NSPS (40 CFR Part 60) or the Federal NESHAP (40 CFR Parts 61 and 63); and

(H) is not subject to the requirements of OAC 252:100-39-47.”

From OAC 252:100-1-3:

"Part 70 source" means any source subject to the permitting requirements of Part 5 of Subchapter 8, as provided in OAC 252:100-8-3(a) and (b).

From OAC 252:100-8-2:

"Major source" means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties and are under common control of the same person (or persons under common control)) belonging to a single major industrial grouping and that is described in subparagraph (A), (B), or (C) of this definition. For the purposes of defining "major source," a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit primary SIC code) as described in the Standard Industrial Classification Manual, 1987.

(A) A major source under section 112 of the Act, which is defined as:

(i) For pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year ("tpy") or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the Administrator may establish by rule.

Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or.

(ii) For radionuclides, "major source" shall have the meaning specified by the Administrator by rule.

(B) A major stationary source of air pollutants, as defined in section 302 of the Act, that directly emits or has the potential to emit, 100 tpy or more of any regulated air pollutant (except that fraction of particulate matter that exhibits an average aerodynamic particle diameter of more than 10 micrometers) (including any major source of fugitive emissions of any such pollutant, as determined by rule by the Administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the Act, unless the source belongs to one of the following categories of stationary sources:

- (i) Coal cleaning plants (with thermal dryers);
- (ii) Kraft pulp mills;
- (iii) Portland cement plants;
- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or

(xxvii) All other stationary source categories which, as of August 7, 1980, are being regulated by a standard promulgated under section 111 or 112 of the Act.

(C) A major stationary source as defined in part D of Title I of the Act, including:

(i) For ozone non-attainment areas, sources with the potential to emit 100 tpy or more of volatile organic compounds or oxides of nitrogen in areas classified as "marginal" or "moderate," 50 tpy or more in areas classified as "serious," 25 tpy or more in areas classified as "severe," and 10 tpy or more in areas classified as "extreme"; except that the references in this paragraph to 100, 50, 25, and 10 tpy of nitrogen oxides shall not apply with respect to any source for which the Administrator has made a finding, under section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;

(ii) For ozone transport regions established pursuant to section 184 of the Act, sources with the potential to emit 50 tpy or more of volatile organic compounds;

(iii) For carbon monoxide non-attainment areas:

(I) that are classified as "serious"; and

(II) in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator, sources with the potential to emit 50 tpy or more of carbon monoxide; and

(iv) For particulate matter (PM-10) nonattainment areas classified as "serious," sources with the potential to emit 70 tpy or more of PM-10.