



**AIR QUALITY
GENERAL PERMIT TO CONSTRUCT/OPERATE
AIR CURTAIN INCINERATOR FACILITIES**

**OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
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In compliance with the provisions of the Oklahoma Clean Air Act, as amended (27A O.S., et seq.), and rules promulgated thereunder, operators of Air Curtain Incinerator (ACI) facilities, as described under Part 1, Section II below, are hereby granted permission to construct/operate such facilities as specified in an Authorization to Construct/Operate under this general permit (hereinafter referred to as an "Authorization") issued by the Department of Environmental Quality (DEQ). Parts 1 through 4 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 ACI facilities shall remain subject to the Oklahoma Clean Air Act, Okla. Stat. tit. 27A §§ 2-5-101 to -117 (2013) and the rules promulgated thereunder at Okla. Admin. Code ("OAC"), Air Pollution Control, Title 252, Chapter 100-1-1 to -47-14 (2014).

The owner or operator of an ACI 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 ACI 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.

This permit shall become effective on the date below. This permit and any authorization to operate a facility under it shall expire at midnight, October 14, 2020, except as authorized under Section VIII of Part 4, Standard Conditions.

Signed and issued this day of October 14, 2015.

Eddie Terrill, Director, Air Quality Division

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PART 1 – REQUIREMENTS FOR GENERAL PERMIT

This permit is issued for the air curtain incinerator (ACI) facilities 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, (C) terms and conditions for new requirements that apply to sources with existing permits, and (D) federally-enforceable caps on emissions. 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 was developed in accordance with the provisions of OAC 252:100-8-6.1, “General Permits,” and complies with all applicable requirements and state-only requirements of OAC 252:100 and all applicable requirements of 40 CFR Part 70 (Operating Permits) and Title V of the Clean Air Act Amendments of 1990.

SECTION II. ELIGIBILITY

1. This permit is limited to air curtain incinerators (ACIs) facility with actual emissions less than 100 tons/year (TPY) of a regulated pollutant in an attainment area, less than 10 TPY of any single hazardous air pollutant (HAP), and less than 25 TPY of total HAP. An ACI operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. An incinerator of this type may be constructed above or below ground and with or without refractory walls or floor. These types of ACIs may be authorized to construct/operate under this general permit provided that:
 - a. The facility contains only a single ACI and one internal combustion engine to drive the fan. Any other type of emission units would not be eligible unless they qualify for trivial activities.
 - b. The ACI is only used for the disposal of 100 percent wood waste, 100 percent clean lumber, 100 percent yard waste, or 100 percent mixture of only wood waste, clean lumber, and/or yard waste.
 - c. The facility is in compliance with all applicable State and Federal air requirements. [OAC 252:100-8-6.1 (a)]
 - d. The internal combustion engine authorized under this general permit is limited to engines rated less than or equal to 240-hp.

- e. Fuels are limited to the following:
 - 1) Pipeline quality natural gas with total sulfur content of no more than 0.25 gr/100 scf (4 ppmv).
 - 2) Gasoline with total sulfur content of no more than 30 ppmw.
 - 3) On-road diesel or off-road diesel with total sulfur content of no more than 15 ppmw.
2. The following types of facilities are not eligible for this permit:
 - a. Facilities located in areas that are federally designated as non-attainment. [OAC 252:100-8-6.1 (a)(6)]
 - b. Facilities owned or operated by an applicant which has not paid all monies owed to the DEQ or is not in substantial compliance with the Environmental Quality Code, rules of the Board, and the terms of any existing DEQ permits and orders. The DEQ may impose special conditions on the applicant to assure compliance and/or a separate schedule that the DEQ considers necessary to achieve required compliance. [252:4-7-15(b)(1) & OAC 252:100-8-6.1 (a)(7)]
 - c. Facilities subject to PSD permitting requirements. [OAC 252:100-8-6.1 (d)(4)]
 - d. Facilities for which material facts were misrepresented or omitted from the application and the applicant knew or should have known of such misrepresentation or omission. [OAC 252:4-7-15(b)(2)]
3. The following facilities, unless qualified as a trivial facilities under OAC 252:100, Appendix J, are not eligible to obtain an Authorization to Construct under this permit, but may be eligible for coverage under an Authorization to Operate if they obtain an individual construction permit and all relevant requirements and limitations in that construction permit are incorporated into the Authorization to Operate:
 - a. Facilities with combustion equipment fired with fuels other than natural gas with a maximum total sulfur content of 0.25 grains/100 scf @ 68 °F (4 ppmvd), or stationary reciprocating engines burning liquid fuels other than gasoline with a total sulfur content less than 30 ppmw, or on-road diesel or off-road diesel with a total sulfur content less than 15 ppmw.
 - b. Facilities with internal combustion engines with a rating greater than 240-hp.
 - c. Facilities that require site-specific determinations of emissions limitations and/or specific conditions.
4. DEQ reserves the right to refuse issuance of an authorization to an applicant even though the facility meets the above eligibility criteria. In such a case, DEQ will provide in writing to the facility an explanation outlining the reason(s) for the decision.

5. For a facility operating under this permit, if emissions change for any reason that subjects the facility to PSD permitting requirements, then the facility no longer qualifies for a general operating permit. However, the existing Authorization will remain valid during the time period covered by the PSD construction permit until the facility receives a Part 70 site-specific operating permit for the entire facility. [OAC 252:100-8-6.1 (d)(4)]

SECTION III. AUTHORIZATION

1. An applicant may obtain an Authorization under this General 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 listed in Part 1, Section II.2, may apply for an Authorization to Construct by submitting an NOI Form and a complete set of General Permit Application Forms for an ACI facility. Coverage under this permit is effective, and the permittee may commence construction, upon receipt by the DEQ of the NOI. 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, is acceptable documentation of receipt of the NOI. The Authorization to Construct is issued by the DEQ after confirming that the application is administratively complete, the proper fee has been received, and that the facility is eligible for coverage under the permit.
 - b. An applicant proposing to obtain coverage under this permit for an existing, previously permitted facility, need only submit an application for an Authorization to Operate if the facility meets all of the eligibility requirements.
 - c. An applicant proposing to modify an existing facility, using the minor modification procedures, already covered by an Authorization to Operate under this general permit need only submit an application for a modification to their Authorization to Operate if the facility and modification meet all of the eligibility requirements in Part 4, Section XXI.

Note: For modifications that are considered to be minor modifications, no construction permit is required. The facility will only be issued a modified Authorization to Operate.

**PART 2 -- SPECIFIC CONDITIONS
(OPERATIONAL REQUIREMENTS AND LIMITATIONS)**

SECTION I. GENERAL REQUIREMENTS

1. The permittee shall be allowed to operate air curtain incinerator facilities, as specified in an Authorization issued under this permit. Such facilities shall be designed and operated to meet the following terms and conditions, and any other applicable requirements specified in this permit, the facility's Authorization to Operate, and any other requirements specified by rule or statute.
2. The Authorization shall establish emissions limitations and operational requirements and limitations based on all applicable requirements, state-only requirements, and other limitations. [OAC 252:100-8-6 (a)(1)]
3. Limits shall be established as specific throughputs for an ACI and size for an engine ton ensure actual facility-wide emissions to be less than 100 tons/year (TPY) of a regulated criteria pollutant in an attainment area, less than 10 TPY of any single hazardous air pollutant (HAP), and less than 25 TPY of total HAP.
4. No emission limits shall be established for Trivial Activities. No recordkeeping is required for Trivial Activities. [OAC 252:100-8-6 (a)(3)]
5. In accordance with Part 4, Section IV of this permit, no later than 30 days after each anniversary date of the issuance of the initial authorization to operate under the terms of the original General Operating Permit or the date of issuance of the original Part 70 operating permit, the permittee shall submit to Air Quality Division of DEQ, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit. [OAC 252:100-8-6 (c)(5)(A) & (D)]
6. The permittee shall comply with the change of location and recordkeeping requirements under OAC 252:100-8-6.2. [OAC 252:100-8-6.2]

SECTION II. Air Curtain Incinerators

The permittee is authorized to operate air curtain incinerators (ACIs), as specified in the Authorization. Such ACIs shall be operated in compliance with any requirements specified in the Authorization, Standard Conditions, and the following terms and conditions:

1. Burning rate limitations

- a. Total annual burning rate shall not exceed the following. Permittee shall maintain a record of the annual burning rate (12-month rolling total) to demonstrate compliance.

Scenarios	Maximum ACI Throughputs
	TPY
Scenario1: Engine Not Subject to NSPS	33,000
Scenario2: No Combustion Engine or Engine Subject to NSPS	38,300

2. Material Limitations

The permittee shall burn only the following materials in the air curtain incinerator:

- a. 100 percent wood waste.
- b. 100 percent clean lumber.
- c. 100 percent yard waste.
- d. 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

3. Air Pollution Control Requirements

At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the air curtain incinerator in a manner consistent with good air pollution control practice for minimizing emissions.

4. Permittee with ACIs subject to OAC 252:100-17, Part 9 or 40 CFR Part 60, Subpart CCCC, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction is Commenced on or After June 1, 2001, shall comply with:

- a. 40 CFR §60.2250, What Are the Emission Limitations for Air Curtain Incinerators for emission limitations:
 - (1) Within 60 days after the ACI reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, meeting:
 - (i) an opacity limitation of 10 percent (six-minute average) during operation; and
 - (ii) an opacity limitation of 35 percent (six-minute average) during the startup period that is within the first 30 minutes of operation during the initial opacity test and annual performance test.
 - (2) Except during malfunctions, the requirements of this subsection apply at all times, and each malfunction shall not exceed 3 hours. The EPA defines

malfunction as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

- b. 40 CFR §60.2255, How Must I Monitor Opacity for Air Curtain Incinerators for monitoring requirements as follows:
 - (1) Use Test Method 9 (40 CFR Part 60, Appendix A) to determine compliance with the opacity limitation.
 - (2) Conduct an initial test for opacity as specified in 40 CFR §60.8.
 - (3) Conduct annual tests no more than 12 calendar months following the date of the previous test.
 - c. 40 CFR §60.2260, What are the Recordkeeping and Reporting Requirements for Air Curtain Incinerators for recordkeeping and reporting requirements:
 - (1) Submit prior to startup:
 - (i) Notification of intent to startup the ACI.
 - (ii) Planned initial startup date.
 - (iii) Records of the types of materials to be burned in the ACI.
 - (2) Keep records of results of all initial and annual opacity tests at the location specified in the GOP application in either paper copy or electronic format, unless the ODEQ approves another format, for at least five years.
 - (3) Make all records available for submittal to the ODEQ or for an inspector's onsite review.
 - (4) Submit the results (each six-minute average) of the initial opacity tests no later than 60 days following the initial test and annual opacity test results within 12 months following the previous report.
 - (5) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.
 - (6) Keep a copy of the initial and annual reports for a period of five years.
5. Permittee with an ACI subject to OAC 252:100-17, Part 11 or 40 CFR Part 60, Subpart EEEE, Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006 shall comply with:
- a. 40 CFR §60.2971, What are the Emission Limitations for Air Curtain Incinerators That Burn Only Wood Waste, Clean Lumber, and Yard Waste for emission limitations: Within 60 days after the ACI reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, except during malfunctions not to exceed three hours. The permittee shall follow opacity limitations of:
 - (1) an opacity limitation of 10 percent (six-minute average) during operation; and
 - (2) an opacity limitation of 35 percent (six-minute average) during the startup period that is within the first 30 minutes of operation during the initial opacity test and annual performance test.
 - b. 40 CFR §60.2972, How Must I Monitor for Air Curtain Incinerators that Burn Only Wood Waste, Clean Lumber, and Yard Waste? for monitoring requirements:

- (1) Use Test Method 9 (40 CFR Part 60, Appendix A) to determine compliance with the opacity limitation.
 - (2) Conduct an initial test for opacity as specified in 40 CFR §60.8.
 - (3) Conduct annual tests no more than 12 calendar months following the date of the previous test.
 - (4) Conduct a test for opacity upon startup of the unit if the ACI has been out of operation for more than 12 months following the date of the previous test.
 - c. 40 CFR §60.2973(b), (c) and (f), What are the Recordkeeping and Reporting Requirements for Air Curtain Incinerators that Burn Only Wood Waste, Clean Lumber, and Yard Waste for recordkeeping requirements:
 - (1) Keep records of results of all initial and annual opacity tests at the location specified in the GOP application in either paper copy or computer-readable format that can be printed upon request, unless the ODEQ approves another format, for at least five years.
 - (2) Make all records available for submittal to the ODEQ or for an inspector's review.
 - (3) Keep a copy of the initial and annual reports for a period of five years.
 - d. 40 CFR §60.2973(a)(1) - (3), (d) and (e), for reporting requirements:
 - (1) Prior to startup of the ACI, submit:
 - (i) Notification of intent to startup the ACI.
 - (ii) A record of the planned initial startup date.
 - (iii) A record of the types of materials to be burned in the ACI.
 - (2) Submit the results (each six-minute average) of the initial opacity tests no later than 60 days following the initial test and annual opacity test results within 12 months following the previous report.
 - (3) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.
6. The permittee shall maintain records of operations as listed below. These records shall be maintained on-site or at a local field office for at least five years after the date of recording and shall be provided to regulatory personnel upon request. [OAC 252:100-8-6 (a)(3)(B)]
- a. Monthly and rolling 12-month totals of the amount of material burned.
 - b. ACI throughput (daily average) in tons per hour.
 - c. Records required by OAC 252:100-17, Part 9 or 40 CFR Part 60, Subpart CCCC.
 - d. Records required by OAC 252:100-17, Part 11 or 40 CFR Part 60, Subpart EEEE.

SECTION III. Internal Combustion Engines

The permittee is authorized to operate an internal combustion engine, as specified in the Authorization. Such engine shall be operated in compliance with any requirements specified in the Authorization, Standard Conditions, and the following terms and conditions:

1. The engine shall be limited to be \leq 240 hp.
2. The engine shall have a permanent identification plate attached which shows the make, model number, and serial number. [OAC 252:100-45]

3. The engine shall at all times be properly operated and maintained in a manner that will minimize emissions of VOC. The permittee shall maintain maintenance records on engines to document compliance. [OAC 252:100-37-36]
4. The engine shall only burn pipeline grade natural gas, gasoline, on road diesel, or off road diesel.
5. Like kind replacement of the engine is authorized under the following conditions: [OAC 252:100-8-6 (f)]
 - a. The permittee shall send a Notice of Modification to AQD at least 7 days in advance of the startup of the engine. The Notice of Modification shall include the date of the change; the new engine make, model, serial number, Maximum Rated Horsepower, intended hours of operation, fuel consumption (Btu/bhp-hr), stack flow (ACFM), stack temperature (°F), stack height (feet), and stack diameter (inches); potential to emit (g/hp-hr, lb/hr, and TPY); and a demonstration of compliance with the facility-wide emissions cap assuming operation of the new engine at its potential emissions rates for its intended hours of operation.
 - b. The permittee shall attach a copy of the Notice of Modification to a copy of the Authorization to Operate kept either on site, at a nearby manned facility, or at the nearest field office per the recordkeeping requirements of Part 4, Section IV.A.
6. The permittee shall comply with all applicable requirements in 40 CFR Part 60, Subpart III, for all stationary compression ignition (CI) internal combustion engines (ICE) that commenced construction, modification, or reconstruction after July 11, 2005, including, but not limited to, the following. [40 CFR §§ 60.4200 to 60.4219]
 - a. The date of construction is the date the engine is ordered by the owner or operator.
 - b. The emission standards of §60.4204, §60.4205, and §60.4206.
 - c. The fuel requirements of §60.4207. Beginning October 1, 2010, the operator must use nonroad diesel fuel with a sulfur content of no more than 15 ppm.
 - d. The deadlines for importing or installing CI ICE produced in the previous model year in accordance with §60.4208.
 - e. Monitoring of any CI ICE according to the requirements of §60.4209.
 - f. Compliance requirements of §60.4211.
 - g. Performance tests requirements of §60.4212 and §60.4213.
 - h. Notification, reporting, and recordkeeping requirements of §60.4214.
 - i. §60.4219 What definitions apply to this subpart?
7. The permittee shall comply with all applicable requirements in 40 CFR Part 60, Subpart JJJJ, for all stationary spark ignition (SI) internal combustion engines (ICE) that commenced construction, modification, or reconstruction after June 12, 2006, including, but not limited to, the following. [40 CFR 60.4230 to 60.4246]

- a. §60.4230 Am I subject to this subpart?
 - b. The emission standards of §60.4233 and §60.4234.
 - c. The fuel requirements of §60.4235.
 - d. The deadlines for importing or installing SI ICE produced in the previous model year in accordance with §60.4236.
 - e. The monitoring requirements of §60.4237.
 - f. The compliance requirements of §60.4243.
 - g. The performance test methods and other procedures of §60.4244.
 - h. The notification, reporting, and recordkeeping requirements of §60.4245.
 - i. §60.4246 What parts of the General Provisions apply to me?
 - j. §60.4248 What definitions apply to this subpart?
8. The permittee shall comply with all applicable requirements of the NESHAP (40 CFR Part 63) for Stationary Reciprocating Internal Combustion Engines (RICE), Subpart ZZZZ, for each affected engine including but not limited to:

[40 CFR 63.6580 through 63.6675]

What This Subpart Covers

- a. § 63.6580 What is the purpose of subpart ZZZZ?
- b. § 63.6585 Am I subject to this subpart?
- c. § 63.6590 What parts of my plant does this subpart cover?
- d. § 63.6595 When do I have to comply with this subpart?

Emission and Operating Limitations

- e. § 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- f. § 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?
- g. § 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?
- h. § 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

General Compliance Requirements

- i. § 63.6605 What are my general requirements for complying with this subpart?

Testing and Initial Compliance Requirements

- j. § 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?
- k. § 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI

stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

- l. § 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?
- m. § 63.6615 When must I conduct subsequent performance tests?
- n. § 63.6620 What performance tests and other procedures must I use?
- o. § 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?
- p. § 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

Continuous Compliance Requirements

- q. § 63.6635 How do I monitor and collect data to demonstrate continuous compliance?
- r. § 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

Notifications, Reports, and Records

- s. § 63.6645 What notifications must I submit and when?
- t. § 63.6650 What reports must I submit and when?
- u. § 63.6655 What records must I keep?
- v. § 63.6660 In what form and how long must I keep my records?

Other Requirements and Information

- w. § 63.6665 What parts of the General Provisions apply to me?
- x. § 63.6670 Who implements and enforces this subpart?
- y. § 63.6675 What definitions apply to this subpart?

SECTION IV. Fugitive Dust Requirements for Open Areas, Roadways, Storage Piles, and Material Handling

1. No person shall cause or allow any fugitive dust source to be operated, or any substances to be handled, transported or stored, or any structure constructed, altered, or demolished to the extent that such operation or activity may enable fugitive dust to become airborne and result in air pollution, without taking reasonable precautions to minimize or prevent Pollution. [OAC 252:100-29-2]
2. Reasonable precautions include, but are not limited to:
 - a. The use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, driveways and parking lots or the clearing of land for commercial, industrial, or residential development.
 - b. The application of water or suitable chemicals or some other covering on materials stockpiles and other surfaces that can create airborne dusts under normal conditions.
 - c. The installation and use of hoods, fans and dust collectors to enclose and vent the handling of dusty materials or the use of water sprays or other acceptable measures to

suppress dust emission during handling. Adequate containment methods shall be employed during sandblasting or other similar operations.

- d. The covering or wetting of open-bodied trucks, trailers, or railroad cars when transporting dusty materials in areas where the general public must have access.
- e. The removal as necessary from paved street and parking surfaces of materials that have a tendency to become airborne.
- f. The planting and maintenance of vegetative ground cover as necessary.

[OAC 252:100-29-2(b)&100-29-3]

SECTION V. Temporary Sources

A portable source may be transferred from one location to another provided:

- 1. The operation is temporary and involves at least one change of location during the term of the permit.
- 2. The Permittee notifies the permitting authority at least ten (10) days in advance of each change in location.
- 3. The permittee comply with all applicable requirements set forth in this permit at all authorized locations.

[OAC 252:100-8-6.2]

Part 3 - Schedule of Compliance

Any facility reporting noncompliance in an application for Authorization under this permit or in an annual compliance certification must submit with such application or certification a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable air pollution rules. [OAC 252:100-8-6 (c)(3)]

1. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable air pollution rules for which the emissions unit or stationary source is in noncompliance. [OAC 252:100-8-5 (e)(8)(B)(i)]
2. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. [OAC 252:100-8-5 (e)(8)(B)(i)]
3. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable air pollution rules on which it is based. [OAC 252:100-(e)(8)(B)(i)]
4. Following public review per OAC 252:100-8-6.1 (a)(7), the approvable schedule of compliance shall be incorporated into the Authorization if such is issued to the facility.
5. The permittee of a facility that is operating subject to a schedule of compliance shall submit to AQD progress reports at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted. [OAC 252:100-8-6 (c)(4) & -8-5(e)(8)(B)(ii)]

Part 4 - Standard Conditions

SECTION I. DUTY TO COMPLY

1. This is a permit/authorization to operate/modify the specific facility listed in the Authorization in accordance with Title V of the federal Clean Air Act (42 U.S.C. 7401, et seq.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]
2. The issuing authority for the permit/authorization is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit/authorization does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]
3. The permittee shall comply with all conditions of this permit and authorization. Any noncompliance with the permit or authorization 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 permit or the authorization issued under it, or for denial of an application to renew the authorization. All applicable requirements (excluding state-only requirements) are enforceable by the DEQ, by EPA, and by citizens under section 304 of the Clean Air Act. The authorization is only valid for operations at the specific location listed in the authorization. [OAC 252:100-8-1.3 & 8-6 (a)(7)(A) & (b)(1)]
4. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit or authorization. [OAC 252:100-8-6 (a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

1. Any exceedance resulting from emergency conditions and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV. [OAC 252:100-8-6 (a)(3)(C)(iii) (I)&(II)]
2. Deviations that result in emissions exceeding those allowed in the permit and the authorization issued under it shall be reported as provided in OAC 252:100-9, Excess Emission Reporting Requirements. [OAC 252:100-8-6 (a)(3)(C)(iv)]
3. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

1. The permittee shall keep records as specified in the permit and authorization. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit and authorization. All records may be maintained in computerized form. [OAC 252:100-8-6 (a)(3)(B)(ii), 8-6 (c)(1), & 8-6 (c)(2)(B)]

2. Records of required monitoring shall include:

- a. the date, place and time of sampling or measurement;
- b. the date or dates analyses were performed;
- c. the company or entity which performed the analyses;
- d. the analytical techniques or methods used;
- e. results of such analyses; and
- f. operating conditions as existing at the time of sampling or measurement.

[OAC 252:100-8-6 (a)(3)(B)(i)]

3. No later than 30 days after each six (6) month period, after the date of the initial authorization to operate under the terms of the original General Operating Permit or the date of issuance of the original Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from the requirements of the permit or authorization since the previous report shall be clearly identified in the report.

[OAC 252:100-8-6 (a)(3)(C)(i) & (ii)]

4. If any testing shows emissions in excess of limitations specified in this permit or the authorization, the owner or operator shall comply with the provisions of Section II of these standard conditions. [OAC 252:100-8-6 (a)(3)(C)(iii)]

5. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit or the authorization, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act.

[OAC 252:100-43]

6. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

7. Any owner or operator subject to the provisions of New Source Performance Standards ("NSPS") under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants ("NESHAPs") under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

8. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

[OAC 252:100-8-6(c)(4)]

9. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer's instructions and in accordance with a protocol meeting the requirements of the "AQD Portable Analyzer Guidance" document or an equivalent method approved by Air Quality.

[OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

10. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM₁₀). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

11. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 CFR Part 60, 61, and 63, for all equipment operated under this permit and authorization subject to such standards.

[OAC 252:100-8-6(c)(1) & OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

1. No later than 30 days after each anniversary date of the issuance of the initial authorization to operate under the terms of the original General Operating Permit or the date of issuance of the original Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit, the authorization, and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6 (c)(5)(A) & (D)]

2. The compliance certification shall describe the operating permit or authorization term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period; and a statement that the facility will continue to comply with all applicable requirements. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source.

[OAC 252:100-8-6 (c)(5)(C)(i)-(v)]

3. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5 (f) & OAC 252:100-8-6 (c)(1)]

4. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

1. The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual compliance certification.

[OAC 252:100-8-6 (c)(6)]

SECTION VI. PERMIT SHIELD

1. Compliance with the terms and conditions of this permit and authorization (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit.

[OAC 252:100-8-6 (d)(1)]

2. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are listed in the authorization.

[OAC 252:100-8-6 (d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

1. The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD. [OAC 252:100-5-2.1, -5-2.2, & -8-6 (a)(8)]

SECTION VIII. TERM OF PERMIT

1. Unless specified otherwise, the term of this operating permit shall be five years from the date of issuance. [OAC 252:100-8-6 (a)(2)(A)]
2. A source's right to operate shall terminate upon the expiration of this permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-6.1 (f)(2) & -8-7.1(d)(1)]
3. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]
4. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

1. The provisions of this permit and authorization are severable and if any provision of this permit or authorization, or the application of any provision of this permit or authorization to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit and authorization, shall not be affected thereby. [OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

1. This permit and authorization do not convey any property rights of any sort, or any exclusive privilege. [OAC 252:100-8-6 (a)(7)(D)]
2. This permit or authorization 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 and authorization are issued. [OAC 252:100-8-6 (a)(7)(D)]

SECTION XI. DUTY TO PROVIDE INFORMATION

1. 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, revoking, reissuing, terminating the authorization, or to determine compliance with the permit or authorization. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit or authorization. [OAC 252:100-8-6 (a)(7)(E)]
2. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment. [OAC 252:100-8-5 (a) & OAC 252:100-8-6 (a)(7)(E)]

3. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within 10 days after such date. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112 (G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

1. The permit or authorization may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit/authorization modification, revocation, reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any condition of the permit or authorization. [OAC 252:100-8-6 (a)(7)(C) & OAC 252:100-8-7.2 (b)]

2. The DEQ will reopen and revise or revoke this permit and authorizations issued under it as necessary to remedy deficiencies in the following circumstances: [OAC 252:100-8-7.3 & -8-7.4]

- a. Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
- b. 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 requirements.
- c. The DEQ determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue an authorization issued under this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
- d. DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

3. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d).[OAC 100-8-7.3(d)]

4. To make changes other than (1) those described in Section XVIII (Operational Flexibility), (2) administrative permit amendments, and (3) those not defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII), the permittee shall notify AQD. Such changes may require a modification of an authorization issued under this permit. [OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

5. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit or authorization are prohibited. [OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

1. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(18) 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 and authorization;
- b. have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit or 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 authorization; and
- d. as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or authorization. [OAC 252:100-8-6 (c)(2)]

SECTION XIV. EMERGENCIES

1. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken. [OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]
2. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance. [OAC 252:100-8-6(a)(3)(C)(iii)(II)]
3. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. [OAC 252:100-8-2]
4. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that:
 - (1) an emergency occurred and the permittee can identify the cause or causes of the emergency;
 - (2) the permitted facility was at the time being properly operated;
 - (3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit.
5. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]
6. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

1. The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop, and register with the appropriate agency, a risk management plan, by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6 (a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

1. Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a state or federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list. [OAC 252:100-8-2]
 - a. 5 tons per year of any one criteria pollutant.
 - b. 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.

SECTION XVII. TRIVIAL ACTIVITIES

1. Except as otherwise prohibited or limited by this permit or authorization issued under this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered

inconsequential and are on the list in Appendix J. Any activity to which a state or federal applicable requirement applies is not trivial even if included on the trivial activities list. [OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

1. A facility may implement any operating scenario allowed for in this permit or an authorization issued under this permit without the need for revision of the permit or authorization or any notification to the DEQ (unless specified otherwise in the permit or authorization). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating.

[OAC 252:100-8-6 (a)(10) & 8-6 (f)(1)]

2. The permittee may make changes within the facility that:

- a. result in no net emissions increases,
- b. are not modifications under any provision of Title I of the federal Clean Air Act, and
- c. do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of 7 days, or 24 hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the authorization. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any term or condition of the permit or authorization that is no longer applicable as a result of the change. The permit shield provided by this permit and authorizations issued under it does not apply to any change made pursuant to this subsection.

[OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

1. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

- a. No person shall cause or permit the discharge of emissions such that National Ambient Air Quality Standards (NAAQS) are exceeded on land outside the permitted facility. [OAC 252:100-3]
- b. No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]
- d. For all emissions units not subject to an opacity limit promulgated under 40 CFR, Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for short-term occurrences, which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed 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]
- e. No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]
- f. No SO₂ emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31-7]
- g. All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

1. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances. [40 CFR 82, Subpart A]

- a. Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4.
- b. Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II

substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13.

- c. Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.
2. If the permittee performs a service on motor (fleet) vehicles, when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]
 3. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B. [40 CFR 82, Subpart F]
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. MINOR MODIFICATIONS OF AN AUTHORIZATION TO OPERATE UNDER THE TERMS OF THE GENERAL PERMIT

1. Minor permit modification procedures may be used only for those modifications of an authorization that:
 - a. Do not violate any applicable requirement, or state-only requirements;
 - b. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the permit or authorization;
 - c. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
 - d. Do not seek to establish or change a permit term or condition or requirement under the authorization for which there is no corresponding underlying applicable requirement or state-only requirement which the source has assumed to avoid some other applicable requirement or state-only requirement to which the source would otherwise be subject. Such terms, conditions, and requirements include federally-enforceable emissions caps assumed to avoid classification as a modification under any provision of Title I and alternative emissions limits approved pursuant to regulations promulgated under § 112(i)(5) of the Act; and
 - e. Are not modifications under any provision of Title I of the Act. [OAC 252:100-8-7.2 (b)(1)(A)(i)(I-V) & -8-5 (d)(1)(A)]
2. To use the minor permit modification procedures, a source shall submit an application requesting the modification that includes the following:
 - a. A description of the change, the emissions resulting from the change, and any new applicable requirements or state-only requirements that will apply if the change occurs;
 - b. The source's suggested modification language;
 - c. Certification by a responsible official, that the application and the proposed modification meet the criteria for use of minor permit modification procedures. [OAC 252:100-8-7.2 (b)(1)(B)(i-iii)]

3. EPA and affected state notification. Minor modifications of an authorization to operate under this general permit are not subject to EPA and affected state notifications. [OAC 252:100-8-7.2 (b)(1)(C)]
4. Within 90 days of the DEQ's receipt of a complete application for a minor modification of an authorization to operate under this general permit the DEQ shall:
 - a. Issue a new authorization incorporating the minor modification;
 - b. Deny the minor modification application; or
 - c. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures or administrative amendment procedures. [OAC 252:100-8-7.2 (b)(1)(D)(i-iii)]
5. Immediately after filing an application meeting the requirements of the minor permit modification procedures, the source is authorized to make the change or changes proposed in the application. After the source makes the change and until the DEQ takes any of the actions specified in OAC 252:100-8-7.2 (b)(1)(D)(i-iii), the source must comply with the applicable requirements and state-only requirements governing the change and the proposed terms and conditions of the authorization. During this period, the source need not comply with the existing terms and conditions it seeks to modify. However, if the source fails to comply with its proposed terms and conditions of the modified authorization during this time period, the existing terms and conditions of the authorization it seeks to modify may be enforced against it. [OAC 252:100-8-7.2 (b)(1)(E)]
6. The permit shield under OAC 252:100-8-6 (d) does not extend to minor modifications of an authorization to operate under this general permit. [OAC 252:100-8-7.2 (b)(1)(F)]
7. The permittee assumes the risk of losing any investment it makes toward implementing a modification prior to receiving a modified authorization to operate under the general permit. The DEQ will not consider the possibility of the permittee suffering financial loss due to such investment when deciding whether to approve, deny, or approve the modified authorization. [OAC 252:100-8-7.2 (b)(1)(G)]