

SUBCHAPTER 7. PERMITS FOR MINOR FACILITIES

PART 1. GENERAL PROVISIONS

252:100-7-2. Requirement for permits for minor facilities

(a) **Permit required.** Except as provided in OAC 252:100-7-2, no person may commence construction or modification of any minor facility, may operate any new minor facility, or may relocate any minor portable source without obtaining a permit from the DEQ. For additional application and permitting procedures, see OAC 252:4, Subchapter 7 Environmental Permit Process.

(b) **Exceptions**

(1) **De minimis facilities.** De minimis facilities are exempted from the permitting requirements of OAC 252:100-7. De minimis facilities remain subject only to the following air quality control rules:

(A) De minimis facilities must comply with OAC 252:100-13 Open Burning.

(B) With the exception of those de minimis cotton gin facilities or feed and grain facilities that comply with the requirements of Subchapter 23 Control of Emissions from Cotton Gins or Subchapter 24 Particulate Matter Emissions from Grain, Feed or Seed Operations, de minimis facilities remain subject to OAC 252:100-25 Visible Emissions and Particulates.

(C) With the exception of those de minimis cotton gin facilities or feed and grain facilities that comply with the requirements of Subchapter 23 Control of Emissions from Cotton Gins or Subchapter 24 Particulate Matter Emissions from Grain, Feed or Seed Operations, de minimis facilities remain subject to OAC 252:100-29 Control of Fugitive Dust.

(D) De minimis facilities must comply with OAC 252:100-41 Control of Emission of Hazardous and Toxic Air Contaminants.

(2) **Permit exempt facilities.** Permit exempt facilities are exempted from the permitting requirements of OAC 252:100-7, the requirement to submit an annual emission inventory as required by OAC 252:100-5-2.1, and the requirement to pay annual operating fees as required by OAC 252:100-5-2.2(b).

Permit exempt facilities remain subject to all other applicable State and Federal air quality control rules and standards.

(c) **Permit application.**

(1) All applications shall be signed by the applicant.

(2) The signature on an application for a permit shall constitute an implied agreement that the applicant shall be responsible for assuring construction or operation, as applicable, in accordance with the application and OAC 252:100.

(3) Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, submit such supplementary facts or corrected information within 30 days unless the applicant's request for more time has been approved by the DEQ. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of the draft permit.

(d) **Applicability determination.** Upon written request along with the required fee and any relevant information needed, the DEQ will make a determination of whether a permit is required.

(e) **Change in permit status.** The owner or operator of a permitted facility may at any time notify the DEQ that the facility:

- (1) Is de minimis, requesting termination of the permit, or
- (2) Qualifies for either a permit by rule or a general permit, submitting the appropriate application for such permit, or
- (3) Is permit exempt, requesting termination of the permit.

(f) **Transfer of permit.** The transfer of ownership of a stationary source or a facility shall subject the new owner or operator to existing permit conditions and/or compliance schedules. A new permit is not required. The transferor shall notify the AQD in writing no later than 10 days following the change in ownership.

(g) **Emission calculation methods.**

(1) Except as allowed by OAC 252:100-7-2(g)(2) of this subsection, the methods in OAC 252:100-5-2.1(d) shall be

used when calculating regulated air pollutant emission rates for purposes of determining if an Air Quality Division permit is required or what type of permit is required.

(2) In lieu of calculating regulated air pollutant emission rates to determine if emissions from a facility meet the emission limits in the definition of permit exempt facility, the owner or operator of an oil and gas exploration and production facility or a natural gas compressor facility may assume the facility is permit exempt without calculation if the equipment and throughput at the facility meet the following criteria.

(A) Engines. The facility's total maximum manufacturer's designed rated horsepower for all reciprocating internal combustion engines in compressor service equals 240 or less.

(B) Other equipment.

(i) For an oil and gas exploration and production facility operating a liquid hydrocarbon storage vessel with the potential for flash emissions and/or a glycol dehydrator, the facility-wide actual annual average natural gas throughput is less than 0.650 MMSCFD (650,000 standard cubic feet per day) and the actual annual average hydrocarbon liquid throughput is less than 250 barrels per day.

(ii) For a compressor facility that is a natural gas transmission and storage facility operating a glycol dehydrator that is the only HAP emission source at the facility other than reciprocating internal combustion engines, the facility-wide actual annual average natural gas throughput is less than 1.0 MMSCFD (1 million standard cubic feet per day).