TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL

SUBCHAPTER 7. PERMITS FOR MINOR FACILITIES

PART 3. CONSTRUCTION PERMITS

252:100-7-15. Construction permit

(a) **Construction permit required.** A construction permit is required to commence construction or installation of a new facility or the modification of an existing facility as specified in OAC 252:100-7-15(a)(1) and (2).

(1) **New Facility.** No person shall cause or allow the construction or installation of any new minor facility other than a de minimis facility or a permit exempt facility as defined in OAC 252:100-7-1.1 without first obtaining a DEQ-issued air quality construction permit.

(2) **Modification of an existing facility.**

(A) A construction permit is required for any modification that would cause an existing facility to no longer qualify for de minimis status, permit exempt facility status, or its current permit category.

(B) A construction permit is required for an existing facility covered by an individual permit:

(i) to add ~~a piece of equipment or a process~~ an "affected facility," "affected source," or "new source" as those terms are defined in 40 CFR § 60.2, 40 CFR § 63.2, and 40 CFR § 61.02, respectively, that is subject to an emission standard, equipment standard, or work practice standard in a federal NSPS (40 CFR Part 60) or a federal NESHAP (40 CFR Parts 61 and 63) or

(ii) to add or physically modify a piece of equipment or a process that results in an increase in a permitted emissions increase of any one regulated air pollutant by more than 5 TPY.

(C) The requirement to obtain a construction permit under OAC 252:100-7-15(a)(2)(B)(i) does not apply to replacement of a piece of equipment, provided the replacement unit does not require a change in any emission limit in the existing permit, and the owner or operator notifies the DEQ in writing within fifteen (15) days of the startup of the replacement unit, and/or as otherwise specified by the permit.

(b) **Permit categories.** Three types of construction permits are available: permit by rule, general permit, and individual permit. A permit by rule may be adopted or a general permit may be issued for an industry if there are a sufficient number of facilities that have the same or substantially similar operations, emissions, and activities that are subject to the same standards, limitations, and operating and monitoring requirements.

(1) **Permit by rule.** An owner or operator of a minor facility may apply for registration under a permit by rule if the following criteria are met:

(A) The facility has actual emissions of 40 TPY or less of each regulated air pollutant, except HAPs.

(B) The facility does not emit or have the potential to emit 10 TPY or more of any single HAP or 25 TPY or more of any combination of HAPs.

(C) The DEQ has established a permit by rule for the industry in Part 9 of this Subchapter.

(D) The owner or operator of the facility certifies that it will comply with the applicable permit by rule.

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

(2) **General permit.** Minor facilities may qualify for authorization under a general permit if the following criteria are met:

(A) The facility has actual emissions less than 100 TPY of each regulated air pollutant, except for HAPs.

(B) The facility does not emit or have the potential to emit 10 TPY or more of any single HAP or 25 TPY or more of any combination of HAPs.

(C) The DEQ has issued a general permit for the industry.

(3) **Individual permit.** The owners or operators of minor facilities requiring permits under this Subchapter which do not qualify for permit by rule or a general permit shall obtain individual permits. An owner or operator may apply for an individual permit even if the facility qualifies for a permit by rule or a general permit.

(c) **Content of construction permit application.** Construction permit applications shall contain at least the data and information listed in OAC 252:100-7-15(c)(1) and (2).

(1) **Individual permit.** An applicant for an individual construction permit shall provide data and information required by this Chapter on an application form available from the DEQ. Such data and information should include but not be limited to:

(A) site information,

(B) process description,

(C) emission data,

(D) BACT when required,

(E) sampling point data and

(F) modeling data when required.

(2) **General permit.** An applicant for authorization under a general permit shall provide data and information required by that permit on a form available from the DEQ. For general permits that provide for application through the filing of a notice of intent (NOI), authorization under the general permit is effective upon receipt of the NOI.

(d) **Permit contents.** The construction permit:

(1) Shall require the permittee to comply with all applicable air pollution rules.

(2) Shall prohibit the exceedance of ambient air quality standards contained in OAC 252:100-3.

(3) May establish permit conditions and limitations as necessary to assure compliance with all rules.

(e) **Failure to comply with a construction permit.** A violation of the limitations or conditions contained in the construction permit shall subject the owner or operator of a facility to any or all enforcement penalties, including permit revocation, available under the Oklahoma Clean Air Act and Air Pollution Control Rules. No operating permit will be issued until the violation has been resolved to the satisfaction of the DEQ.

(f) **Cancellation of authority to construct or modify.** A duly issued permit to construct or modify will terminate and become null and void (unless extended as provided below) if the construction is not commenced within 18 months of the permit issuance date, or if work is suspended for more than 18 months after it has commenced.

(g) **Extension of authorization to construct or modify.**

(1) Prior to the permit expiration date, a permittee may apply for extension of the permit by written request of the DEQ stating the reasons for the delay/suspension and providing justification for the extension. The DEQ may grant:

(A) one extension of 18 months or less or

(B) one extension of up to 36 months where the applicant is proposing to expand an already existing facility to accommodate the proposed new construction or the applicant has expended a significant amount of money (1% of total project cost as identified in the original application, not including land cost) in preparation for meeting the definition of "commence construction" at the proposed site.

(2) If construction has not commenced within three (3) years of the effective date of the original permit, the permittee must undertake and complete an appropriate available control technology review and an air quality analysis. This review must be approved by the DEQ before construction may commence.

SUBCHAPTER 8. PERMITS FOR PART 70 SOURCES AND MAJOR NEW SOURCE REVIEW (NSR) SOURCES

PART 7. PREVENTION OF SIGNIFICANT DETERIORATION (PSD) REQUIREMENTS FOR ATTAINMENT AREAS

252:100-8-36.1. Public participation

See OAC 252:4 ~~and O.S. §§ 27A-2-5-112 and 27A-2-14-101 to §~~, 27A O.S. § 2-5-112, and 27A O.S. §§ 2-14-101 through 2-14-304.

SUBCHAPTER 37. CONTROL OF EMISSION OF VOLATILE ORGANIC COMPOUNDS (VOCs)

PART 3. CONTROL OF VOCs IN STORAGE AND LOADING OPERATIONS

252:100-37-16. Loading of VOCs

(a) **Loading facilities with throughput greater than 40,000 gallons/day.** Each VOC loading facility with a throughput greater than 40,000 gal/d (151,416 l/d) from its aggregate loading pipes shall be equipped with a vapor-collection and disposal system unless all tank trucks or trailers are bottom loaded with hatches closed.

(1) **Vapor-collection and disposal system.**

(A) **Vapor-collection portion of the system.**

(i) When loading VOCs through the hatches of a tank truck or trailer, using a loading arm equipped with a vapor collecting adaptor, a pneumatic, hydraulic, or mechanical means shall be provided to ensure a vapor-tight seal between the adaptor and the hatch.

(ii) When loading is effected through means other than hatches, all loading and vapor lines shall be equipped with fittings that make vapor-tight connections and which must be closed when disconnected or which close automatically when disconnected.

(B) **Vapor-disposal portion of the system.** The vapor-disposal portion of the system shall consist of:

(i) a vapor-liquid absorber system with a minimum recovery efficiency of 90 percent by weight of all the VOC vapors and gases entering such disposal system; or,

(ii) a variable-vapor space tank, compressor, and fuel-gas system of sufficient capacity to receive all VOC vapors and gases displaced from the tank trucks and trailers being loaded.

(2) **Prevention of VOC drainage.** A means shall be provided in either loading system specified in subsection (a) to prevent VOC drainage from the loading device when it is removed from any tank truck or trailer, or to accomplish complete drainage before removal.

(b) **Loading facilities with throughput equal to or less than 40,000 gallons per day.**

(1) Each loading pipe at a VOC loading facility with an aggregate throughput of 40,000 gal/d (151,416 l/d) or less shall be equipped with a system for submerged filling of tank trucks or trailers which is installed and operated to maintain a 97 percent submergence factor.

(2) Paragraph 252:100-37-16(b)(1) applies to any facility that loads VOCs into any tank truck or trailer with a capacity greater than 200 gal (757 l) which is designed for transporting VOCs.

(c) **Exemptions.**

(1) Loading facilities subject to the requirements of 40 CFR 60 Subpart XX or 40 CFR 63 Subpart R are exempt from the requirements of 252:100-37-16(a) and (b).

(2) Loading operations at natural gas compressor stations are exempt from the requirements of 252:100-37-16(a) and (b). For the purposes of this section, natural gas compressor station means any permanent combination of one or more compressors that move natural gas at increased pressure through gathering or transmission pipelines, or into or out of storage. This includes, but is not limited to, gathering, boosting, and transmission compressor stations.

SUBCHAPTER 39. EMISSION OF VOLATILE ORGANIC COMPOUNDS (VOCs) IN NONATTAINMENT AREAS AND FORMER NONATTAINMENT AREAS

PART 7. SPECIFIC OPERATIONS

252:100-39-45. Petroleum (solvent) dry cleaning

(a) **Definitions.** The following words and terms, when used in this Section, shall have the following meaning, unless the context clearly indicates otherwise.

(1) **"Cartridge filters"** means perforated canisters containing filtration paper and/or activated carbon that are used in a pressurized system to remove solid particles and fugitive dyes from soil-laden petroleum solvent.

(2) **"Containers and conveyors of petroleum solvent"** means piping, ductwork, pumps, storage tanks, and other ancillary equipment that are associated with the installation and operation of washers, dryers, filters, stills, and settling tanks.

(3) **"Dry cleaning"** means a process of the cleaning of textiles and fabric products in which articles are washed in a non-aqueous solution (petroleum solvent) and then dried by exposure to a heated air stream.

(4) **"Housekeeping"** means those measures and precautions necessary to minimize the release of petroleum solvent to the atmosphere.

(5) **"Operations parameters"** means the activities required to insure that the equipment is operated in a manner to preclude the loss of petroleum solvents to the atmosphere.

(6) **"Perceptible leaks"** means any petroleum solvent vapor or liquid leaks that are conspicuous from visual observation, such as pools or droplets of liquid, or buckets or barrels of petroleum solvent or petroleum solvent-laden waste standing open to the atmosphere.

(7) **"Petroleum solvent"** means organic material produced by petroleum distillation comprising a hydrocarbon range of 8 to 12 carbon atoms per organic molecule that exists as a liquid under standard conditions.

(b) **Applicability.** This Section applies to petroleum solvent washers, dryers, filters, settling tanks, vacuum stills, and other containers and conveyors of petroleum solvent that are used in petroleum solvent dry cleaning facilities in Tulsa County only.

(c) **Operating requirements.**

(1) The owner or operator of a petroleum solvent dry cleaning facility shall not operate any dry cleaning equipment using petroleum solvents unless:

(A) there are no perceptible liquid or vapor leaks from any portion of the equipment;

(B) all washer lint traps, button traps, access doors and other parts of the equipment where petroleum solvent may be exposed to the atmosphere are kept closed at all times except when required for proper operation or maintenance;

(C) the still residue is stored in sealed containers and the used filtering material is placed into a sealed container suitable for use with petroleum solvents, immediately after removal from the filter and disposed of in the prescribed manner; or,

(D) cartridge filters containing paper or carbon or a combination thereof, which are used in the dry cleaning process are drained in the filter housing for at least 24 hours prior to removal.

(2) The owner or operator of a petroleum solvent dry cleaning facility shall not operate any drying tumblers and cabinets that use petroleum solvents unless tumblers and cabinets are operated in a manner to control petroleum solvent vapor leaks by reducing the number of sources where petroleum solvent is exposed to the atmosphere. Under no circumstances should there be any open containers (can, buckets, barrels) of petroleum solvent or petroleum solvent-containing material. Equipment containing solvent (washers, dryers, extractors, and filters) should remain closed at all times other than during maintenance or load transfer. Lint filter and button trap covers should remain closed except when petroleum solvent-laden lint and debris are removed. Gaskets and seals should be inspected and replaced when found worn or defective. Petroleum solvent-laden clothes should never be allowed to remain exposed to the atmosphere for longer periods than are necessary for load transfers. Finally, vents on petroleum solvent-containing waste and new petroleum solvent storage tanks should be constructed and maintained in a manner that limits petroleum solvent vapor emissions to the maximum possible extent.

(3) The owner or operator shall repair all petroleum solvent vapor and liquid leaks within 3 working days after identifying the sources of the leaks. If necessary repair parts are not on hand, the owner or operator shall order these parts within 3 working days, and repair the leaks no later than 3 working days following the arrival of the necessary parts.

(d) **Disposal of filters.** Filters from the petroleum dry cleaning facility shall be disposed of by:

(1) incineration at a facility ~~approved by the fire marshall's office~~ permitted by the appropriate regulatory entity for such disposal;

(2) by recycling through an approved vendor of this service; or,

(3) by any other method approved by the Division Director.

(e) ~~**Compliance schedule.** Compliance with 252:100-39-45(c)(1) through 252:100-39-45(c)(3), shall be accomplished by affected facilities on or before October l, 1986.~~[RESERVED]