☒ **Synthetic Minor Determination and/or** ☐ **Netting Determination**

Permit To Install: **06-08355**

A. Source Description

P001 is a portable 810 horsepower diesel generator.

B. Facility Emissions and Attainment Status

This unit is portable and is being permitted out of the Shelly Company's home office in Perry County, which is currently in attainment for all criteria pollutants. When the portable emissions unit associated with this facility is located at a stationary source or at a source comprised of portable emissions units under common ownership and the same SIC code, the permittee will be required to include the potential emissions from this portable emissions unit in the facility potential to emit calculations for Title V and PSD applicability.

C. Source Emissions

Shelly Materials has requested a limit on annual operating hours for P001 in order to restrict the federally enforceable potential to emit when this unit is co-located with other similar sources. The annual operating hours will be limited to 6,000 hours per rolling, 12-month period. With the proposed operating hour restriction and imposition of BAT, total P001stack emissions per 12-month rolling period will be limited to 31.59 tons of NOx, 14.13 tons of CO, 9.84 tons of SO2, 1.71 tons of VOC and 1.71 tons of PE.

D. Conclusion

The operational restrictions, emission limits, emissions testing, record keeping, and reporting requirements of this permit are sufficient to provide federally enforceable limitations to limit the potential to emit from P001. With final issuance of this permit, the facility-wide potential to emit of Stoneco Portable Generator #21.8804 will be 31.59 tons of NOx, 14.13 tons of CO, 9.84 tons of SO2, 1.71 tons of VOC and 1.71 tons of PE. Further, the restriction on hours of operation ensures that the NOx maximum annual impact values are below the Ohio annual AII levels for NO_2.

State of Ohio Environmental Protection Agency

Street Address:
Lazarus Gov. Center
50 West Town Street, Suite 700
Columbus, OH 43215

TELE: (614) 644-3020 **FAX:** (614) 644-2329

Mailing Address:
Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

CERTIFIED MAIL

RE: DRAFT PERMIT TO INSTALL
PERRY COUNTY
Application No: 06-08355
Fac ID: 0664960070

	TOXIC REVIEW
	PSD
Y	SYNTHETIC MINOR
	CEMS
	MACT
	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
Y	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

DATE: 2/21/2008

Shelly Materials, Inc. dba Stoneco, Inc.
Katherine Beach
301 Frank Road
Columbus, OH 43207

You are hereby notified that the Ohio Environmental Protection Agency has made a draft action recommending that the Director issue a Permit to Install for the air contaminant source(s) [emissions unit(s)] shown on the enclosed draft permit. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit public comments on the proposed installation. A public notice concerning the draft permit will appear in the Ohio EPA Weekly Review and the newspaper in the county where the facility will be located. Public comments will be accepted by the field office within 30 days of the date of publication in the newspaper. Any comments you have on the draft permit should be directed to the appropriate field office within the comment period. A copy of your comments should also be mailed to Robert Hodanbosi, Division of Air Pollution Control, Ohio EPA, P.O. Box 1049, Columbus, OH, 43216-1049.

A Permit to Install may be issued in proposed of final form based on the draft action, any written public comments received within 30 days of the public notice, or record of a public meeting if one is held. You will be notified in writing of a scheduled public meeting. Upon issuance of a final Permit to Install a fee of **$200** will be due. Please do not submit any payment now.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469. If you have any questions about this draft permit, please contact the field office where you submitted your application, or Mike Ahern, Field Operations & Permit Section at (614) 644-3631.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: **USEPA** **SEDO** **WV**

PERRY COUNTY

PUBLIC NOTICE
ISSUANCE OF DRAFT PERMIT TO INSTALL **06-08355** FOR AN AIR CONTAMINANT SOURCE
FOR **Shelly Materials, Inc. dba Stoneco, Inc.**

On 2/21/2008 the Director of the Ohio Environmental Protection Agency issued a draft action of a Permit To Install an air contaminant source for **Shelly Materials, Inc. dba Stoneco, Inc.**, located at **8775 Blackbird Lane, Thornville**, Ohio.

Installation of the air contaminant source identified below may proceed upon final issuance of Permit To Install 06-08355:

Chapter 31 modification on PTI 04 01301 to increase annual operating hours and to modify special terms and conditions.

Comments concerning this draft action, or a request for a public meeting, must be sent in writing to the address identified below no later than thirty (30) days from the date this notice is published. All inquiries concerning this draft action may be directed to the contact identified below.

Bruce Weinberg, Ohio EPA, Southeast District Office, 2195 Front Street, Logan, OH 43138 [(740)385-8501]

DRAFT PERMIT TO INSTALL 06-08355

Application Number:	06-08355
Facility ID:	0664960070
Permit Fee:	**To be entered upon final issuance**
Name of Facility:	Shelly Materials, Inc. dba Stoneco, Inc.
Person to Contact:	Katherine Beach
Address:	301 Frank Road Columbus, OH 43207

Location of proposed air contaminant source(s) [emissions unit(s)]:
8775 Blackbird Lane
Thornville, Ohio

Description of proposed emissions unit(s):
Chapter 31 modification on PTI 04 01301 to increase annual operating hours and to modify special terms and conditions.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(s) pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

_____

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections,

conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental

Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons Per Year
NO_x	31.59
CO	14.13
SO_2	9.84
PE	1.71
VOC	1.71

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment - P001 - Stoneco 21.8804, a 810 HP portable CAT 3412 diesel generator (serial no. 81Z08456) with NO_x controlled by ignition timing retard (ITR); Chapter 31 modification of PTI No. 04-01301 issued on May 2, 2002 for emissions unit B013 to increase allowable operating hours, decrease horsepower, and to revise or remove operating, recordkeeping and reporting requirements

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Nitrogen oxides (NO_x) emissions shall not exceed 10.53 pounds per hour. Carbon monoxide (CO) emissions shall not exceed 4.71 pounds per hour. The requirements of this rule also include compliance with the requirements of OAC rules 3745-31-05(C).
OAC rule 3745-31-05(C) (Synthetic minor to avoid Title V requirements associated with relocation of a portable source with other similar sources)	NO_x emissions shall not exceed 31.59 tons per per rolling, 12-month period. CO emissions shall not exceed 14.13 tons per rolling, 12-month period. SO_2 emissions shall not exceed 9.84 tons per rolling, 12-month period. Organic compound (OC) emissions shall not exceed 1.71 tons per rolling, 12-month period. Particulate emissions (PE) shall not exceed 1.71 tons per rolling, 12-month period.
OAC rule 3745-31-05(A)(3)(b)	SO_2 emissions shall not exceed 9.84 tons per year.
ORC 3704.03(T)(4)	See Section A.2.b.

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Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-17-07(A)(1)	Visible PE from the stack serving this emissions unit shall not exceed 20% opacity as a six-minute average, except as provided by the rule.
OAC rule 3745-17-11(B)(5)(b)	PE shall not exceed 0.062 pound/million Btu actual heat input.
OAC rule 3745-18-06(B)	This emissions unit is exempt from the requirements of OAC rule 3745-18-06(G) pursuant to OAC rule 3745-18-06(B).
OAC rule 3745-21-08(B)	See Section A.2.c below.

2. Additional Terms and Conditions

2.a Permit to Install 06-08355 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements for SO_2 under OAC rule 3745-31-05(A)(3):

i. the maximum number of annual operating hours for emissions unit P001 shall not exceed 6,000 hours; and

ii. the permittee shall only burn diesel fuel, containing no greater than 0.5% sulfur, by weight, in this emissions unit.

2.b The Best Available Technology (BAT) requirements under 3745-31-05(A)(3) do not apply to the organic compound (OC) or particulate emissions from this air contaminant source since the uncontrolled potential to emit for OC and particulate emissions is less than ten tons per year.

2.c The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B).

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. However, that rule revision has not yet been submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

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B. Operational Restrictions

1. The permittee shall burn only diesel fuel in this emissions unit.

2. Engine ignition shall be retarded at least 4 degrees from peak power settings at all times when the emissions unit is in operation.

3. The permittee has requested a federally enforceable limitation on operating hours for the purposes of limiting potential to emit to avoid Title V requirements associated with relocation of a portable source with other similar sources. Therefore, the maximum number of operating hours for emissions unit P001 shall not exceed 6,000 hours based upon a rolling, 12-month summation of the operating hours. This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12-month summation of the hours of operation upon issuance of this permit.

C. Monitoring and/or Recordkeeping Requirements

1. For each day during which the permittee burns a fuel other than diesel fuel with a maximum sulfur content of 0.5%, by weight, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

2. The permittee shall maintain daily records that document any time periods when the engine ignition was not retarded at least 4 degrees from peak power settings when the emissions unit was in operation.

3. The permittee shall maintain monthly records of the following information:

   a. the operating hours for each month; and

   b. the rolling, 12-month summation of the operating hours.

D. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than diesel fuel with a maximum sulfur content of 0.5%, by weight, was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

2. The permittee shall submit deviation (excursion) reports that identify each day during which the engine ignition was not retarded at least 4 degrees from peak power settings when the emissions unit was in operation. Each report shall be submitted within 30 days after the deviation occurs.

3. The permittee shall submit quarterly deviation (excursion) reports which identify all exceedances of the rolling, 12-month limitation on the hours of operation. These

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reports shall be submitted in accordance with the reporting requirements specified in Part 1 - General Terms and Conditions, Section A of this permit.

E. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.1. of these terms and conditions shall be determined in accordance with the following method(s):

   a. Emission Limitation:
   NO_x emissions shall not exceed 10.53 pounds per hour.
   NO_x emissions shall not exceed and 31.53 tons per rolling, 12-month period.

   Applicable Compliance Method:
   Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the controlled emission factor for NO_x from AP-42, Table 3.4-1 (10/96) of 0.013 lb/hp-hr by the maximum rated capacity of P001 (810 HP). Compliance with the rolling, 12-month period emission limitation is demonstrated by multiplying the actual rolling, 12-month summation of hours of operation by the lbs/hr emission calculation, then dividing by 2000 lbs/ton.

   If required, NO_x emissions shall be determined according to test Methods 1 - 4, and 7 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

   b. Emission Limitation:
   CO emissions shall not exceed 4.71 pounds per hour.
   CO emissions shall not exceed 14.13 tons per rolling, 12-month period.

   Applicable Compliance Method:
   Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor for CO from AP-42, Table 3.4-1 (10/96) of 0.85 lb/million Btu by the maximum rated capacity of P001 (5.54 million Btu/hr). Compliance with the rolling, 12-month period emission limitation is demonstrated by multiplying the actual rolling, 12-month summation of hours of operation by the lbs/hr emission calculation, then dividing by 2000 lbs/ton.

   If required, CO emissions shall be determined according to test Methods 1 - 4, and 10 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

   c. Emission Limitation:
   SO_2 emissions shall not exceed 9.84 tons per rolling, 12-month period.

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Applicable Compliance Method:
Compliance with the rolling, 12-month period emission limitation is demonstrated by multiplying the actual rolling, 12-month summation of hours of operation and the emissions factor of 0.00809(S) lb/hp-hr from AP-42, Table 3.4-1 (10/96) by the maximum rated capacity of P001 (810 HP), then dividing by 2000 lbs/ton.

d. Emission Limitation:
OC emissions shall not exceed 1.71 tons per rolling, 12-month period.

Applicable Compliance Method:
Compliance with the rolling, 12-month period emission limitation is demonstrated by multiplying the actual rolling, 12-month summation of hours of operation and the emission factor for VOC from AP-42, Table 3.4-1 (10/96) of 0.0007 lb/hp-hr by the maximum rated capacity of P001 (810 HP), then dividing by 2000 lbs/ton.

e. Emission Limitation:
PE shall not exceed 1.71 tons per rolling, 12-month period.

Applicable Compliance Method:
Compliance with the rolling, 12-month period emission limitation is demonstrated by multiplying the actual rolling, 12-month summation of hours of operation and the emission factor for PE from AP-42, Table 3.4-1 (10/96) of 0.0007 lb/hp-hr by by the maximum rated capacity of P001 (810 HP), then dividing by 2000 lbs/ton.

f. Emission Limitation:
SO_2 emissions shall not exceed 9.84 tons per year.

Applicable Compliance Method:
Compliance with the tons per year emission limitation is demonstrated by multiplying the actual annual hours of operation and the emissions factor of 0.00809(S) lb/hp-hr from AP-42, Table 3.4-1 (10/96) by the maximum rated capacity of P001 (935 HP), then dividing by 2000 lbs/ton.

g. Emission Limitation:
Visible PE from the stack serving this emissions unit shall not exceed 20% opacity as a six-minute average, except as provided by the rule.

Applicable Compliance Method:
If required, visible particulate emissions shall be determined according to test Method 9 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources" as such appendix existed on July 1, 2002.

h. Emission Limitation:
Particulate emissions shall not exceed 0.062 lb/million Btu actual heat input.

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Applicable Compliance Method:
Compliance with the 0.062 lb/million Btu emission limitation is demonstrated by using the emissions factor for lb/million Btu from AP-42, Table 3.4-1 (10/96).

If required, particulate emissions shall be determined according to test Methods 1 - 5, as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources", and the procedures specified in OAC rule 3745-17-03(B)(10). Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

F. Miscellaneous Requirements

1. At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) providing the appropriate exemption requirements have been met. The director may issue a “Notice of Site Approval” for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(E).

2. Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(E), the following criteria must be met for all portable facilities seeking approval for relocation:

   a. the portable source must possess an issued permit to install (PTI) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,

   b. the portable source is operating pursuant to a currently effective PTI and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).

3. In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:

   a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;

   b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and

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c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the “Notice of Site Approval”.

4. In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(E) (i.e. the 15-day option), the following additional criteria must be met:

   a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;

   b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);

   c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);

   d. a public notice, consistent with OAC rule 3745-47, has been published in the county where the proposed site(s) is/are located;

   e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

   Using the 15-day option, the portable source may only be relocated upon receipt of the “Notice of Site Approval”, and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-05(E) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-05(F), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

5. Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

6. When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01 (LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving

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the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

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