

**Permit-to-Install and Operate
“PTIO”
Implementation Guidance**



**Ohio EPA
Division of Air Pollution Control**

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1. INTRODUCTION

a. What is PTIO?

“PTIO” stands for the new permit-to-install and operate program that serves to combine the existing permit-to-install (PTI) and permit-to-operate (PTO) requirements for non-Title V sources that have one or more air contaminant sources. Prior to implementation of the PTIO program, PTI, PTO or PTO registration requirements were contained in Ohio Administrative Code (OAC) Chapters 3745-31 or 3745-35. Upon implementation of the PTIO program, all PTIO requirements will be contained in OAC Chapter 3745-31 and OAC Chapter 3745-35 will no longer exist. [Section 20](#) of this guidance outlines important rule changes related to the PTIO program. Non-Title V sources will begin receiving PTIOs in 2008.

There are three main differences between the current PTI/PTO program and the new PTIO program.

1. Non-Title V Sources will apply for and receive one permit (PTIO) instead of two (PTI and PTO).
2. Most permits will be renewed every 10 years with one expiration date per facility instead of every five years with various expiration dates (for multiple permits).
3. An annual Permit Evaluation Report (PER) will be submitted for each non-Title V source instead of quarterly reports.

Currently, non-Title V sources must obtain a PTI before installing an air contaminant source. After installation, the owner/operator must apply for and obtain a PTO. With the new PTIO program, these two steps will be combined. Owner/operators will apply for a single permit covering both the installation and operation of air contaminant sources. For most permittees, PTIOs will be renewed every 10 years. Currently, each air contaminant source at a facility could have a different five year renewal dates. All PTIOs at a facility will have a consistent renewal date. Once issued a PTIO, each non-Title V source will be required to submit a PER on an annual basis, in place of historical quarterly reporting, which includes broad compliance and deviation related information.

The purpose of this guidance is to provide an overview to the PTIO process emphasizing the key changes between the historic PTI and PTO process and the new PTIO process. This guidance is not intended to be a comprehensive permitting training tool or provide training regarding the new permitting software system (i.e., STARS2).

b. History

Ohio EPA sought to eliminate or minimize inefficiencies in permit processing without creating a negative impact on air quality in Ohio. It is important to note that this quality improvement process was initiated by Ohio EPA rather than by industry or environmental groups. It began in 2000 when the Division of Air Pollution Control (DAPC) staff provided suggestions for improving and streamlining DAPC processes. The highest ranked suggestion was to combine the PTI and PTO permits/processes. Clearly it was time for Ohio EPA to evaluate its air permitting processes as experience and the brainstorming sessions had shown that the dual permit process was inefficient. An internal team was formed to study the advantages and disadvantages of various permitting systems. Independent from other DAPC initiatives, the purpose of this analysis was to see if improvements could be made to help increase compliance, reduce the staff time required for permit issuance and monitoring, reduce paperwork, simplify the process and clarify requirements for permittees. The team concluded that a combined air permitting program (PTIO program) would be more efficient, while enhancing air quality through a more targeted allocation of limited resources. Based on this recommendation, in 2004 another team of internal staff members was formed to implement the PTIO program and work out the detailed issues of combining these two programs. In addition, in 2005 the primary software (i.e., STARS2) that would be used to process every step of the PTIO process began design and development based on the input of knowledgeable staff from these teams. All three of these areas and events have significantly contributed to the PTIO program implementation.

c. Why do it?

i. Benefits of PTIO for permitting workload reduction and efficiency

PTIO will condense two separate permitting processes into one. The following permit processing steps will only need to be done once rather than twice under the PTIO program:

- Processing of each application;
- Entering appropriate data;
- Reviewing associated documents;
- Developing terms and conditions;
- Writing the proposed permit;
- Incorporating any comments;
- Completing final issuance of the permit (including printing, copying and mailing); and
- Future modifications of permit terms (one PTIO rather than a PTI and PTO)

The current duplication of effort requires a considerable amount of staff time and increases paperwork and Ohio EPA costs. By combining the processes

and eliminating duplicative tasks, both Ohio EPA and permit applicants can allocate resources more efficiently.

ii. Benefits of PTIO for enhanced compliance

By reducing staff time and other costs, the Ohio EPA will be able to increase compliance assurance activities that provide greater benefits to the environment and the public.

The legislative change extending the renewal period for operating permits (i.e., PTIO) from five to up to 10 years allows Ohio EPA staff to focus more time on compliance monitoring and assistance rather than permit processing.

By consolidating the installation and operation requirements into one permit, Ohio EPA anticipates that permit holders will be better able to understand and comply with permit requirements.

The current PTI/PTO reporting system is not an effective system for tracking the compliance status of a facility. It will be much easier for Ohio EPA to review and track the submission of the annual PER than the several different types of reports that are currently required. The PTIO program shifts the burden to the non-Title V permittee to review their compliance status with permit requirements on an annual basis. By requiring regulated entities to conduct an annual review of each air contaminant source and assess compliance with permit requirements, Ohio EPA believes there would be greater awareness of permit requirements and subsequent compliance.

The new PTIO process does not reduce the opportunity for public comments. Under the proposed PTIO permit system, the permit issuance and public notice system would remain nearly identical to the current PTI system. The switch to annual reporting will neither inhibit the prompt discovery of violations nor hamper Ohio EPA's ability to pursue enforcement since the length of time between the occurrence of a violation and when it is reported on the PER would be well within the time frame in which Ohio EPA can pursue enforcement.

The result should be an increase in the number of permittees in compliance, which helps achieve Ohio EPA's objective of obtaining cleaner air.

iii. Benefits of PTIO for reporting

Reports under the PTIO program will provide additional information other than compliance information and be simpler to complete, thereby reducing the reporting burden. Under the PTIO program, each owner/operator of a facility that receives a PTIO will be obligated to submit a PER. The PER will need to be submitted on an annual basis for all air contaminant sources regulated by a PTIO. The PER requirements will only be applicable to the air contaminant sources issued a PTIO. Sources operating under previously issued PTIs

and/or PTOs will continue to meet any reporting requirements contained in those permits until PTIOs are issued for those air contaminant sources.

The information provided in the PER will include information currently required through specific quarterly reporting along with more comprehensive information not previously reported.

Under the PTIO program, Ohio EPA will automatically, via STARS2, provide permittees with a pre-populated PER form and annual reporting reminders. In addition, the permittee will have the capability of electronic completion and submission of PER online. Ohio EPA district office and local air agencies (DO/LAA) will also assist permittees with completion of the report as needed. The new structured reporting regimen is expected to increase compliance, improve consistency in reporting and lead to a better understanding of permittee record-keeping and reporting obligations.

Permittees will use the PER to report compliance issues, deviations, and visible emission incidents. Ohio EPA staff will also conduct regulatory oversight through review of PER data and compliance inspections.

An additional benefit of the PER is increased communication between permittees and Ohio EPA. Permittees can use the PER to report changes in ownership, business shutdowns, shutdown of air contaminant sources and deviations. Gathering this information in a consistent and predictable manner will also help improve the accuracy of data available to the public.

In summary, the new structured PER regimen is expected to increase compliance, improve consistency in reporting and lead to a better understanding of permittee record-keeping and reporting obligations. [Attachment A](#) contains a copy of the PER form and PER FAQs (instructions).

iv. Benefits of PTIO for reducing PTO backlog

Emphasis on issuance of PTIs and Title V operating permits has resulted in a PTO issuance backlog. Under current permit writing practices, the PTO contains about 95% of the same requirements as the PTI.

The proposed program for minor air pollution sources would support Ohio EPA's goal of reducing the backlog by eliminating duplicative permitting. By combining the permit process, there should be a steady reduction in the rate of growth of the backlog. Resources can then be directed toward reducing the backlog over a long-term basis.

2. REVIEW AND SIGNOFF

A primary goal of the Central Office (CO) Permitting Section is to make the best use of the limited staff resources by selectively reviewing PTI/PTIO recommendations and PTI/PTIO modification recommendations in order to meet the quality and timeliness goals of the PTI/PTIO program. The current expectations for PTIs will also apply to PTIOs under the new PTIO program. PTIO reviews in the future will be performed in a similar manner to how PTIs are currently reviewed. The current level of review is detailed in the October 11, 2007 memo entitled, "All Permit Types (PTI, FEPTIO, PTIO and Title V) Assignments/No Review".

3. PERMIT OPTIONS, ACTIONS AND STRUCTURE

As discussed above, the new PTIO program will change the way permits are issued by DAPC in a way that should save resources and assist in regulatory oversight. Several changes are being made in the types of permits that may be issued and how often the permits need to be renewed. The following identifies the permit types that will be available upon implementation of the PTIO program, their purpose, and any major changes resulting from implementation of the PTIO program.

a. PTI (Permit-to-Install)

Upon implementation of the PTIO program, PTIs will only be issued to Title V sources. Title V sources requiring federally enforceable restrictions will be issued PTIs with synthetic minor restrictions. If an owner/operator of a facility requests to opt out of the Title V program, they must apply for and obtain PTIOs for all sources requiring a permit (See [Section 11](#), "Changes in Program Applicability for a Source"). As is the case now, PTIs will never expire.

b. PTIO (Permit-to-Install and Operate)

All new or modified air contaminant sources at non-Title V sources required to obtain an installation permit and an operating permit will be issued a PTIO in order to begin installation and continue operation. PTIOs will contain similar terms and conditions as those found in PTIs and historical PTOs. Air contaminant sources that are part of a project requiring federally enforceable restrictions will be issued a federally enforceable PTIO (FEPTIO) in lieu of a federally enforceable state operating permit (FESOP) required under the previous program. The requirements for federal enforceability do not change as a result of the PTIO program, only the terminology. The terms and conditions of FEPTIOs will be the same as historical federally enforceable permits (FESOPs). An owner/operator of a facility issued an FEPTIO may also hold PTIOs (whether issued prior to, or after the FEPTIO) for air contaminant sources that do not involve federally enforceable requirements. ONLY those air contaminant source(s) that require the federally enforceable restrictions will be issued in an FEPTIO. Any other air contaminant source(s) at a facility issued an FEPTIO will

be issued as regular PTIOs. See [Section 4](#), “Federally Enforceable Versus State-Only Enforceable Restrictions,” for further discussion on this topic.

A goal of the PTIO program is for all permits for one facility to expire at the same time. The renewal cycle is dependent upon whether or not the facility has an FEPTIO. Owner/operators of facilities with all air contaminant sources that are not part of a project requiring federally enforceable restrictions will be issued PTIOs on a renewal cycle up to ten years rather than the historical five year cycle under the PTO program. Any facility with an FEPTIO will have all of their PTIO permits (including the FEPTIO) expire in up to five years. As is the case now, if an owner/operator submits a timely and complete renewal application, but has not received an issued renewal PTIO, they will not be in violation and may continue to operate under the expired PTIO until a renewal permit is issued (commonly referred to as an application shield).

c. General Permits

General permits are an optional permit that is issued in place of a traditional permit for certain source categories. Upon implementation of the PTIO program, general PTOs will no longer exist. These documents will be available as general PTIOs for non-Title V sources. General PTIs will still be available for Title V sources. As always, the qualifying criteria for each general permit type determines if a source qualifies for a general permit. General PTIs will never expire while general PTIOs, just like a traditional PTIO, will be issued on a renewal cycle up to ten years.

d. Permitting options and actions

Figure 1, “Table of Permitting Options and Actions,” identifies the various permitting options under DAPC’s programs. The table identifies how PTIO affected the various permitting options under the headings “What does this replace” and “How is it different”. The table also identifies how the expiration periods were affected by implementing PTIO. There is a detailed discussion on renewal/expiration periods under [Section 9](#), “Renewal”.

i. What’s new?

(1) Express processing.

PTIs and PTIOs (not FEPTIOs) may be expedited under express processing where the qualifying criteria are met. This was previously referred to as “registration PTIs.”

(2) Revisions.

The new PTIO rules allow for revisions of PTIOs. For example, if a new applicable law is promulgated and it affects a PTIO source prior to renewal of the PTIO, Ohio EPA is able to revise the PTIO per OAC rule 3745-31-

07(D) to incorporate the new applicable requirement. This is similar to reopening for cause under the Title V program. Revisions are processed as an administrative modification, either as a direct final action or a draft action, depending on the type of change being incorporated into the PTIO.

(3) Corrected Copies.

Prior to implementation of the PTIO program it was possible to do “corrected copies” for PTIs. In the future these actions will be processed as administrative modifications of the PTI or PTIO.

Figure 1: Table of Permitting Options

Permit	Types of Actions	What Does this Replace?	How is it Different?	Do they Expire?
PTIO (including FEPTIO)	<ul style="list-style-type: none"> • Initial • Chapter 31 modification • Administrative modification • Draft • Renewal • Express processing • General 	<ul style="list-style-type: none"> • PTIs for non-Title V sources • State PTOs (and all permit variations) • Synthetic minor PTIs for non-Title V sources • FESOPS • Registration status PTI and PTO • General PTI and PTO 	<p>Combines the PTI and PTO permits into one action for non-Title V sources.</p> <p>General PTOs no longer exist.</p>	<p>Yes, up to 10 years from issuance (5 years for permittees with an FEPTIO).</p>
PTI	<ul style="list-style-type: none"> • Initial • Chapter 31 modification (includes “major modification”) • Administrative modification • Draft • Express processing • General 	<p>Registration status PTI</p>	<p>Only used for Title V sources</p>	<p>No</p>
Title V PTO	<ul style="list-style-type: none"> • Initial • Renewal • Modifications/Revisions 	<p>Not Applicable</p>	<p>The Title V program is not affected by PTIO implementation</p>	<p>Yes (5 years)</p>

Permit	Types of Actions	What Does this Replace?	How is it Different?	Do they Expire?
Other Actions:	Termination (3745-31-07(A))	PTI termination applies to initial PTI and initial PTIO (does not apply to modifications)	Same - Termination will occur if installation does not begin within 18 months of PTI or initial PTIO issuance date.	A 12-month extension may be granted upon request through an administrative modification.
	Revocation (3745-31-07(B))	PTO revocation	Same – Director may revoke, or partially revoke (new), a PTI or PTIO	No
	Revision (processed as administrative modification) (3745-31-07(D))	New action	Similar to reopening for cause under the Title V program, can be used to update PTIO for changes in law/rule or to revise site approval for portable sources. May require the submittal of a new or updated application.	Yes, same as original PTIO expiration date
	Permit-by-Rule	No Change	No Change	No

4. FEDERALLY ENFORCEABLE VERSUS STATE-ONLY ENFORCEABLE RESTRICTIONS

As mentioned above, air contaminant sources that are part of a project requiring federally enforceable restrictions will be issued a federally enforceable PTIO (FEPTIO) in lieu of a federally enforceable state operating permit (FESOP) required under the previous program. However, the requirements for federal enforceability do not change as a result of the PTIO program, only the terminology.

a. Federally enforceable limitations upon potential to emit

Ohio EPA establishes federally enforceable limits upon the potential to emit (PTE) of a facility, a group of air contaminant sources, or a single air contaminant source. These limits are established within PTIs, federally enforceable PTIOs (FEPTIO) and in Title V permits. The term “synthetic minor,” which is not defined in Chapter 3745-31, is frequently used to describe these permits and limitations, which are sought by applicants as they are necessary to avoid certain regulatory requirements, such as PSD, Title V or MACT. Established U.S. EPA guidance for crafting federally enforceable limits upon the PTE will continue to be followed upon implementation of the PTIO program. Ohio EPA’s authority to create these restrictions is found in OAC rule 3745-31-05(D), which has recently been amended.

Under the PTIO program, the federally enforceable restrictions may be placed within a “synthetic minor” PTI (for Title V sources) or an FEPTIO (for non-Title V sources), issued draft (usually) and then finalized after the comment period. These requirements are enforceable by Ohio EPA and U.S. EPA (i.e., State and federally enforceable), and will automatically be identified as such in the permit. As is the case now, only the PTI or “installation” PTIO, can be used to avoid a pre-construction requirement, such as PSD; a Title V permit can not be used for this purpose.

Note: As discussed under [Section 3.b](#) above, an owner/operator of a facility issued an FEPTIO may also hold PTIOs for projects that do not involve federally enforceable limitations. ONLY those air contaminant source(s) that require the federally enforceable restrictions will be issued in an FEPTIO. Any other air contaminant source(s) at a facility issued an FEPTIO will be issued as regular PTIOs.

b. State-only enforceable limitations

Ohio EPA may also place permit restrictions upon sources in order to set lower allowable emission rates, such that a State-required (i.e., not Clean Air Act based) element of review is avoided and/or to reduce the ambient

air impact. These have informally been called “state synthetic minors” in the past. Ohio EPA’s authority to establish these restrictions is found under OAC rule 3745-31-05(E), which has recently been amended. These unique state-only enforceable restrictions can be created within a PTI, PTIO or FEPTIO as needed, and do not require issuance in draft form (although, the permit may be going draft for another reason, such as ensuring federal enforceability of another limitation, or due to public interest).

These requirements should be identified with OAC rule 3745-31-05(E), and specifically designated as state-only enforceable. In the past, these restrictions were created thru best available technology (BAT) requirements and cited as OAC rule 3745-31-05(A)(3) in the permit. Because this rule citation is approved as part of Ohio’s state implementation plan (SIP), these requirements were previously required to be placed on the state-federal side of permits (i.e., federally enforceable).

With the implementation of PTIO, and because the PTI and PTO documents will be combined into one document, it is important to differentiate between State-only enforceability and State-federal enforceability with respect to the PTI and PTO portions of the document. This is necessary because the Ohio Revised Code specifically identifies that all terms and conditions of a PTO are State-only enforceable except terms where a limitation on potential-to-emit is applicable. Please note, this issue is with respect to enforceability through the permit document. It does not impact whether or not a specific requirement is enforceable through other means, such as the Ohio state implementation plan (SIP). For example, a coating limit contained in OAC rule 3745-21-09, which is approved as part of the SIP, will be federally enforceable through the SIP and through the PTI portion of the PTIO (because Ohio’s NSR program is a federally approved program by which USEPA believes all NSR permits are federally enforceable). However, the same requirement for the purposes of the PTO is not federally enforceable through the PTO requirement.

In order to implement this properly in the PTIO (or FEPTIO) document, the permit template ([Attachment B](#)) contains a special term at the beginning of each applicable section. The permit writer will need to clearly identify the appropriate terms under each section. As an example, we will look at the template term for an emissions unit. The method used will be to site by cross reference the specific terms and conditions for the specific emissions unit under “a)” of the outline. In the outline, “(1)”, will identify for purposes of the PTI that all the emissions unit specific terms and conditions are federally enforceable except those which the permit writer will identify as State-only enforceable via cross reference. This would include any requirements typically identified in the State-only section of a historical bifurcated permit, such as toxic air contaminant requirements. In the outline, “(2)”, will identify for purposes of the PTO that all the emissions unit specific terms and

conditions are State-only enforceable except those which the permit writer will identify as federally enforceable via cross reference. This would include ONLY federally enforceable limitations upon potential to emit, as discussed above, and any monitoring, recordkeeping, reporting or testing requirements required to determine compliance with such a limitation. The same procedure would be followed for each set of emissions unit terms and conditions and any facility-wide terms and conditions identified in the PTIO.

<p>1. [Emissions Unit ID], [Company Equipment ID]</p> <p>Operations, Property and/or Equipment Description:</p> <p>[DAPC Description]</p> <p>a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).</p> <p>(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.</p> <p>(a) Term 1.c)(1) <i>(e.g., toxic air contaminant requirements)</i></p> <p>(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.</p> <p>(a) Term 1.b)(1)(a) <i>(e.g., restriction on potential to emit to avoid being a major source)</i></p> <p>b) Applicable Emissions Limitations and/or Control Requirements</p> <p>cont.....</p>
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The terms and conditions for Title V sources (PTIs and Title V permits) will be formatted similarly with the PTO portion of the language omitted.

5. NEW PERMIT FORMAT AND CONTENT

Previously, DAPC was required to identify all terms and limits that were enforceable by U.S. EPA in installation permits issued for Title V sources (this separation into state-federal and State-only requirements was known as a

“bifurcated” permit). This led to one format for installation permits for Title V sources and another for non-Title V sources, and the listing of emissions limits/terms for each air contaminant source separately in installation permits for Title V sources. The new STARS2 system has provided an opportunity to restructure permits.

As part of this simplified format, all permits (PTIs, PTIOs (including FEPTIOs) and Title V) will have the following structure:

- A. Standard Terms and Conditions (formerly General Terms)
- B. Facility-Wide Terms and Conditions
- C. Emissions Unit Terms and Conditions

As discussed in [Section 4](#) above, the permit writer will identify the State vs. federal enforceability of terms and conditions in only the “Facility-wide Terms and Conditions” and in the “Emissions Unit Terms and Conditions” sections in the PTIO (or FEPTIO) permits. The terms and conditions for Title V sources (PTIs and Title V permits) will be formatted similarly. This method will be used in all types of permits to properly identify requirements, regardless of whether the permit will need to be issued in draft form.

Requirements and terms that will only be enforceable by the State may be created within PTIs and PTIOs (including FEPTIOs). Air toxics review is an example of something that is only enforced by Ohio, and should be listed as such. With respect to PTIs and Title V permits, rules may also be in transition of being “SIP-approved”; if a limit/requirement has been revised, but is not yet approved as part of Ohio’s SIP, the “old” effective rule is the federally enforceable version and the new rule would be State-only enforceable, until it is federally approved/enforceable as well. As noted in [Section 4](#) above, this is not applicable to the PTO portion of a PTIO (including FEPTIO). The only terms identified as federally enforceable in the PTO portion of a PTIO are federally enforceable limitations upon potential to emit and any monitoring, recordkeeping, reporting or testing requirements required to determine compliance with such a limitation.

Another key feature of the new permit format, is the ability for a set of terms and conditions for all identical/similar air contaminant sources to be grouped together. This eliminates repeated sets of terms and conditions that are identical for these air contaminant sources, reducing the volume of the permit document. These types of air contaminant sources will be given a “Group ID” and identified as such in the permit document. Separate STARS2 training and guidance will provide more details on Group IDs.

[Attachment B](#) contains a copy of the permit template (sections B & C only, section A is currently under revision).

6. CONSTRAINTS ON COMBINING PERMITTING ACTIONS AND PERMIT NUMBERING

In the STARS2 system, there are limitations on combining permitting actions for issuance as one permit document. While a permittee may apply for multiple types of actions under one application, the ability for issuance of multiple actions under one PTIO or PTI is restricted. This is necessary due to software design and the need to track permit matrixes accurately.

When air contaminant sources are divided into separate permit actions, effectively, this will mean each separate permit action will receive separate permit numbers. Ohio EPA can process the separate actions on the same day and put them in the same envelope for delivery to the facility, but they will not share the same set of standard terms and conditions, authorization page, etc.

The current numbering system that exists for PTIs and PTOs will not be carried forward after implementation of the PTIO program. The following outlines the changes to permit numbering for PTIs and PTIOs and describes examples on how actions should be separated or combined in the STARS2 system during the permitting process.

a. How are permits numbered?

All permitting actions that are entered or created in the STARS2 system will be issued a unique eight character “permit number” beginning with the letter ‘P’ followed by seven numeric digits (e.g., P0000202). STARS2 will assign this number when a new permit action is created.

Regardless of historical permit numbering for the associated air contaminant source(s) or previous iterations of the permit document, every new permit action will receive a “permit number”. Old PTI numbers (i.e. 01-01258) and old Stars Action ID numbers (i.e. TVP002, STP001) will no longer be used to identify new permit actions. However, for historical permit records, that action ID number or PTI number will be available within STARS2 for reference purposes and indicated in the permit record. Separate STARS2 training and guidance will provide more details on permit records.

b. When is the permit number assigned?

The permit number is assigned in STARS2 the moment the applicant or internal user submits an application or a request for an administrative

permit modification (RAPM)¹ or when a permit writer separates air contaminant source(s) contained in a single application into multiple permit action types (see [Section 6.c](#) below). A human cannot assign a permit number under any circumstances in STARS2. STARS2 automatically assigns these numbers.

c. Constraints on combining permit actions, tracking different actions and the new numbering system

The ability for issuance of multiple actions under one PTIO or PTI is restricted. As a general rule, each permitting action should have the same processing path and end result. The following actions will need to be separated into different permitting actions for processing:

- Initial
- Chapter 31 modifications (Ch. 31 mod)
- Administrative modifications (admin mod)
- Renewals
- General permits

Figure 2 provides an example with further clarification on permits, the numbering, and the tracking provided in STARS2. Note: When a PTIO is issued it will identify any permit (by permit number) that it is superseding. The same would be applicable for a PTI for a Title V source.

Figure 2: Non-Title V Source – Permits Issued to ABC Company

Issue Date:	05/15/02	07/30/02	01/30/09	01/30/09	05/08/10	06/10/11
Permit Type:	PTI	PTI	Install PTIO	Renewal PTIO	PTIO Ch. 31 Mod	PTIO Admin Mod.
Current#:	01-8300	01-8360	-	-	-	-
New Permit#:	-	-	(new #)	(new #)	(new #)	(new #)
P001	P001	-	-	P001	P001	-
P002	P002	-	-	P002	-	P002
P003	P003	-	-	P003	-	-
P004	P004	-	-	P004	-	P004
K002	--	K002	-	K002	-	K002
K003	--	-	K003	-	K003	K003

For example, general permits do not go through CO review. Therefore, it could not be combined with an installation permit that does require CO

¹ A RAPM request is a new feature to STARS2 that will be discussed in greater detail in STARS2 guidance. Basically, this is a request mechanism a permittee can use for changes to a PTIO or PTI that qualify as an admin mod but historically haven't required an application (i.e., notification via a letter).

review. A separate permit number would be assigned to each permit type air contaminant source combination.

The STARS2 system allows for better tracking of CO and DO/LAA permit matrixes. Please note, that the new STARS2 permitting program makes separating permitting actions much simpler.

Separating permit actions could result in different issuance and effective dates for air contaminant source(s) which may be a part of the same project. The DO/LAA will need to work with CO to identify if some actions should be issued together.

Please note, initial and Ch. 31 mod PTIOs will be tracked the same way PTIs are today. They will be on the 180-day clock (45 days for General Permits). Renewal PTIOs will not be on the 180-day clock.

d. Possibilities of air contaminant combinations and the new numbering system

The permit writer can instruct STARS2 to create new combinations of air contaminant source(s), break apart current combinations, or consolidate combinations of air contaminant source(s).

Example 1

An application is submitted for 10 air contaminant sources, five of which are renewals and five of which are new sources. The permit writer would not issue all 10 of those air contaminant sources in the same permit action. The permit writer can divide that application and resultant permit into two different permitting actions and thus they will automatically be assigned two different permit numbers. See Figure 3, below.

Figure 3: Example 1 Permit Combination Over Time

Air Contaminant Sources in Application:	Initial EU Combination Assignment by STARS2	EUs Re-combined Prior to Permit Issuance	Subsequent Renewal Permit
P001 <i>Renew</i> P002 <i>Renew</i> P003 <i>Renew</i> P004 <i>Renew</i> P005 <i>Renew</i> P006 <i>Initial</i> K001 <i>Initial</i> K002 <i>Initial</i> N001 <i>Initial</i> N002 <i>Initial</i>	Permit # P0000001 <i>Combined</i> <i>(Renewal/Initial not allowed)</i> P001,P002, P003, P004, P005, P006, K001, K002, N001, N002	Permit # P0000001 <i>Renewal</i> P001, P002, P003, P004, P005 Permit # P0000002 <i>Initial Install</i> P006, K001, K002, N001, N002	Permit # P0000006 <i>Renewal</i> P001, P002, P003, P004, P005, P006, K001, K002, N001, N002

Example 2

An application is submitted for a project resulting in a Ch. 31 modification of two air contaminant sources which are already permitted in a PTIO and two new air contaminant sources will be installed. The permit writer would not issue all four of those air contaminant sources in the same permit action. The permit writer can divide that application and resultant permit into two different permitting actions and thus they will automatically be assigned two different permit numbers. If the sources all share a facility wide emissions limit, it would be beneficial to issue the two permitting actions on the same day so they will be effective together. See Figure 4, below.

Figure 4: Example 2 Permit Combination Over Time

Air Contaminant Sources in Application:	Initial EU Combination Assignment by STARS2	EUs Re-combined Prior to Permit Issuance	Subsequent Renewal Permit
<p>P001 <i>Ch.31 mod</i> P002 <i>Ch.31 mod</i> (both currently under Permit # P0000009)</p> <p>K001 <i>Initial</i> K002 <i>Initial</i></p>	<p>Permit # P0000012 <i>Combined (Ch.31 mod/Initial not allowed)</i> P001,P002,K001, K002</p>	<p>Permit # P0000012 <i>Ch.31 mod</i> P001, P002,</p> <p>Permit # P0000013 <i>Initial Install</i> K001, K002</p>	<p>Permit # P0000024 <i>Renewal</i> P001, P002, K001, K002</p>

Example 3

A permittee holds two PTIOs. The 1st contains three air contaminant sources and the 2nd contains two air contaminant sources. The permittee has a project resulting in installation of a new air contaminant source which will subject them to the Title V program. They are restricting their potential to emit on three air contaminant sources to avoid Title V; two of the sources are contained in the 1st PTIO and one is contained in the 2nd PTIO. They will be issued an FEPTIO for those three air contaminant sources. The permit writer would not issue all five of those air contaminant sources in the same permit action. As discussed in [Section 3.b](#) above, only those air contaminant source(s) that require federally enforceable restrictions are issued in an FEPTIO. Also Ch. 31 mods and initial permit actions cannot be combined. Furthermore, the 1st and 2nd PTIO each contain an air contaminant source(s) that is not affected by the project or restrictions on potential to emit; therefore, no modification of their terms

and conditions is necessary. These PTIOs will remain effective for each of those air contaminant sources after issuance of the PTIO for the new source and FEPTIO for the three sources requiring restrictions. Only at renewal will they be combined with any other non-FEPTIO air contaminant sources and renewed as a regular PTIO. The permit writer will divide that application and resultant permit into two different permitting actions and thus they will automatically be assigned two different permit numbers. See Figure 5, below.

Figure 5: Example 3 Permit Combination Over Time

Air Contaminant Sources in Application:	Initial EU Combination Assignment by STARS2	EUs Re-combined Prior to Permit Issuance	Subsequent Renewal Permit
<p>P001 Ch.31 mod (currently under Permit # P0000024)</p> <p>P003 Ch.31 mod (currently under Permit # P0000031)</p> <p>K001 Initial</p>	<p>Permit # P0000043 <i>Combined (Ch.31 mod/Initial not allowed)</i> P001,P003,K001</p>	<p>Permit # P0000043 <i>Ch.31 mod-FEPTIO</i> P001, P003</p> <p>Permit # P0000044 <i>Initial Install – FEPTIO</i> K001</p>	<p>Permit # P0000053 <i>Renewal-FEPTIO</i> P001, P003 , K001</p> <p>Permit # P0000054 <i>Renewal-non FEPTIO</i> P002 and P004 (remaining sources from Permit #P0000024 and P0000031)</p>

7. PERMIT FEES

a. Are there any changes to permit fees upon implementation of the PTIO program?

Yes. See below.

b. When is a facility’s owner/operator assigned a fee?

Since a PTIO is still effectively a permit-to-install, the fee schedule assessed under ORC 3745.11 still applies when installing or modifying an air contaminant source issued a PTIO. PTIs for Title V sources will still be assigned fees as they have historically. Additionally, since a PTIO is still effectively a PTO, the fee schedule under ORC 3745.11 also still applies for continued operation of the source.

c. When is a facility's owner/operator not assigned a fee?

As in the past, a facility's owner/operator is not assigned a fee for permit modifications due to Ohio EPA error. Additionally, there is no fee assessed for PTIO renewals, just as there was not for PTO renewals.

The new PTIO rules also allow for revisions of PTIOs (similar to Title V reopening for cause). For example, if a new applicable law is promulgated and it affects a PTIO source prior to renewal of the PTIO, Ohio EPA is able to revise the PTIO per OAC rule 3745-31-07(D) to incorporate the new applicable requirement. There is no fee assessed for revisions as these are typically initiated by Ohio EPA.

Other requests to administratively modify a permit will be handled differently (see [Section 7.d.ii](#) below).

d. How are fees assessed?

i. Express PTI or PTIO (formerly Registration Status sources)

The fee assessed previously for registration status PTIs is applicable under the PTIO program for express PTIs or express PTIOs that are newly issued.

ii. "Traditional" administrative modifications

This is a modification to a previously issued permit document that addresses changes to the permit that are not strictly typographical in nature and that do not meet the definition of a modification to an air contaminant source as defined in OAC Chapter 3745-31. For these types of admin mods, the basis for fee assessment hinges on who initiated the request for modification. The fee should be assessed equal to one-half of that fee which would currently be assessed to obtain a PTIO or PTI. As stated in ORC 3745.11(I), the fee should not exceed \$ 2,000 (per source).

iii. Initial PTI or PTIO

New air contaminant source(s) required to submit an application and obtain a PTI or PTIO are assessed a fee for each new air contaminant source. New air contaminant source(s) installed prior to obtaining the permit would be charged double the full fee.

iv. Chapter 31 modifications

This type of modification occurs when the change requested is determined to be a “modification” as defined under OAC rule 3745-31-01 (which includes “major modification”). Since it is considered a modification under that rule, the permittee is required to submit an application for the change which will be issued in a PTI or PTIO (whichever is applicable). Only the air contaminant source(s) being processed under the new permit should be assessed a fee. As stated in the August 18, 1997 guidance, entitled “PTI Modification Fee Assessment clarification”, all changes to a PTI or PTIO document or the development of a new permit document based on operational additions or changes to an existing source that meet the definition of “modify or modification” in OAC rule 3745-31-01 that are initiated by the permittee are to be charged the full permit fee established in ORC 3745.11 regardless of whether or not the permittee has initiated the modification. Meaning, modified air contaminant source(s) installed prior to obtaining the permit are charged the full fee only compared to double the fee for initial installation sources. The fee should be assessed by air contaminant source if the PTI or PTIO includes multiple air contaminant source(s).

v. General PTI or PTIO

The fees assessed for a general PTI or PTIO are no different than those assessed under the traditional PTI or PTIO program.

vi. Renewal PTIO

No fee is assessed for renewal of a PTIO.

vii. Revision of a PTIO

No fee is assessed for a revision of a PTIO.

8. PERMIT ISSUANCE STANDARDS AND TIMELINESS GOALS

DAPC’s permit processing standards and goals remain unchanged with the implementation of the PTIO program. For the purposes of issuance standards and timeliness goals, initial PTIO issuances and PTIO modifications compare to PTI historical issuances while PTIO renewals compare to historical PTO issuances. Below is a brief summary of what those issuance standards and processing efficiency goals are.

a. Statutory deadlines

The OAC (through the authority of the ORC) has time limits for initial, modification, and renewal PTIO issuances and initial and modification PTI issuances.

i. OAC rule 3745-31-06(E)

Time limits for initial, modification and renewal PTIOs and for PTIs to be approved or denied within 180 days after receiving a complete application. Administrative modifications are not subject to this time limit; however, these permits should be issued as expeditiously as practicable.

ii. OAC rule 3745-31-06(A)

Time limits for PTI and PTIO completeness determinations to be conducted within 60 days.

iii. OAC rule 3745-31-29(D)

Time limits for General PTI and General PTIO permits to be approved or denied within 45 days after receiving a complete application.

iv. OAC rule 3745-31-06(A) and (E)

Time limits for express PTIs and PTIOs (historically called Registration Status) completeness determinations to be conducted within 60 days and permit approvals or denials to be issued within 180 days after receiving a complete application.

b. Primary permit processing objectives

In order to meet the statutory time limits above and ensure efficient permitting, DAPC has developed many performance standards for the permitting process (see DAPC Timeliness of Issuance Reports issued periodically by CO). As listed below, these standards are used to measure DAPC performance and set time limits for the efficient processing of permits. These objectives apply to first time issuance of a PTI or PTIO, Ch. 31 mod of a PTI or PTIO and renewal of a PTIO.

i. One hundred percent (100%) permit issuance performance standard

One hundred percent (100%) of the complete permit applications are

to be issued within 180 days.

ii. One hundred percent (100%) completeness determination performance standard

One hundred percent (100%) of the preliminary completeness determination on permit applications are to be conducted within 14 days.

c. Informal specific processing goals

In order to meet primary processing objectives above, DAPC has developed permit processing standards that focuses upon the individual parts of the permitting process. As listed below, these standards are used to measure the performance of each part of the permitting process and to help identify processing problems or areas needing improvement. These objectives apply to first time issuance of a PTI or PTIO, Ch. 31 mod of a PTI or PTIO and renewal of a PTIO.

i. DO/LAA forty-five (45) day performance standard

DO/LAA staff are to complete 90 percent of their permit application reviews within 45 days.

(1) The 45-day time is measured starting from the time the DO/LAA staff receives a complete application to the time the CO staff receives a permit recommendation (worksheet) from the DO/LAA staff. Excluded from this time is the time DO/LAA's must wait for:

- (a) Additional information from the owner/operator of the facility because the original application was not complete;
- (b) The owner/operator of the facility to review terms and conditions; or
- (c) Assistance from CO staff or U.S. EPA. (Note: The time that DO/LAAs must wait for CO staff to respond is not counted against the DO/LAA clock, but it is counted against the overall Ohio EPA clock. In addition, the CO staff has been instructed to respond quickly to requests for information from the DO/LAAs.)

ii. The CO Permitting Section backlog performance standard

The CO Permitting Section is to maintain a permit recommendation backlog of no more than 75 permit recommendations for those permit recommendations under review or waiting for review.

**iii. The CO Permit Issuance and Emissions Reporting Unit (PIER)
draft/final permit issuance performance standard**

The CO PIER staff is to issue a permit (draft or final) within 14 days of receipt from the CO Permitting Section.

9. RENEWAL

One of the goals of the PTIO program is to coordinate a facility's permit expiration dates of the PTIOs such that they expire on the same date easing the tracking burden for DAPC and the permittee. ORC 3704.03(F) provides an expiration date of up to 10 years for operational permits (i.e., PTIOs). Although the first PTIO issued would be given up to a 10 year expiration, all subsequent PTIOs would be given a shorter renewal period so the expiration dates will align; thereby giving the facility a "facility-wide permit expiration date." This makes tracking expiration easier; however, explaining how the dates are assigned becomes more complicated.

Regardless of the situation, expiration dates are always assigned by the PIER staff. STARS2 will suggest an expiration date to that user as described below. Basically, STARS2 will search all permits issued for a facility and assign any subsequently issued permits the earliest existing "active" PTIO (including FEPTIO) expiration date. That expiration date can be overridden for rare circumstances where that would be necessary. Contact CO PIER if you believe an expiration date should be overridden.

Explanations and scenarios based on the types of permits for a facility are given below.

a. Only "True minor" PTIO sources (no FEPTIOs)

The standard renewal period for the first PTIO issued for a facility is 10 years

When the first PTIO for a facility is issued, it will be given an expiration date of 10 years after the effective date of the permit. All PTIOs issued after that will be given the same expiration date up until that expiration date has passed. For example, the first PTIO for a facility is issued and given the full 10 year renewal period. If a subsequent PTIO is issued two years later, and another PTIO is issued six years after that, those permits will be given the same expiration date as the first PTIO issued for that facility. See Figure 6 below.

Figure 6: Only “True minor” PTIO sources

Permit Actions	PTIO #1 Effective 02/22/08		PTIO #2 Effective 06/13/10						PTIO #3 Effective 10/12/16		PTIOs #1, 2, 3 Expire 02/22/2018
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018

Once the initial expiration date has passed, the cycle will begin again. A renewal PTIO will be processed and when it is issued as a final action, the expiration date will be set at 10 years from the effective date of that renewal. Any PTIOs issued after that effective date and before the assigned expiration date will get the same expiration date. This applies no matter how short the duration is between the effective and expiration date. For example, if a PTIO is issued 60 days before the facility wide expiration date, it will expire in 60 days and will also be required to submit a renewal application for that permit. It is expected that situation will rarely occur.

b. Only FEPTIO sources

The standard renewal period for the first FEPTIO issued for a facility is five years

If an FEPTIO is the first to be issued the facility expiration date will be set to five years after the effective date. All FEPTIOs issued for the facility after that will be given the same expiration date. See Figure 7 below.

Figure 7: Only FEPTIO sources

Permit Actions	FEPTIO #1 Effective 02/22/08		FEPTIO #2 Effective 06/13/10			FEPTIO #1 & 2 Expire 02/22/2013
Year	2008	2009	2010	2011	2012	2013

Once that initial expiration date has passed the next FEPTIO issued for the facility, presumably a renewal but could be an initial FEPTIO for a new source, will be given the full five years.

c. Both FEPTIO and “true minor” PTIO sources

Although non-federally enforceable PTIOs (i.e., “true minor”) typically have a 10 year renewal cycle, if they are issued in conjunction with FEPTIOs for a facility, the goal will be to get all of the permits on the five year renewal cycle. Eventually, any owner/operator of a facility that holds both FEPTIOs and PTIOs will have all permits on a five year renewal cycle. As you will see, maintaining that five year cycle on an on-going basis will heavily rely upon the order in which permits are issued. There are three scenarios given below.

Note: It is recognized that another goal is to minimize unnecessary work. So in instances where a 10 year and five-year renewal cycle are both present for a facility, modifications to the 10 year permits solely for the purpose of changing their expiration dates, although possible, is not required.

i. “True minor” PTIO issued first, then FEPTIO issued with less than five years remaining on original renewal cycle

When the first PTIO is issued, it will be given the full 10 year renewal period. If a subsequent FEPTIO is issued, and there are five years or less remaining in the renewal cycle, the FEPTIO will be assigned that expiration date as well. See Figure 8 below.

Figure 8: “True minor” PTIO issued, then FEPTIO with less than five years remaining

Permit Actions	PTIO #1 Effective 02/22/08						FEPTIO #1 Effective 01/12/2014				PTIO #1 & FEPTIO #1 Expire 02/22/2018
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018

ii. “True minor” PTIO issued first, then FEPTIO issued with more than five years remaining on original renewal cycle

When the first PTIO is issued, it will be given the full 10 year renewal period. If a subsequent FEPTIO is issued, and there are more than five years remaining in the renewal cycle, the FEPTIO will be assigned an expiration date that is five years long. That will create a situation where there are two expiration dates that are valid for a facility. See Figure 9 below.

Figure 9: “True minor” PTIO issued, then FEPTIO with more than five years remaining

Permit Actions	PTIO #1 Effective 02/22/08		FEPTIO #1 Effective 01/12/2010					FEPTIO #1 Expires 01/12/2015			PTIO #1 Expires 02/22/2018
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018

In this example, if a renewal to FEPTIO #1 is issued before PTIO #1 expires it will follow the rules given in [Section 9.c.i](#) above and the

renewal FEPTIO will be assigned the 02/22/2018 expiration date remaining for the PTIO.

iii. FEPTIO issued first, then "true minor" PTIO

When the FEPTIO is issued it will be assigned a five year renewal cycle. Any PTIO issued after initial issuance but before that FEPTIO expires will be assigned the same expiration date as the FEPTIO. See Figure 10 below.

Figure 10: FEPTIO first, then PTIO

Permit Actions	FEPTIO #1 Effective 02/22/08		PTIO #1 Effective 06/13/10			FEPTIO #1 & PTIO #1 Expire 02/22/2013
Year	2008	2009	2010	2011	2012	2013

When the renewals are processed for these permits it must be taken into consideration whether the facility is to continue receiving FEPTIOs. If that is the case, the desire would be to keep all of the permits on a five year renewal cycle. The easiest way to do this would be to have the renewal FEPTIO issued first, that would set the proper renewal cycle. However, this may not happen if you are also processing regular PTIOs and they get assigned for issuance first. If the regular PTIOs get processed first, then it is possible for the person issuing the PTIO to set a five year renewal cycle if they are asked to, otherwise the logic in [Sections 9.c.i](#) and [Section 9.c.ii](#) above will be applied. Eventually all PTIOs and FEPTIOs for an FEPTIO facility should be on a five year renewal cycle with any new PTIOs/FEPTIOs coming into the facility being assigned the same five year renewal date.

d. Modifications to PTIOs and FEPTIOs

Modifications (admin or Ch. 31) to PTIOs and FEPTIOs will have expiration dates assigned according to the types of PTIO/FEPTIO permits that are currently effective for the facility. The expiration date will be set according to the earliest PTIO expiration date that is currently valid. For example, PTIO#1 is issued first and assigned the 10 year expiration date. FEPTIO #1 is issued with more than five years remaining in the renewal cycle, so it is assigned a new expiration date at five years. Then, PTIO #1 requires a modification (admin or Ch. 31). If that modification is issued before the end of the FEPTIO #1 renewal cycle, it will be given the five year renewal date. See Figure 11 below.

Note: There may be cases where a modification of one air contaminant source contained in a PTIO with more than one air contaminant source occurs. In this case, the modified air contaminant source would be issued a modified PTIO with the new expiration date as discussed in this section while the previous PTIO with other air contaminant sources not affected by the modification continue with the same expiration date it had prior to the change.

Figure 11: Modification Renewal Dates

Permit Actions	PTIO #1 Effective 02/22/08		FEPTIO #1 Effective 01/12/2010			PTIO #1 Mod Effective 03/13/2013		FEPTIO #1 & PTIO #1 Expires 01/12/2015			PTIO #1 Expires 02/22/2018
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018

e. Changing expiration dates

If the only change to a permit is to shorten the expiration date, it can be handled through an admin mod to the PTIO. If the reason for the expiration date change is to align the 10 and five year renewal cycles for existing PTIOs and subsequently issued FEPTIOs, then simply sending the admin mod through the system will take care of it, as seen in [Section 9.d](#) above. However, if a different expiration date needs to be established to shorten the 10 year cycle for another reason (e.g., enforcement related) that can be accomplished by sending the admin mod through the system along with some other communication to the PIER staff to change that expiration date.

Note: an admin mod cannot be used to extend an expiration date beyond the current expiration date, it may only be used to shorten the date. Also, when you are administratively modifying a permit to change the renewal date you can only make changes that qualify as an admin mod. Issuance procedures should follow current policies, including using a more stringent procedure to make significant changes to permit language (e.g., renewal, Ch. 31 mod). If any additional changes are made to the terms and conditions, then appropriate notification should be made to the permittee. If you have any questions regarding the proposed modifications and/or type of modification, then contact your CO Permitting Section contact for assistance.

f. Shortening the standard renewal cycles

The ORC states that a permit can be issued for up to 10 years. Therefore, if CO or the appropriate DO/LAA believes it is warranted to shorten the renewal cycle (e.g., an owner/operator of a facility is under enforcement),

to some other frequency, this can be accomplished. This will be dealt with on a case-by-case basis.

10. TRANSITIONING AIR CONTAMINANT SOURCE(S) AT NON-TITLE V SOURCES INTO THE PTIO PROGRAM

The PTIO program is applicable to non-Title V sources, including those which have previously been issued a PTI and/or PTO. Eventually all permittable air contaminant sources at a facility will be issued a PTIO. The only exception will be any sources that are currently on PTO registration status. The purpose of this section is to discuss how the sources are transitioned into the PTIO program.

It is important to keep in mind that the first PTIO issued for an air contaminant source already issued a PTI or PTO must be processed as a renewal PTIO regardless of the action that triggered the need for the PTIO. This is necessary so that the air contaminant source undergoes a full evaluation of the terms because it will be given an expiration date of up to 10 years. For instance, if a facility has an existing PTI that is being administratively modified, it must be reviewed and processed as though it were a renewal PTIO. OAC rule 3745-31-02(A)(2) allows for any previously issued PTIs to be superseded, without the need for a revocation, when the PTIO is issued. If an active PTO exists for the source, it will also be superseded in accordance with this rule. Revocation of the PTO is not necessary. Please note that once the air contaminant source(s) is in the PTIO program (issued its first PTIO), all subsequent modifications (admin or Ch. 31) from that point forward will be processed and issued as modifications (admin or Ch. 31) of the PTIO and will retain the same expiration date originally assigned.

a. New sources

Upon implementation of the PTIO program, all new air contaminant sources for non-Title V sources will be issued a PTIO and the facility-wide permit expiration date will be established at that time.

b. Modified air contaminant sources

Modifications to air contaminant sources that fall under the “modify” or “modification” definition in OAC rule 3745-31-01 are referred to as “Chapter 31 modifications” (Ch. 31 mods). Ch. 31 mods qualify an air contaminant source as a “new source” as defined in OAC rule 3745-31-01. As such, it would undergo a full review. .

"Administrative modifications" (admin mod) are also defined in OAC rule 3745-31-01. An admin mod does not qualify an air contaminant source as a "new source", so it would not undergo a full review.

In either case, when a permittee requires a change to a previously issued PTI and/or PTO that would be classified as an admin mod or Ch. 31 mod and; therefore, this is the first PTIO issued for the air contaminant source, as discussed above, it will be processed as a renewal action and cannot be processed as a Ch. 31 or admin mod.

c. Existing air contaminant sources

These are air contaminant sources that were permitted with PTOs only, in that they were installed prior to January 1, 1974 and they did not require a PTI. The procedures discussed below under [Section 10.e](#) below should be followed when the PTO expires. The renewed permit will be a PTIO but the "I" component of the PTIO will not incorporate any requirements applicable to new sources because this type of source was not required to obtain an installation permit. If there is a modification (Ch. 31 or admin) of the existing air contaminant source, the procedures identified in [Section 10.b](#) above should be followed.

d. Historic PTO registration status air contaminant sources

Historic PTO registration status air contaminant sources will remain unchanged, unless there is a need for the source to undergo a permit action. If this occurs, then it will be transferred into the PTIO system and the registration status permit will no longer be applicable.

e. Transitioning of other permitted sources

This section discusses air contaminant sources with active PTIs and either active PTOs or PTOs that are pending renewal or initial issuance. Currently, DAPC has a large backlog of air contaminant sources which have not received their initial or renewal PTOs. For every owner/operator of a facility issued a PTIO (including FEPTIOs), DAPC intends to incorporate any remaining sources with active, expired, or yet to be issued permits into the PTIO program prior to the facility wide expiration date that is established with the issuance of the first PTIO. How this occurs will be at the discretion of the DO/LAA; however, the following guidelines should be considered:

i. Air contaminant sources with active PTIs and active PTOs

When the PTO is due for expiration it should be renewed as a PTIO on schedule.

ii. Air contaminant sources with active PTIs and no PTOs or expired PTOs

These should be incorporated into the PTIO program via a renewal action considering the following criteria:

1. How old is the current PTI or PTO?
2. How out of date are the requirements? (e.g., are additional applicable requirements now needed)
3. What is the significance of the source?

As discussed before, OAC rule 3745-31-02(A)(2) allows any previously issued PTI or PTO for a source issued a PTIO to be superseded upon issuance of the PTIO, without need for revocation.

f. Do's and don't's of transitioning other permitted sources

i. Application needs

When reviewing the terms and conditions of a permit for incorporation into the PTIO program, regardless of whether it is for a source with a previously issued PTI and no PTO, or a source with a previously issued PTI and an expired PTO, it is processed and reviewed as a renewal using the most current application for a PTO submitted by the permittee. If additional information is needed in order to properly permit the source, it is at the discretion of the DO/LAA to request this information from the permittee through the appropriate means, which may include requesting an updated application.

ii. Action type

As discussed above, the first PTIO issued for an air contaminant source already issued a PTI or PTO must be processed as a renewal PTIO regardless of the action that triggered the need for the PTIO.

iii. Updating best available technology (BAT)

If a previously permitted air contaminant source is being transitioned into the PTIO program, BAT cannot be updated unless a "Ch. 31 modification" of the source occurred and a new PTIO is issued. Basically, the "I" component of the PTIO for a previously permitted air contaminant source that has not undergone any change does not warrant any BAT review or updates.

11. CHANGES IN PROGRAM APPLICABILITY FOR A SOURCE

Q: Does the PTIO program change how permittees can switch between Title V and non-Title V applicability?

A: Specifically, regulated entities may request, or Ohio EPA may initiate, a change in program applicability and the procedures used may be affected by the new PTIO program.

Types of changes:

- True minor to FEPTIO
- FEPTIO to True minor
- Title V to FEPTIO
- Title V to True minor
- FEPTIO to Title V
- True minor to Title V

These changes may have been initiated by changes at the facility, such as a modification (e.g., physical or operational change) or a voluntary limitation to reduce emissions below certain trigger levels (i.e, synthetic minor). This guide seeks to clarify how Ohio EPA will handle these program applicability transitions.

Terms defined

True minor source: Source whose potential emissions are below Title V emissions thresholds and has not been issued a permit with federally enforceable restriction(s) to avoid the Title V program. These sources are identified as “non-Title V” sources in the STARS2 system.

FEPTIO source: Source who has been issued a permit with federally enforceable requirement(s) restricting emissions for the entire facility below Title V emissions thresholds or MACT thresholds that would, in turn, subject the source to Title V. These sources are identified as “synthetic minor” sources in the STARS2 system.

Title V source: Source with potential emissions that exceed the Title V emissions thresholds. These sources are identified as “Title V” sources in the STARS2 system.

Note: [Section 3](#), “Permit Options, Actions and Structure,” contains useful information in how federally enforceable and state only enforceable terms are incorporated into a permit.

a. True minor to FEPTIO

i. General description

When the permit holder of a true minor source makes a change at their facility that could trigger a federal requirement, they may opt to restrict their PTE in order to avoid the federal requirement. When this occurs, the federally enforceable restriction for the appropriate air contaminant source(s) is issued in an FEPTIO.

ii. What Needs to Happen

(1) The permittee must:

Submit a complete PIT/PTIO application. The application should include a request for federally enforceable restrictions and emissions calculations that include a PTE analysis before and after the requested limitations would be implemented.

(2) Ohio EPA will:

(a) If Ohio EPA learns of the applicant’s intentions prior to receiving an application, Ohio EPA will inform the permittee that a PIT/PTIO application needs to be submitted prior to expiration of their applicable permit.

(b) Develop permit terms and conditions.

A true minor source that will now be an FEPTIO source will likely already hold either a PTIO or a PTI (and possibly PTO) for the air contaminant source(s) which will now be subject to the FEPTIO program. If the permittee is initiating a project resulting in the need for an FEPTIO, there may be other air contaminant source(s) that are part of the project that don’t require federally enforceable restrictions. ONLY those air contaminant source(s) that require the federally enforceable restriction are included in the FEPTIO. When applicable, any remaining air contaminant source(s) that are a part of the project will be issued in a PTIO (new sources will receive an initial PTIO while modified sources will receive a modified PTIO). If the permittee has an applicable PTIO for the air contaminant source(s) which will be covered

under the FEPTIO, the PTIO is modified and issued as an FEPTIO.

The FEPTIO (and PTIOs when applicable) will automatically supersede all previously issued permits (PTI, PTO, or PTIO) for the air contaminant source(s) in the permit(s) without the need for revocation. If multiple air contaminant source(s) are under a PTIO and only some of those sources are covered under the modified permit(s), only those sources will be superseded (the remainder of the sources not part of the project continue to be effective in the previously issued permit). A more detailed discussion of how permit actions are divided and issued is covered under [Section 6](#), “Constraints on Combining Permitting Actions and Permit Numbering.”

- (c) Address the renewal period for air contaminant source(s) not part of the FEPTIO but regulated under other permits (PTI, PTO, PTIO). (See [Section 9](#) for procedures on aligning renewal periods.)

iii. Timing restrictions

There is the unlikely situation where a “true minor” source elects to submit an application without requesting federally enforceable restrictions that will trigger the facility-wide PTE above major source thresholds in order to begin installation as quickly as possible (i.e., to avoid the draft comment period and associated delay in getting the final permit). In such situations, the facility is considered subject to Title V and is required to submit a Title V application within 12 months of commencing operation, or is required to submit a PIT/PTIO application to avoid Title V. The PIT/PTIO application must be submitted within 12 months of commencing operation. This is very unlikely. Most often a permittee will prefer to follow the FEPTIO process at the beginning of the project, whereas it would be necessary to apply for the FEPTIO providing ample time to have the permit issued before commencing construction.

iv. Renewal dates

The division’s goal is to have the renewal dates for all permits at a facility issued a FEPTIO on no more than a five year cycle. PTIO renewal dates must be consistent with the FEPTIO renewal date. (See [Section 9](#) for procedures on aligning renewal periods.)

v. Reporting

- (1) Air contaminant source(s) operating as true minor sources under PTIO(s) must submit the annual PER and any applicable rule based reporting obligations identified in the PTIO.
- (2) Air contaminant source(s) operating under issued FEPTIO(s) must submit the annual PER for all permit terms, any applicable rule based reporting obligations identified in the FEPTIO and quarterly deviation reporting for ONLY the federally enforceable terms and conditions associated with the limit on PTE.

b. FEPTIO to true minor

i. General description

When the permit holder of a source with an issued FEPTIO makes a change at their facility that reduces their PTE to below thresholds necessitating federally enforceable restriction requirements.

ii. What needs to happen

- (1) The permittee must:

Submit a complete PIT/PTIO application for **all** air contaminant source(s) regulated by the FEPTIO (and Synthetic Minor PTI or FESOP if never issued an FEPTIO). The application should include; an explanation of changes, a request to eliminate federally enforceable restrictions, updated emissions calculations and a PTE analysis justifying the request.

- (2) Ohio EPA will:

- (a) Develop permit terms and conditions.

Only those air contaminant source(s) issued in a Synthetic Minor PTI, FESOP or FEPTIO need to be modified and issued a replacement PTIO.

The PTIO will automatically supersede all previously issued permits (PTI, PTO, FESOP, Registrations, PTIO or FEPTIO) for the air contaminant source(s) in the permit without the need for revocation. A more detailed discussion of how permit actions are divided and issued is covered under [Section 6](#), "Constraints on Combining Permitting Actions and Permit Numbering."

- (b) Address the renewal period for air contaminant source(s) not part of the replacement PTIO but regulated under other permits (PTI, PTO, FESOP, PTIO, or FEPTIO). (See [Section 9](#) for procedures on aligning renewal periods.)

iii. Timing restrictions

None.

iv. Renewal dates

The division's goal is to have the renewal dates for PTIOs at a true minor facility be no more than a ten year cycle. (See [Section 9](#) for procedures on aligning renewal periods.)

v. Reporting

- (1) Air contaminant source(s) operating as true minor sources under PTIO(s) must submit the annual PER and any applicable rule based reporting obligations identified in the PTIO.

c. Title V to FEPTIO

i. General description

Title V permittees may elect to obtain a FEPTIO to “synthetic minor” out of the Title V permit program. This may be done at any time during the five-year Title V permit cycle, but usually happens at renewal. *The following procedures and discussion are dependent upon finalization of rulemaking in OAC Chapter 3745-77 and this guidance will be updated when the rule amendments become effective. Until that time, this section of the guidance is considered “draft” and any transitions from Title V to FEPTIO (or true minor PTIO) will be implemented on a case-by-case basis through discussions between the permittee, Ohio EPA CO and the appropriate DO/LAA.*

ii. What needs to happen

- (1) The permittee must:
 - (a) Submit a complete PIT/PTIO application for **all** air contaminant source(s) at the facility. Include in the application identification of the air contaminant source(s) that will be subject to voluntary federally enforceable restrictions via the FEPTIO. The application should include a PTE analysis justifying the request. The application should also include any air contaminant

source(s) issued a PTI during the Title V permit term that have not been incorporated into the Title V permit.

- (b) If the permittee submits the PIT/PTIO application PRIOR to the six month deadline for submitting a Title V renewal application AND the FEPTIO, and any applicable PTIO, is not issued PRIOR to expiration of the Title V permit, the permittee is not required to submit a Title V renewal application also. They can continue to operate under their expired Title V permit until issuance of the FEPTIO, and PTIO if applicable.

(2) Ohio EPA will:

- (a) Inform the permittee when a Title V application may be necessary to ensure the ability to operate under application shield if the PTI/PTIO application is not received prior to the six month deadline.
- (b) Develop permit terms and conditions for all air contaminant source(s) subject to federally enforceable restrictions in the FEPTIO. For any air contaminant source(s) that are not subject to federally enforceable restrictions, terms and conditions will be developed in a PTIO. Any PTIs issued during the Title V permit term that have not been incorporated into the Title V permit via a Title V modification/revision will also be incorporated into the appropriate FEPTIO/PTIO.

All PTIOs (including FEPTIOs) should be processed concurrently and issued final on the same day. Upon issuance of the FEPTIO, and PTIO when applicable, the entire Title V permit will terminate automatically.

iii. Timing restrictions

It is imperative the FEPTIO be issued concurrently with the issuance of a PTIO, when applicable.

iv. Renewal dates

The division's goal is to have the renewal dates for all permits at a facility issued a FEPTIO on no more than a five year cycle. PTIO renewal dates must be consistent with FEPTIO renewal date. (See [Section 9](#) for procedures on aligning renewal periods.)

v. Reporting

- (1) Air contaminant source(s) operating under PTIO(s) must submit the annual PER and any applicable rule based reporting obligations identified in the PTIO.
- (2) Air contaminant source(s) operating under issued FEPTIO(s) must submit the annual PER for all permit terms, any applicable rule based reporting obligations identified in the FEPTIO and quarterly deviation reporting for ONLY the federally enforceable terms and conditions associated with the limit on PTE.
- (3) Final Title V Compliance Certification and any remaining (residual) Quarterly and semi-annual reports for the last period (full or partial) the facility operated under the Title V permit.

d. Title V to true minor

i. General description

Title V permittees may elect to apply for PTIO(s) based on a revised facility-wide PTE that shows the facility-wide PTE no longer meets the Title V thresholds. Normally this will be due to permanently shutting down one or more air contaminant source(s) at the facility. *The following procedures and discussion are dependent upon finalization of rulemaking in OAC Chapter 3745-77 and this guidance will be updated when the rule amendments become effective. Until that time, this section of the guidance is considered “draft” and any transitions from Title V to FEPTIO (or true minor PTIO) will be implemented on a case-by-case basis through discussions between the permittee, Ohio EPA CO and the appropriate DO/LAA.*

ii. What needs to happen

- (1) The permittee must:
 - (a) Submit a complete PIT/PTIO application for **all** air contaminant source(s) at the facility. Include in the application a PTE analysis justifying the request. The application should also include any air contaminant source(s) issued a PTI during the Title V permit term that have not been incorporated into the Title V permit.
 - (b) If the permittee submits the PIT/PTIO application PRIOR to the six month deadline for submitting a Title V renewal application, and the PTIO(s) will not be issued prior to expiration of the Title

V permit, the permittee is not required to submit a Title V renewal application also. They can continue to operate under their expired Title V permit until issuance of the PTIO.

(2) Ohio EPA will:

- (a) Inform the permittee when a Title V application may be necessary to ensure the ability to operate under application shield if the PTI/PTIO application is not received prior to the six month deadline.
- (b) Develop permit terms and conditions for all air contaminant source(s) in a PTIO(s). (It will be easiest to include all air contaminant source(s) in one PTIO). Any PTIs issued during the Title V permit term that have not been incorporated into the Title V permit via a Title V modification/revision will also be incorporated into the PTIO(s).

All PTIOs should be processed concurrently and issued final on the same day. Upon issuance, the entire Title V permit will terminate automatically.

iii. Timing restrictions

It is imperative that if more than one PTIO will be issued, they be issued concurrently.

iv. Renewal dates

The division's goal is to have the renewal dates for all PTIOs on no more than a ten year cycle.

v. Reporting

- (1) Air contaminant source(s) operating under PTIO(s) must submit the annual PER and any applicable rule based reporting obligations identified in the PTIO.
 - (a) Air contaminant source(s) permitted by rule to operate under an expired Title V permit pending final issuance of their PTIO(s) must meet all reporting obligation of their Title V permit except the annual compliance certification and the requirement to have reports signed by a responsible official.

- (2) Final Title V Compliance Certification, any remaining (residual) Quarterly and semi-annual reports for the last period (full or partial) the facility operated under the Title V permit.

e. FEPTIO to Title V & true minor to Title V

i. General description

A Title V operating permit needs to be obtained when a source makes a change at their facility that increases the facility PTE to above major source thresholds. For emissions fee and inventory purposes, the facility is considered subject to Title V as soon as the triggering permit or permit modification is issued final. For compliance purposes, the existing PTIO(s) or FEPTIO remain effective up to one year from commencing operations identified in the permit that triggers Title V requirements.

Pursuant to OAC rule 3745-77-04(A), the permittee must continue to comply with the existing PTIO(s) and/or FEPTIO until the Title V permit is issued final if a timely and complete Title V application is submitted. If a timely and complete Title V application is not submitted Ohio EPA CO should be consulted for guidance.

ii. What needs to happen

(1) The permittee must:

- (a) Submit a complete Title V permit application in accordance with OAC Chapter 3745-77 within 12 months of becoming subject to Title V.

(2) Ohio EPA will:

- (a) Process the Title V permit in accordance with current OAC Chapter 3745-77.
- (b) Any previously issued PTO(s) and certain terms and conditions identified in the standard terms and conditions of any PTIO(s) issued to the permittee will be superseded automatically upon issuance of the Title V permit. The PTIO(s) will then function as a PTI(s) for the permittee and will no longer expire. Any PTI(s) issued to the permittee will remain in effect and never expire (e.g., a PTI issued prior to implementation of the PTIO program) (See [Section 20.d](#) for an explanation on rule language that makes this possible).

iii. Timing restrictions

To maintain the application shield afforded under ORC 119.03, the Title V application needs to be submitted during the first 12-months commencing operation of the installation/modification that caused major source thresholds to be exceeded.

iv. Renewal dates

Renewal dates for Title V permits will be set in accordance with OAC Chapter 3745-77 (i.e., no more than five years).

v. Reporting

- (1) Air contaminant source(s) operating under PTIO(s) until the Title V permit is issued final must submit the annual PER and any applicable rule based reporting obligations identified in the PTIO. This reporting will be required for the period of time from the previous report due date until when the Title V permit was issued final.
- (2) Air contaminant source(s) operating under FEPTIO(s) until the Title V permit is issued must submit the annual PER for all permit terms, any applicable rule based reporting obligations identified in the FEPTIO and quarterly deviation reporting for ONLY the federally enforceable terms associated with the limit on PTE. This reporting will be required for the period of time from the previous report due date until when the Title V permit was issued final.
- (3) Upon final issuance of the Title V permit, reporting obligations will be specified in the applicable Title V permit.

12. REPORTING

Upon implementation of the PTIO program, some reporting requirements for non-Title V sources will change. Specifically, the quarterly reporting requirement historically contained in the “general terms and conditions” of a PTI and/or PTO for non-Title V sources will be replaced with an annual reporting requirement contained in the “standard terms and conditions” of PTIOs. Also, installation certificates will no longer be necessary for non-Title V sources. The following section contains questions and answers that will help Ohio EPA staff understand and implement these changes.

a. General information about the Permit Evaluation Report or PER

Q1: What is a PER?

A1: The PER is the annual reporting system created with implementation of the PTIO program. The PER is only required for air contaminant sources that have been issued a PTIO (including an FEPTIO). Each PTIO will include a requirement for the permittee to submit a PER. A PER is a standard form created by Ohio EPA and comprised of a facility wide section and a detailed emissions unit section. See [Attachment A](#) for a copy of the PER and the PER FAQs (instructions).

Q2: What is the format of the PER? What information will be reported?

A2: There are three sections to the PER:

(1) The first section includes facility information, a listing of all air contaminant sources at the facility with a PTIO, and an area where the permittee can report miscellaneous information to Ohio EPA (e.g., permanent shutdowns). Much of this section is pre-populated with information based on facility specific data that is contained in STARS2. The permittee will make any corrections and add additional information as necessary.

(2) The second section is the detailed emissions unit section for each air contaminant source issued a PTIO. The permittee is asked to check one of two boxes for questions pertaining to deviations and exceedances.

(3) The third section is an attachment included by the permittee that identifies those deviations or exceedances reported in the detailed emissions unit forms, if applicable, along with the air contaminant sources identification, date, duration, description of deviations and exceedances and statement of any corrective action that was taken.

Q3: Who needs to submit a PER?

A3: Any owner/operator of an air contaminant source permitted by a PTIO (including an FEPTIO) at a non-Title V source. The “standard terms and conditions” of a PTIO will identify the PER reporting requirement similar to how historic quarterly reporting requirements were identified in the “general terms and conditions” of PTIs and PTOs for non-Title V sources. Title V sources are not required to submit a PER since they are not issued PTIO permits. Title V sources are still issued PTIs which will continue to contain the historic quarterly reporting requirements. Also, any facility

exercising the permit-by-rule option for air contaminant sources are not required to submit a PER for those sources. A PER is required for only those air contaminant source(s) issued a PTIO. Air contaminant source(s) still operating under a previously issued PTI, PTO, or FESOP will continue to report as required under the terms of those permits until a PTIO is issued in place of them in the future.

Q4: How will an owner/operator with a PTIO receive the form?

A4: A PER reminder letter and hard copy of the form will be generated and mailed to the facility from PIER as soon as the reporting period ends (i.e., approximately 45 days before the due date). The PER will also be available on the eBusiness Center for electronic access and completion.

Q5: How is a PER submitted?

A5: A PER can be completed in hardcopy and either mailed or hand delivered to the DO/LAA. It can also be completed online through the eBusiness Center and submitted electronically. Electronic submittal is not required but highly recommended to ease the burden to both the permittee and the DO/LAA. STARS2 will be tracking PERs that are due for a facility along with the information contained in the PER; therefore, any PER that is submitted in hardcopy form will have to be entered electronically into the STARS2 system by the DO/LAA.

Q6: Will Ohio EPA be submitting confirmation of receipt of the PER?

A6: No. If confirmation is important to the permittee, we should advise the permittee to send the PER form certified, or complete the PER on line via the eBusiness Center.

Q7: Who should complete the PER and who can sign the PER?

A7: There is no requirement regarding who should complete and submit the PER form. However, there is a "report responsibility" statement on the PER form which states:

"This PER, including any accompanying information, is required under the authority of the director of the Ohio Environmental Protection Agency. [Ohio Revised Code 3704.03(I)] Failure to submit this PER, including any accompanying information, or falsifying this PER, including any accompanying information, may result in civil or criminal penalties in accordance with applicable state law. "

Therefore, it is suggested that the PER should be completed by a

facility representative responsible for ensuring compliance with environmental requirements or the owner/operator. There is no signatory requirement for the PER.

Q8: Where is Ohio EPA’s authority for requiring reporting?

A8: The reporting requirements are outlined in OAC rule 3745-15-03. The statutory authority comes from ORC 3704.05(C).

b. PER reporting period and due date

Q1: What time period does a PER cover and when are they due?

A1: The PER covers one year. Figure 12 below indicates four possible annual reporting periods and the corresponding due date.

Figure 12: PER Reporting Period and Due Date Options

Reporting Period	Due date
January 1 - December 31	February 15 th
April 1 - March 31	May 15 th
July 1 - June 30	August 15 th
October 1 - September 30	November 15 th

Q2: How are the PER reporting period and due date assigned?

A2: The permittee can select the reporting period with the corresponding due date in the first application submitted for the facility. If the permittee fails to select a reporting period, then the DO/LAA selects one.

Q3: Can the reporting period and due date be changed?

A3: Yes.

Q4: Are there any limits when changing the PER due date?

A4: Yes, when establishing the new due date, the new date can’t cause the time between two PER dues dates to exceed 12 months. If a new date is selected that is greater than 365 days, the PER must be submitted on the original PER due date one last time prior to the switch to the new due date. Also, a permittee is limited to changing the PER due date once per 12-month period.

Q5: Who can initiate the change in PER due date?

A5: The permittee or DO/LAA can request the change.

Q6: How is the PER due date changed?

A6: Changing the PER due date can only be accomplished through a Director's letter. The permittee would need to submit a letter requesting a change to the PER due date for all PTIOs for a facility. The DO/LAA would send the approved request via e-mail to PIER and PIER would provide the approval through the Director's letter

Q7: Is there any fee for changing the PER reporting period and due date?

A78: No.

Q8: Does the PTIO renewal date affect the PER due date?

A8: No. These are separate due dates and they do not affect each other.

Q9: Will the PER due date supersede other report due dates?

A9: The PER due date will not supersede State or federal rule based report submittal due dates. PERs only replaces the "standard terms and conditions" (formerly "general") reporting requirements and installation certificates. The due dates and types of reports required for air contaminant source(s) still operating under a PTI, PTO, or FESOP will continue to report as required under the terms of those permits until a PTIO is issued in place of them in the future.

Q10: How do we ensure our office doesn't get overloaded with too many reports at once?

A10: The PER is submitted annually; therefore, each owner/operator of a facility will be submitting one report a year rather than four per year. The permittee's ability to specify one of four possible due dates enables a staggered submittal of PERs for all permittees within a district/area. The DO/LAA also has the discretion to select a different due date than that requested if there is a basis for the change.

Q11: Can we require a PER to be due more frequently, i.e., quarterly, semi-annually?

A11: No. The PER is annual. If more frequent reporting is necessary because of non-compliance issues and/or complaint investigation findings, the director has the authority to require additional reports, separate from and in addition to the PER, in the permit.

Q12: Does every air contaminant source with a PTIO for a facility have the same PER due date?

A12: Yes. The first PTIO issued for a facility will identify the reporting period and due date. Subsequent PTIOs issued for other air

contaminant source(s) at the facility will maintain the same due date.

c. Sources covered under the PER

Q1: What air contaminant sources are included in the PER? Is the PER completed for the entire facility? If not, can it be?

A1: Only those sources at a facility with a PTIO are reported in the PER. If a facility is comprised of 10 air contaminant sources and a PTIO has been issued for three air contaminant sources and the remaining seven air contaminant sources have quarterly reporting requirements per the “standard terms and conditions” (formerly “general”) section of a PTI, PTO, or FESOP, then the permittee will submit a PER for three sources and quarterly reports (if required in the older permits) for the remaining seven sources. Eventually all air contaminant sources at a facility will be issued a PTIO. [Section 10](#), “Transitioning Air Contaminant Source(s) at non-Title V sources into the PTIO program” provides additional information on transitioning all sources at a facility into the PTIO program.

Q2: Is a PER due for air contaminant sources even if a PTIO was not issued?

A2: No.

Q3: A permittee receives a PTIO for a new air contaminant source two months before the established PER due date. The air contaminant source is not yet installed. Does the permittee have to submit a PER for the new air contaminant source?

A3: Yes. PER due dates are approximately 45 days after the end of the PER reporting period. For example, the due date for the reporting period January 1st to December 31st is February 15th. If the permittee was issued a PTIO two months before the due date, December 15th, there is approximately two weeks of the reporting period applicable to the source covered under that PTIO. However, because installation has not occurred, the permittee may state on the PER that the air contaminant source is not yet installed. If it was installed, the permittee uses the PER to report the relevant information for that two week period.

Q4: How will newer air contaminant sources be included in the PER?

A4: Recall, the PER reminder letter and hard copy forms will be generated from PIER at the end of the reporting period (about 45 days before the due date) and will include all air contaminant source(s) at the facility that have been issued a PTIO.

Q5: What is different about FEPTIO sources?

A5: FEPTIO sources will still be required to submit quarterly reports for ONLY those terms and conditions associated with the limit on PTE for which federally enforceable restrictions were required. This quarterly reporting requirement will be specified in the FEPTIO for the specific terms and conditions. An FEPTIO source will still be required to submit the annual PER. Quarterly reports cover January to March (post marked by April 30th), April to June (post marked by July 31st), July to September (post marked by October 31st), and October to December (post marked by January 31st). Depending on the due date for the facility's PER, one quarterly report per year will be due approximately two weeks earlier than the PER report (the PER report allows approximately one and a half months for completion after the end of the reporting period). For example, if the annual PER due date is May 15th, there will always be a quarterly report due on April 30th. Because the annual PER report will cover very similar information as the quarterly reporting requirement, the permittee can submit the annual PER by the quarterly report due date (two weeks earlier) to cover both reporting requirements. If any additional information is specifically required in the quarterly reporting requirement contained in the terms and conditions of the FEPTIO, this can be submitted as an attachment to the PER.

d. Reviewing a PER

Q1: How will the PER information be used?

A1: The information reported in the PER will be used as a tool to indicate whether or not the facility met the obligations of their permit. Based upon the PER, in addition to inspection findings, malfunction reports and other sources of information, the DO/LAA will determine if further investigation is needed.

Q2: How is the PER reviewed by DO/LAA?

A2: There is a separate guidance document entitled "DO/LAA Guidance for Review of the PER" for how to review a PER. See [Attachment C](#).

Q3: If a permittee fails to submit a report in accordance with a term and condition of their PTIO, does the permittee have to report this in the PER?

A3: Yes, the failure to submit a report in the required time frame has to be reported in the PER.

Q4: Who will follow-up with the permittees and send out subsequent reminders, NOVs, etc.?

A4: All other correspondence with permittees will be through the respective DO/LAA.

e. Other reporting required

Q1: What are some examples of additional reporting required in addition to the PER?

A1: A more detailed list of typical other reporting requirements is included in the “PER FAQs” document (see [Attachment A](#)). Basically, additional reporting may be required if:

An air contaminant source(s) is avoiding major new source review, Title V, and/or Maximum Achievable Control Technology (MACT) standards (i.e., Synthetic Minors), because U.S. EPA guidance requires more frequent reporting than annual (i.e., quarterly or semi-annual).

A New Source Performance Standards requires specific reporting.

An Air contaminant source(s) is employing continuous emission monitors and is required to submit quarterly excess emission reports.

Any reporting requirements outlined in existing OAC regulations which are more frequent than annual. For example OAC rule 3745-21-09(B)(3)(g) requires a report 30 days following the end of the calendar month if non-complying coatings are used in an air contaminant source.

If a permittee requests a “state-only” restrictions to avoid best available technology which may require specific reporting time frames more frequent than annual.

Q2: How do we determine whether a permittee has to submit other reports in addition to the PER?

A2: By reviewing each term in the reporting section of their PTIO. If the term does not state a specific time frame for submitting reports (e.g., quarterly, within 30 days) then that reporting term is only covered by the annual PER. If the reporting term lists a time frame for submittal of the report, then a separate report is required for this term.

Q3: How can DO/LAA track the different reporting requirements of a permitted facility?

A3: Various requirements associated with permitting, including reporting requirements, can be tracked through the new STARS2

system. For non-Title V sources, only the annual PER due date and submittal of the PER is tracked automatically by STARS2. Other reports required to be submitted by a non-Title V source can be submitted electronically as an attachment and will be identified in STARS2 as submitted. However, due dates for these other reports are not tracked by STARS2. As mentioned above, if a PER is submitted in hardcopy form, the DO/LAA will be required to enter the data into STARS2. Reports other than the PER do not have this same requirement for hard copy submittals. Therefore, if the DO/LAA wants to accurately track all reports submitted as hardcopy by a non-Title V source, it will be necessary for the DO/LAA to enter the information into STARS2 when the hardcopy report is received. Additional guidance and training associated with STARS2 will be provided separate from this guidance.

f. Eliminated or replaced reporting

Q1: What reporting was eliminated?

A1: Eliminated reporting includes the standard quarterly, annual or semi-annual reporting requirements for non-Title V sources, except non-Title V sources with a federally enforceable PTIO (FEPTIO) that requires quarterly reporting for ONLY those terms and conditions associated with the federally enforceable restriction on PTE. In lieu of quarterly reporting for these sources, the annual PER is submitted. The only other eliminated reporting is the installation certificates for air contaminant source(s) issued a PTIO.

Q2: Does the PER replace all reports required for a facility?

A2: No. The PER does not replace any State or federal rule based reporting, malfunction reporting or reporting of federally enforceable requirements associated with a limit on potential to emit contained in an FEPTIO (quarterly, annual, etc.). The PER also does not replace quarterly reporting for Title V sources, which are issued a PTI and not a PTIO.

Q3: Does the PER replace malfunction reporting?

A3: No. Malfunction reporting requirements are independent from PER requirements. However, because malfunctions result in a violation of the PTIO emission limitations, they should be included in the PER as deviations and/or exceedances as appropriate. However, the PER form allows for “short” reporting of deviations and/or exceedances that were previously reported as a malfunction. The “short” reporting requirements include reporting the date the malfunction was reported and the manner in which it was reported (e.g., telephone, fax, email, etc.).

Q4: Does the PER replace installation certificates and startup notifications?

A4: Yes. The Detailed Emissions Unit section of the PER contains pre-populated questions as follows:

- Completion of Initial Installation Date:
_____ (mm/dd/yyyy)
- Begin Installation/Modification Date:
_____ (mm/dd/yyyy)
- Commence Operation After Installation or Latest Modification Date: _____ (mm/dd/yyyy)

If data is available in STARS2 regarding these questions, they will be pre-populated in each PER for the specific air contaminant source. If it is not available, the permittee will be instructed to complete the fields.

g. What happens to non-Title V sources with older PTIs and PTOs and newer PTIO's?

Q1: The reporting requirements for pre-PTIO implementation permits are confusing. How does a permittee convert old PTIs and PTOs into PTIO to take advantage of the annual reporting?

A1: This will only occur as these air contaminant source(s) are transitioned into the PTIO program over time. [Section 10](#), "Transitioning Air Contaminant Source(s) at non-Title V sources into the PTIO program," discusses this topic.

Q2: What about sources at non-Title V sources that never had reporting in PTIs or PTOs?

A2: They will still not have any reporting required until the air contaminant source(s) are issued a PTIO as part of the process of transitioning all air contaminant source(s) at a non-Title V source into the PTIO program.

h. Monitoring and record keeping

Q1: Does PTIO or PER change the monitoring and record keeping?

A1: PTIO and PER will not change the type of monitoring or record keeping required.

13. SHUTDOWN/WITHDRAWN AIR CONTAMINANT SOURCES

a. What happens to permanently shutdown or withdrawn air contaminant sources?

The owner/operator of a facility that has obtained a PTI or PTIO and has an air contaminant source(s) that is permanently shutdown or rendered inoperable, can be relieved of the PTI or PTIO obligations associated with the source(s) by following the requirements contained in the standard term and condition of the PTI or PTIO. In either case, the permittee must notify Ohio EPA by submitting a certification from the authorized official (PTIO) or responsible official (PTI) that identifies the date of the permanent shutdown.

The permanent shutdown becomes effective based on the date certified as permanently shutdown only after certification from the authorized official (the same official responsible for signing applications) is received. Please note that the “authorized official” may or may not be the same person which signs a PER. Recall, the PER does not have specific signatory requirements while applications, and notifications of permanent shutdowns, require the authorized official signature (as defined in OAC rule 3745-31-04(B)).

Notification of permanent shutdown may be made through completion of annual PER covering the last period of operation of the affected source(s). The facility-wide section of the PER provides space under the heading “Additional Information and Corrections” to list additional information, such as “EU(s) that were permanently shutdown.” However, because the PER does not require certification of the form, the “PER FAQs” document identifies additional procedures necessary for the owner or operator to formally permanently shutdown an air contaminant source as part of the PER by including a separate attachment to the PER with the certified notice. If the permittee would like to be relieved of the permitting requirements for the affected source(s) earlier than the PER due date, the separate certified notification can be submitted as soon as the permanent shutdown is effective. If a DO/LAA reviews a PER that identifies permanent shutdown of an air contaminant source(s) but the owner/operator did not include a separate certified notice, the DO/LAA should contact the owner/operator to discuss if they would like to formally permanently shutdown the air contaminant source(s).

This section does not address the obligations under any applicable Title V permit.

b. Is it necessary to revoke, partially revoke, or modify the PTI or PTIO?

If the permit contains the standard term and condition identified in [Section 13.a](#) above and was issued after June 30, 2008 (the effective date of the rule authorizing this procedure), No. The terms and conditions applicable to the permanently shutdown air contaminant source(s) cease to be enforceable after Ohio EPA receives the required information. The authority for this is contained in the recently amended OAC rule 3745-31-02(C) which states:

” When expressly provided in the terms and conditions of a permit-to-install or PTIO, the owner or operator of an air contaminant source that is permanently shutdown may be relieved from certain requirements in the terms and conditions of the permit-to-install or PTIO, without obtaining a modification or administrative modification, upon meeting the requirements specified in the permit for permanently shutting down air contaminant sources. Those terms and conditions for which the owner or operator is relieved will cease to be enforceable upon meeting the requirements for permanently shutting down air contaminant sources contained in the terms and conditions of the permit.”

Although permit revocations are not necessary, those permits are eligible for revocation upon request.

c. If a permittee has an effective PTI or PTO without the standard term and condition that expressly identifies permanent shutdown procedures, are those sources eligible for revocation upon request?

Yes, those permits are eligible for revocation. However, DAPC will not process permit revocations unless specifically requested by the owner/operator through the DO/LAA. Revocations will be processed in these instances via STARS2 as outlined in OAC rule 3745-31-07(B).

d. What about PTIOs with multiple sources that are shutdown and/or withdrawn?

There are three scenarios possible:

i. All air contaminant source(s) in the PTIO are permanently shutdown

All terms and conditions will remain in the PTIO; however they would cease to be enforceable and the PTIO would not be renewed. Although permit revocations are not necessary, those permits are eligible for revocation upon request.

ii. Some air contaminant source(s) in the PTIO are permanently shutdown and:

(1) By default:

All terms and conditions will remain in the permit until renewal. At that time the permit will be updated to remove the permanently shutdown/withdrawn source(s). Although the terms and conditions will remain in the permit until renewal, as stated above, they cease to be enforceable upon receipt of the certified notice, or

(2) The owner/operator elects to:

Partially revoke the terms and conditions relevant to the permanently shutdown air contaminant source(s). DAPC does have the ability to issue partial permit revocations (PTI, PTIO) in accordance with OAC rule 3745-31-07(B)(2). There will be specific language in the permit revocation document that states that the terms and conditions remain in effect for the remaining sources issued under the permit. All permit revocation requests, processing and issuance will be handled in STARS2.

As mentioned above, DAPC will not process permit revocations, or partial revocations, for permanently shutdown air contaminant source(s) unless specifically requested by the owner/operator through the DO/LAA. Under any of the above scenarios, the terms and conditions associated with the permanently shutdown air contaminant source(s) cease to be enforceable upon receipt of the certified notice.

e. Does the permittee still have to submit reports for the permanently shutdown/withdrawn source(s)?

Only for the period of time the air contaminant source(s) was still in operation. This is also identified in the standard terms and conditions of the PTIO or PTI:

"The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be

submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the PER covering the last period the emissions unit operated.”

f. What happens if the permittee wants to start operation of the source(s) again?

Once a permittee submits certified notice of permanent shutdown, that air contaminant source cannot resume operation again without applying for the appropriate permit. This is also identified in the standard terms and conditions of the PTIO or PTI:

“No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.”

14. APPLICATION

As part of implementation of the PTIO program, a new application form was created. The majority of the form is consistent with the historical PTI and/or PTO application forms; however, there are some differences and new features worth noting.

a. New features

- i. The new form will serve as both a PTI application for Title V sources and a PTIO application for non-Title V sources (whether they will be issued a PTIO or an FEPTIO). PTO applications will no longer exist for non-Title V sources.
- ii. Multiple types of permits (e.g., modification, initial installation, renewal) can be submitted on a single form which the DO/LAA can, and may be required to, split into multiple permit documents, as needed. (See [Section 6](#), “Constraints on Combining Permitting Actions and Permit Numbering.”)
- iii. Multiple applications may be combined into one or more permits by the DO/LAA. In addition, one application can be processed as one or more permits.
- iv. It will be available as both an online form and a hardcopy form.

(1) Online form:

- (a) Will be required for Title V sources only.
- (b) Items to expect with electronic submittals:
 - (i) Will automatically populate all information stored in the “Facility Profile” (e.g, names, addresses, etc).
 - (ii) When an entity submits an online form, certain required items will need to be completed in order for the application to be submitted.
 - 1. The authorized person/responsible official at the facility will be required to obtain a PIN by submitting a notarized statement to Ohio EPA.
 - (iii) The emissions table in the air contaminant source section of the new hardcopy form will be in a different format in the web form. HAP/toxics will be entered in a separate table and that data can be used to populate the “Requested Allowable (tpy)” cells for the Highest Single HAP and Total HAP rows with the click of a button. Those cells are also editable. The STARS2 system can distinguish a HAP from a toxic air contaminant.
 - (iv) Online applicants may upload additional word processing documents, spreadsheets and/or images in a variety of formats including ‘pdf’.

(2) Hardcopy form:

- (a) Will be optional for non-Title V sources but use of the online form is encouraged.
- (b) If a hardcopy is submitted, DO/LAA staff will enter all of the information electronically and all required items will need to be completed in order for the application to be accepted. In other words, for all hardcopy applications received in the future, the DO/LAA staff entering the data will be subject to the same QA/QC checks before submittal as the permittee. Please note this is not applicable to “legacy” applications (those received prior to implementation of the PTIO program for permits not yet issued) which have reduced QA/QC checks.

b. Additional information not previously requested in the PTI or PTO application.

i. Section I – general information

(1) Facility information

(a) Facility description

- (i) A narrative text will be provided by the applicant that will be included in the issued permit and, for Title V sources, the proposed Statement of Basis (SOB).

(b) Portable facility

- (i) Additional portable facility types have been added as check boxes. DAPC will not be creating any new facility ID numbers using the 94-99 city codes for portable sources upon implementation.
- (ii) Addition of a way to group portable sources together by a common owner through the use of a Portable Group Name feature.

(2) Contact information

- (a) The following contact types will be maintained for each facility. If one person wears multiple hats, this is indicated with a checkbox rather than requiring duplicate information.

1. Billing
2. Owner
3. Primary
4. Operator
5. On-site
6. Responsible Official (Title V only)

(3) Purpose of application – question 1

- (a) The historical PTI application includes check boxes for new installation, initial installation, reconstruction and start up of a shutdown source. This section now simply asks if it is for “installation” in place of these. The more specific detailed checkboxes are now included in the new application under Section II (specific to the air contaminant source), Question 1 (Air Contaminant Source Installation or Modification Schedule).

- (b) There is a “purpose of application” text field where we will have the applicant describe the reason for the application. This text will be used in the public notice.
- (c) A new choice is being incorporated to address sources transitioning from Title V to PTIO.
- (d) Choices for general PTI/PTOs and renewal PTIOs are being incorporated.

(4) Establish PER due date – question 2

- (a) This is a new section to address the new PER form for non-Title V sources. Applicants will be able to request one of four specific PER due dates.

(5) Federal rules applicability – question 3

- (a) New choices are being incorporated to address the applicability of:
 - (i) 112 (r) – Risk Management Plan.
 - (ii) Title IV (acid rain requirements).

(6) Express processing – question 4

- (a) PTI registration terminology has been replaced with “Express PTI/PTIO” terminology consistent with the new language included in the Ohio Administrative Code (OAC).

(7) Air contaminant sources in this application – question 5.

- (a) The historical PTO application contained a table for identification of emissions units and the historical PTI application contained questions 1 and 2 of Section II to request similar information. This information has been moved into a new table in Section one of the new application.

ii. Section II - specific air contaminant source information

- (1) Air contaminant source installation or modification schedule – question 1.

(a) This section has been expanded to cover many of the options previously requested under the historical PTI application under Question 1 of Section I (reason for application). It combines the reason for application question (e.g, new installation, modification) with the question of when installation/modification, and when applicable, operation began or will begin. This question also now includes:

(i) Choices for general PTI/PTOs, and

(ii) Renewal PTOs (which will be issued as a PTIO) and renewal PTIOs.

(2) Source classification code(s) (SCC) – question 2

(a) This will be equivalent to the new term, “process”, to which any control equipment and/or egress points will be connected. An air contaminant source must have at least one process.

(3) Best available technology (BAT) – question 4

(a) This is a new question that addresses the 10 ton/year exemption from BAT based on allowable emissions (resulted from SB265). It allows the applicant to identify which sources exceed the threshold and will require BAT and to propose the BAT with justification.

(4) Modeling information – question 7.

(a) Egress points now have the options of stack, fugitive - area, or fugitive - volume. At least one egress point must be identified for each process but detailed egress point information is still only required if modeling is triggered. Additional information not previously requested in the PTI or PTO application, egress point level includes:

(i) Stack

1. Cross sectional area, in square feet
2. Base elevation (ft)

(ii) Fugitive – area

1. Area source dimensions (L x W)

(iii) Fugitive – volume

1. Volume source dimensions (W x H)

(b) Egress point ID's are now tied back to the specific control equipment in Question 6 of the new form.

(5) Request for federally enforceable limits – question 8

(a) A new category has been added to address the 10 ton/year exemption from BAT based on allowable emissions (resulted from SB265). A source may request a voluntary limit on their annual emissions in order to avoid the BAT requirement through this check box.

(6) Continuous emissions monitoring – question 9

(a) This section has been re-organized to improve clarity.

15. REGISTRATION AND EXPRESS PROCESSING

a. What's new?

- i. The term “PTI registration status” is obsolete.
- ii. The new term is “Express permit-to-install” or “Express PTIO”.
- iii. PTO registration status is no longer available.

b. What type of source can qualify for express status?

Express qualification criteria is specified in OAC rule 3745-31-05(G). These require the applicant to:

- i. Apply for a PTI or PTIO for a source undergoing installation or modification;
- ii. Submit a complete PTI/PTIO application;
- iii. Demonstrate compliance with all applicable laws;
- iv. Have maximum, uncontrolled potential emissions of less than 5 TPY each for particulate matter, sulfur dioxide, nitrogen oxides, and organic compounds. This is per source, not per permit;
- v. Not be subject to NSPS rules; and
- vi. Not be subject to NESHAP rules.

c. Can a source with less than 5 TPY of controlled emissions get express status?

Yes, but we must still verify express status based on the uncontrolled potential emissions rate. Also note it is five TPY for each pollutant, not all pollutants together, emitted from each separate source.

d. Can an application for a source that is already installed receive express status?

Yes, but only if the application is for a source modification. Otherwise, applications for sources already installed cannot receive express status.

e. What about pollutants other than PM, SO₂, NO_x and OC that are emitted from the source?

For CO, the determination at this time is that a source emitting less than five TPY of CO is eligible for express status. CO is reviewing the rule to determine what the cutoffs should be for other pollutants.

f. How do you process an Express PTI or PTIO?

Follow the same procedure as the former PTI registration status. Remember, express status does not mean we process the application faster. It means the applicant can begin installation if we fail to issue the permit within 60 days or fail to notify the applicant within 60 days that the source does not qualify for express status.

g. Can we decide on our own that an application for a low emission source deserves express status?

No. The applicant must request express PTI/PTIO status on the permit application (Question 4). If the applicant does not answer "yes" to this question, process the application as a non-express action.

h. What happens to existing sources on PTO registration status?

Nothing, they carry over as is. OAC rule 3745-31-08 "grandfathers" these sources into the PTIO system. No action is needed unless a DO/LAA discovers the source no longer meets the original PTO registration status criteria, now found in OAC rule 3745-31-08(B).

i. How do you issue a PTIO for a source that no longer qualifies for PTO registration?

To remove a source from PTO registration status, the DO/LAA can request the owner/operator submit a new application. The owner/operator can also request the source be issued a PTIO and submit an application. The DO/LAA can evaluate the application and determine if continued registration status or a PTIO is appropriate. Processing the application will transition the source into the PTIO system.

Note: Under OAC rule 3745-31-08(D), Ohio EPA may at any time request an updated application for a grandfathered registration status source. In the event the permittee does not provide the application within a “reasonable period of time”, Ohio EPA has the authority to remove the source from registration status and issue it under a PTIO based on any previously submitted application.

j. Can pending, unprocessed PTO applications be used to issue a PTIO for a source that no longer qualifies for PTO registration?

CO does not recommend issuing a PTIO based on the old, pending PTO application unless the DO/LAA verifies all data in the application is current. The new PTI/PTIO application contains data fields that are important to the PTIO expiration, PER date, and other reporting schedules. Whenever possible, the owner/operator should submit a PTI/PTIO application.

k. Additional references

1. Basic New Source Review manual, Section E.1, DAPC, March 2002.
2. Permitting of sources under PTI Registration status, Hopkins and Dailey, February 2, 1994.

16. EXEMPTIONS AND PBRs

a. Did incorporating the PTO rules into PTI/PTIO rules affect exemptions?

PTO exemptions previously identified under OAC Chapter 3745-35 were reviewed as part of the PTIO process.

All exemptions that existed in OAC Chapter 3745-31 have been retained under the PTIO program. The exemptions identified in OAC Chapter 3745-35 were all identified in OAC Chapter 3745-31 with the exception of the following exemption that required changes in order to retain the exemption afforded under OAC Chapter 3745-35.

(1) Permanent exemptions

(t) An incinerator located at a dwelling designed and used to dispose of residential wastes and having a capacity for serving ~~no more than five~~ six or fewer households or units per dwelling.

b. Were there any other changes to exemptions contained in OAC rule 3745-31-03?

Language was added to clearly identify the *de minimis* exemption already applicable under the air program.

(5) De minimis exemption

Air contaminant sources which meet the requirements of rule 3745-15-05 of the Administrative Code and section 3704.011 of the Revised Code are exempt from the requirements of this chapter.

c. Can an owner/operator requests their air contaminant source(s) be withdrawn from permitting because it is now determined to meet an exemption criteria?

Yes. If a facility contains a previously permitted air contaminant source(s) that now qualifies for a permanent exemption, de minimis status, or a permit-by-rule (PBR) then the owner/operator needs to specifically request the applicable permit(s) be revoked, or partially revoked, to remove the air contaminant source(s) from the permit in order for the exemption to be in effect. Ohio EPA cannot simply grant an owner/operator permanent exemption or de minimis status if the air contaminant source(s) are permitted. Compliance with the terms and conditions of all effective permits is required until the revocation is effective. Then compliance with any requirements associated with the exemption are effective.

d. Are PBR exemptions in OAC rule 3745-31-03 optional?

Yes, a permittee may request a permit instead of these PBR exemptions. PBR is merely a permitting OPTION. At any time, a permittee may elect to obtain traditional permits for previously PBR-permitted operations by submitting the appropriate permit applications. An owner/operator also may choose to submit a traditional permit application if the source can no longer comply with the conditions of the PBR.

e. Does a traditionally permitted air contaminant source that qualifies for one of these PBR exemptions need to be revoked in order to operate under the PBR exemption?

Yes. Revocations will be initiated by the DO/LAA and issued out of STARS2 by PIER once their review has confirmed the air contaminant source(s) is eligible for PBR. Tracking of permit revocations will be done through STARS2.

17. SHAKEDOWN

Industry stakeholders have expressed concern that the PTIO program will affect the ability for a source to make changes to their operational terms and conditions as a result of their "shakedown." The PTIO program does not change the issues associated with "shakedown" periods when compared with the historical PTI and then PTO system because historical PTIs also contained operational terms as required by ORC 3704.03(F)(2):

"Installation permits shall include the authorization to operate sources installed and operated in accordance with terms and conditions of the installation permits for a period not to exceed one year from commencement of operation, which authorization shall constitute an operating permit under division (G) of this section and rules adopted under it".

If changes are necessary after the "shakedown" period, then in many cases an admin mod of the permit would be processed. For instance, sometimes stack testing shows that an allowable emission limitation in the permit should be changed. Under the historical system, Ohio EPA would process an admin mod of the PTI and/or PTO (if issued) to correct the limitation. Under the PTIO program, Ohio EPA would process an admin mod of the PTIO to change the limitation.

18. AIR CONTAMINANT SOURCES NOT INSTALLED AFTER PERMIT ISSUANCE

a. What happens if a permittee does not install an air contaminant source for which a PTI or PTIO was issued?

Authorization to install or modify an air contaminant source(s) contained in an issued PTI or PTIO will terminate within 18 months of the effective date of the issuance of the PTI or PTIO that authorized the installation/modification, if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding

contractual obligation to undertake and complete within a reasonable time a continuing program of installation.

The Director can extend the date of termination by up to 12 months as identified in OAC rule 3745-31-07(A)(2).

The permit for that air contaminant source(s) should be marked as “terminated” in the STARS2 system if the permittee did not commence operation and it was not extended. The DO/LAA is responsible for marking the permit as terminated.

b. What happens if there are some air contaminant source(s) in the PTI or PTIO that are installed and some that are not?

For air contaminant source(s) that are installed pursuant to a PTI or PTIO, the PTI/PTIO and its terms will be effective for those air contaminant source(s). If an air contaminant source(s) is not installed as part of the PTI/PTIO then the PTI/PTIO terminates for that air contaminant source(s) as outlined above. For an air contaminant source(s) that was never installed, the DO/LAA will have the ability to terminate it. Also when the PTIO is renewed, the air contaminant source(s) that was never installed can be removed.

19. HOW DOES IMPLEMENTATION OF PTIO AFFECT ENFORCEMENT?

The PTIO program will not alter the enforcement policies and procedures administered by Ohio EPA. Problems discovered at a facility would continue to be resolved using the appropriate enforcement mechanism.

20. IMPORTANT RULE CHANGES

Effective June 30th, 2008, in order to implement the PTIO program the PTO rules for OAC Chapter 3745-35 were removed and all necessary portions combined into the new source review rules contained in OAC Chapter 3745-31. Several rules within the chapter were re-arranged in order to provide better flow. Some other additions were incorporated into the rules in order to implement the PTIO program effectively. Below is a discussion of some of the key changes. The corresponding rule language is identified in the boxes. Black text represents that no change to the language occurred. Red stricken text represents the removal of language. Blue text represents the addition of language.

a. Definition of Potential to Emit (PTE) - OAC 3745-31-01(VVVV)

The definitions contained in OAC Chapter 3745-35 and OAC Chapter 3745-31 are combined into one definition as follows. Practically speaking this does not affect the manner in which we determine PTE.

"Potential to emit" means the maximum capacity of an emissions unit or stationary source to emit an air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the emissions unit or stationary source to emit an air pollutant, [which includes any federally regulated air pollutant as defined in paragraph \(DD\) of rule 3745-77-01 of the Administrative Code](#), including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable or legally and practicably enforceable by the state. Secondary emissions do not count in determining the potential to emit of a stationary source.

b. Introduction to the Changes - OAC 3745-31-02

Because so many changes occurred we incorporated an introductory section in the "Applicability, requirements and obligations" rule. It explains the chapter is now applicable to two types of sources:

1. Title V – for the purpose of installation and modification only.
2. Non-Title V – for the purpose of installation, modification and operation.

The remaining language in the comment section identifies how the new chapter is arranged.

This chapter provides requirements for installation, modification and operation of new and existing air contaminant sources at facilities that are not subject to Chapter 3745-77 of the Administrative Code. This chapter also provides requirements for installation and modification of air contaminant sources at facilities that are, or will be, subject to Chapter 3745-77 of the Administrative Code. The operating requirements for air contaminant sources, defined as Title V sources, can be found in Chapter 3745-77 of the Administrative Code.

[Comment: Prior to the effective date of this rule, requirements for permits-to-operate for sources not subject to Chapter 3745-77 of the Administrative Code were contained in Chapter 3745-35 of the Administrative Code. Upon the effective date of this rule, Chapter 3745-35 was rescinded and all operating requirements for sources at facilities not subject to Chapter 3745-77 of the Administrative Code were incorporated into this chapter. Rules 3745-31-01 to 3745-31-07 of the Administrative Code provide regulatory requirements for installation and modification for all sources. Rules 3745-31-01 to 3745-31-07 of the Administrative Code also provide regulatory requirements for operation of sources at facilities not subject to Chapter 3745-77 of the Administrative Code. Rule 3745-31-08 of the Administrative Code provides the ongoing regulatory requirements for sources at facilities not subject to Chapter 3745-77 of the Administrative Code that previously received registration status for permit-to-operate purposes under the now rescinded Chapter 3745-35 of the Administrative Code. Updated requirements for registration status, now defined as express permit-to-install or express PTIOs, are incorporated into rule 3745-31-05 of the Administrative Code. Rule 3745-31-09 of the Administrative Code provides for operation or other use of an air contaminant source that emits any air pollutant under a variance. This provision was previously established in the now rescinded rule 3745-35-03 of the Administrative Code. Rule 3745-31-29 of the Administrative Code provides for general permits-to-install and general PTIOs. Rule 3745-31-33 of the Administrative Code identifies activities that are included and excluded from meaning of begin actual construction, as defined in rule 3745-31-01 of the Administrative Code. The remaining rules in this chapter, rules 3745-31-10 to 3745-31-28 and rules 3745-31-30 to 3745-31-32 of the Administrative Code, provide additional regulatory requirements for installation and modification of air contaminant sources that are located at a major stationary source or are considered major modifications, as defined in rule 3745-31-01 of the Administrative Code. Installation or modification of air contaminant sources that are located at a major stationary source or are considered major modifications, are, or will become, subject to Chapter 3745-77 of the Administrative Code. The operating regulatory requirements for these types of sources are contained in Chapter 3745-77 of the Administrative Code.]

c. Superseding language for PTIOs issued to sources with PTIs and active PTOs – OAC 3745-31-02(A)(2)

Language was added to allow superseding of certain permits under specific circumstances to reduce the burden necessary in revoking permits. It provides us with the authority to issue a PTIO for an air contaminant source that was previously issued a PTI or PTO prior to the effective date of the rule without the need to revoke the previously issued permits. However, this would not be applicable to a Title V permit.

An owner or operator who currently holds a permit-to-install and/or permit-to-operate for an air contaminant source which permit was issued prior to the effective date of this rule, may be issued a PTIO for the same air contaminant source. Upon final issuance of the PTIO, any permit-to-install and/or permit-to-operate for the air contaminant source will be superseded by the issuance of the PTIO. The superseded permits will cease to be enforceable.

d. Changes in applicability of Title V vs. non-Title V – OAC 3745-31-02(B)

Language was added to clearly identify the requirements and procedures when a source changes between Title V and non-Title V programs.

(B) Changes in applicability: Title V versus non-Title V

This paragraph is applicable to an owner or operator where a change in the air contaminant source, stationary source, or applicable law results in a change in the requirements applicable to the source under this chapter and/or Chapter 3745-77 of the Administrative Code. A change may include, but is not limited to, a modification or major modification as defined in this chapter, a relaxation of a federally enforceable limitation on the potential to emit applicable under paragraph (D) of rule 3745-31-05 of the Administrative Code, or the imposition of a federally enforceable limitation, or limitation legally and practicably enforceable by the state, on the potential to emit that restricts a stationary source's potential to emit below major source thresholds applicable under paragraph (D) of rule 3745-31-05 of the Administrative Code.

The following is applicable to a facility operating under non-Title V permits but must now comply with Title V requirements. Paragraph (B) (1) (c) allows for superseding of any previously issued PTO without the need for revocation of the permit. It also allows for the operating terms and conditions, including the requirements for a PER, to be superseded in any previously issued PTIO without the need to immediately modify those terms and conditions. The terms and conditions that can be superseded in a PTIO under this scenario will be specifically identified in the standard terms and conditions of the PTIO.

(1) The following is applicable to an owner or operator who holds a permit-to-install, permit-to-operate and/or PTIO where a change subjects the owner or operator to the requirements of Chapter 3745-77 of the Administrative Code.

(a) The owner or operator shall submit a Title V permit application and obtain a Title V permit from the director, as required under Chapter 3745-77 of the Administrative Code.

(b) If the change is defined as a new source, modification or major modification under this chapter, the owner or operator shall submit the required application and obtain a permit-to-install, as required under this chapter, from the director.

Cont....

(c) Upon final issuance of the permit required under paragraph (B)(1)(a) of this rule, and, if applicable, under paragraph (B)(1)(b) of this rule, any permit-to-operate, and/or any terms and conditions specifically identified in the standard terms and conditions of a PTIO as no longer enforceable under conditions described in paragraph (B)(1) of this rule, will be superseded by the issuance of the Title V permit required under paragraph (B)(1)(a) of this rule, and, if applicable, the permit-to-install required under paragraph (B)(1)(b) of this rule. All superseded permits-to-operate and specifically superceded terms and conditions of a PTIO, will terminate and cease to be enforceable. As applicable, terms and conditions of any PTIO not superceded will function as the permit-to-install.

The following is applicable to a facility operating under a Title V permit which no longer meets the Title V applicability requirements contained in OAC Chapter 3745-77. We are currently working on language changes to OAC Chapter 3745-77 that will allow sources subject to Title V to get out of the program prior to expiration of their permit through termination of the Title V permit. Paragraph (B) (2) (b) acknowledges the future scenario.

(2) The following is applicable to an owner or operator who currently holds a Title V permit where a change eliminates the applicability of Chapter 3745-77 of the Administrative Code but the change does not exempt the owner or operator from requirements to obtain a PTIO.

(a) The owner or operator may submit the required application and obtain a PTIO or Federally Enforceable PTIO (FEPTIO) from the director, as required under this chapter.

[Comment: An owner or operator with authority to operate under a Title V permit which subsequently makes a change at the facility that eliminates the applicability of Chapter 3745-77 of the Administrative Code is not obligated to obtain a PTIO or FEPTIO if the owner or operator elects to continue to be permitted under the Title V permit.]

(b) Final issuance of any permit under paragraph (B)(2)(a) of this rule does not release the owner or operator from the requirements contained in Chapter 3745-77 of the Administrative Code or the owner or operator's active Title V permit, except as expressly released in rule, by order of the director, or in a federally enforceable permit.

e. Permanent shutdown of an air contaminant source – OAC 3745-31-02(C)

Language was added to provide the authority to relieve sources from the requirements of a PTI or PTIO applicable to an air contaminant source which is permanently shutdown without the need to do an immediate modification of their permit. The terms and conditions identifying the procedures that must be followed will be identified in the standard terms and conditions of the PTI or PTIO.

(C) Permanent shutdown of an air contaminant source subject to the terms and conditions of a permit-to-install or PTIO

When expressly provided in the terms and conditions of a permit-to-install or PTIO, the owner or operator of an air contaminant source that is permanently shutdown may be relieved from certain requirements in the terms and conditions of the permit-to-install or PTIO, without obtaining a modification or administrative modification, upon meeting the requirements specified in the permit for permanently shutting down air contaminant sources. Those terms and conditions for which the owner or operator is relieved will cease to be enforceable upon meeting the requirements for permanently shutting down air contaminant sources contained in the terms and conditions of the permit.

f. Exemptions – OAC 3745-31-03

All exemptions that existed in OAC Chapter 3745-31 have been retained under the PTIO program. The exemptions identified in OAC Chapter 3745-35 were all identified in OAC Chapter 3745-31 with the exception of the following exemption which required changes in order to retain the exemption afforded under OAC Chapter 3745-35.

(1) Permanent exemptions

(t) An incinerator located at a dwelling designed and used to dispose of residential wastes and having a capacity for serving ~~no more than five~~ six or fewer households or units per dwelling.

Language was added to clearly identify the de minimis exemption already applicable under the air program.

(5) De minimis exemption

Air contaminant sources which meet the requirements of rule 3745-15-05 of the Administrative Code and section 3704.011 of the Revised Code are exempt from the requirements of this chapter.

g. BAT clarifying language – OAC 3745-31-05(A)(3)

Language was added to clearly identify BAT requirements..

Employ BAT, when applicable, in accordance with the following:

(a) BAT shall be evaluated, determined and required in either the initial permit-to-install or PTIO issued for an air contaminant source or when a modification of the air contaminant source results in the issuance of a permit-to-install or PTIO, except:

(i) BAT is not required if the air contaminant source was installed on or before January 1, 1974;

The next subparagraph was incorporated to identify the exemption allowed for sources emitting less than 10 tons per year (resulting from SB265).

(ii) BAT is not required if the air contaminant source was installed or modified on or after August 3, 2006 and has the potential to emit, taking into account air pollution controls installed on the source, less than ten tons per year of emissions of an air contaminant or precursor of an air contaminant for which a national ambient air quality standard has been adopted under the Clean Air Act;

The previously effective rule language was amended slightly for clarity and to also identify that BAT is not reevaluated and redetermined when an administrative modification occurs. The use of the terms “reevaluated” and “redetermined” were incorporated. A reevaluation of BAT does not always lead to a different determination if the original determination remains valid (i.e., it remains the best available technology).

(iii) If the only requirement to obtain a permit-to-install or PTIO is due to the following, any existing BAT determination, when applicable, remains in effect and BAT shall not be reevaluated and redetermined:

(a) A modification as a result of the requirements of paragraph - ~~(PPP)(1)(b)-(QQQ)(1)(b)~~ of rule 3745-31-01 of the Administrative Code;

(b) The requirements of paragraph ~~(A)(2)(F)~~ of this rule ~~3745-31-02 of the Administrative Code, or~~; or,

(c) An administrative modification.

The following paragraph was incorporated to identify that whenever a modification occurs, BAT is reevaluated and redetermined.

(b) For air contaminant sources subject to an existing BAT determination, BAT shall be reevaluated and redetermined when a modification of the air contaminant source(s) occurs.

The following paragraph was incorporated to identify that whenever a PTIO is renewed, BAT is not reevaluated and redetermined, unless a modification is also applicable.

(c) Except as provided in paragraph (A)(3)(b) of this rule, BAT shall not be reevaluated and redetermined when a PTIO is renewed, notwithstanding a modification as defined in rule 3745-31-01 of the Administrative Code. However, any existing BAT determination remains in effect.

The following paragraph was incorporated to identify a reevaluation and redetermination of BAT can occur at any time but it will always be based on the initial installation or most recent modification date.

(d) BAT may be reevaluated and redetermined at any time, in accordance with the definition of BAT contained in rule 3745-31-01 of the Administrative Code, based on data available at the time the air contaminant source was initially installed or most recently modified, whichever occurs later.

The final paragraph of the new BAT rule language identifies when BAT becomes effective. If there is a physical change or change in the method of operation that results in the new BAT, the BAT is not effective until that change occurs. This ensures the new BAT is not effective upon issuance of the PTI or PTIO, but any previous BAT (if applicable) remains in affect during the period between permit issuance and when the change actually occurs. Otherwise, the BAT is effective upon issuance of the permit document, for example, if a BAT reevaluation occurred at the request of a permittee and resulted in a new BAT but there was no modification at the facility.

(e) Any reevaluated and redetermined BAT shall be in effect upon completion of the physical change or change in the method of operation or, when a physical change for change in the method of operation is not applicable, upon issuance of the permit-to-install or PTIO. Prior to completion of the physical change or change in the method of operation or issuance of the permit-to-install or PTIO, any existing BAT determination remains in effect.

h. FEPTIO and synthetic minor – OAC 3745-31-05(D) & (E)

Previously under OAC 3745-31-05(C) the director had authority to impose special terms and conditions, most notably synthetic minor limitations. These limitations could address federal (Clean Air Act) requirements or could be applicable to state-only requirements. Previously under OAC 3745-35-07 the director had authority to develop federally enforceable limitations on PTE. These two authorities are now combined under paragraph (D), with respect to those that address federal requirements, and paragraph (E), with respect to those that address state-only requirements.

The following language is applicable to federal requirements. Limitations on federally enforceable requirements are still issued in a federally enforceable permit, now called a “federally enforceable PTIO” or “FEPTIO”. There are no actual changes from the language and requirements previously established under OAC 3745-35-07.

(C) Special terms and conditions including federally enforceable limitations on potential to emit

The director may impose such special terms and conditions as are appropriate or necessary to ensure compliance with the applicable laws and to ensure adequate protection of environmental quality.

(1) Special terms and conditions necessary to ensure compliance with requirements mandated by the Clean Air Act, which include regulations promulgated by the administrator there under, include synthetic minor emissions unit terms and conditions issued in a permit-to-install or PTIO and/or Federally Enforceable PTIO (FEPTIO). Such terms and conditions shall be federally enforceable and may restrict a stationary source's potential to emit below major source thresholds, below thresholds for other Clean Air Act requirements, or place other restrictions on an air contaminant source or stationary source in order to avoid a Clean Air Act requirement(s). Federally enforceable terms and conditions, including limitations on the potential to emit of a source, will be designated as such through one of the following:

- (a) Terms and conditions of a final permit-to-install issued under this chapter; or
- (b) Terms and conditions of a final FEPTIO issued under this chapter; or

[Comment: In 59 FR 53586, October 25, 1994, (as revised in 60 FR 55200, October 30, 1995), the United States environmental protection agency approved rule language providing for the creation of a program for issuing federally enforceable state operating permits. See former rule 3745-35-07 of the Administrative Code. That approved rule language has been incorporated in paragraphs (D)(1) to (D)(4) of this rule. Consequently, such designated terms and conditions imposed in an FEPTIO under the approved program elements contained in the language of paragraphs (D)(1) to (D)(4) of this rule will be considered federally enforceable as of the effective date of this rule, unless and until the United States environmental protection agency later disapproves the language.]

- (c) Rules or orders of the director that are submitted to and approved by the administrator as revisions to the Ohio state implementation plan under Section 110 and 112(l) of the Clean Air Act.

Cont.....

(2) In order to be federally enforceable, a limitation on the potential to emit of an air contaminant source or stationary source must:

(a) Specify an annual limit on emissions from the source;

(b) Specify a short-term limit on emissions for each pollutant to be restricted, and specify a short-term limit on production or operation, provided that for purposes of limiting potential to emit, acceptable short-term limitations on production or operation shall include but not be limited to:

(i) A thirty-day summation limitation or three hundred sixty-five day rolling summation limitation computed each calendar day;

(ii) A monthly limitation; or

(iii) A rolling twelve-month summation limitation; and

(c) Specify adequate and enforceable methods for establishing compliance with the annual and short-term limits, using methods from 40 CFR Part 60, Appendix A or 40 CFR Part 51, Appendix M where appropriate; and

(d) Be no less stringent than any federally applicable requirement to which the source is subject; and

(e) Be contained in a permit first be issued as a draft or proposed action with an opportunity for public comment under rule 3745-47-05 of the Administrative Code with concurrent notice and opportunity for comment given to the administrator of the United States environmental protection agency region five. During the public comment period, if the administrator objects that the terms and conditions of the permit are not federally enforceable, the director shall not issue the permit until such objection has been resolved.

(3) Only those terms and conditions issued in a permit under this chapter and in accordance with paragraph (D)(2) of this rule that are necessary to avoid a Clean Air Act requirement(s), including a limitation on the potential to emit of an air contaminant source or stationary source, and expressly designated as federally enforceable, shall be federally enforceable.

(4) Upon the request of the owner or operator, any of the mechanisms provided in paragraph (D)(1) of this rule shall allow for trading of emissions increases and decreases among air contaminant sources located at the same stationary source that is consistent with the Clean Air Act for the purpose of complying with a federally enforceable cap on the potential to emit of the source. Such limitations shall ensure that the trades are quantifiable and enforceable and require seven-day advance notification to the appropriate Ohio environmental protection agency district office or delegated local air agency.

(5) Relaxation of federally enforceable limitations

At such time that a particular stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any federally enforceable term and condition or limitation established after August 7, 1980, on the capacity of the stationary source or modification otherwise to emit an air pollutant, such as a restriction on hours of operation, the requirements of rules 3745-31-10 to 3745-31-27 and 3745-31-30 to 3745-31-32 of the Administrative Code shall apply to the stationary source or modification as though construction had not yet commenced on the stationary source or modification.

The following language is applicable to state-only requirements. Limitations on state-only requirements may be issued in an FEPTIO, if the source requires other limitations that are from federal requirements, or may be issued in a PTIO.

(E) State-only enforceable limitations

The director may impose terms and conditions necessary to ensure compliance with any provisions of the statutes or regulations of the state of Ohio that are not mandated by the Clean Air Act or regulations adopted by the administrator thereunder, but such terms and conditions shall be enforceable as state law only, and shall be designated as such in the permit-to-install, PTIO or FEPTIO.

i. Express PTI/PTIO – OAC 3745-31-05(G)

Historically, express processing of a new source review permit has been termed “registration status.” All reference to registration status PTIs has been removed from the rule language and replaced with express processing terminology. The requirements that previously existed remain consistent under the PTIO program.

Clarifying language was added to the following requirement to clearly identify the emissions threshold for qualifying for express process was based on each pollutant and not a combination thereof.

(G) Express permit-to-install or express PTIO processing

~~(3)~~(d) Have maximum uncontrolled emissions as defined in rule 3745-31-01 of the Administrative Code of less than five tons per pollutant per each year for particulate matter, sulfur dioxide, nitrogen oxides, and OCs.

j. Deadlines for issuance – OAC 3745-31-06(E)

Deadlines for issuance of permits remained unchanged under the PTIO program. There are a few items worth noting in this section.

A definition for “initial construction PTIO” for the purpose of paragraph (E) ONLY has been included. This is necessary to delineate between issuing a PTI or PTIO for a source that is installing or modifying compared to issuing a PTIO for a source that was previously issued a PTI or PTIO. The 180-day clock would not be applicable to an air contaminant source that is being issued a PTIO for a reason other than installation or modification (e.g., to transfer the source into the PTIO program). The 180-

day clock is applicable to a PTI, modification of a PTI or PTIO and to initial construction PTIOs.

(E)(1) For the purposes of this paragraph, "initial construction PTIO" means a PTIO for an air contaminant source that is not currently regulated under a permit-to-install or PTIO

Clarifying language has been added to identifying that admin mods are also not subject to the 180-day clock.

(5) Administratively modified permit-to-install or PTIO

(a) The director may issue or deny or propose to issue or deny a permit-to-install or PTIO that meets the definition of an administrative modification in rule 3745-31-01 of the Administrative Code, pursuant to rules adopted under division (F) of section 3704.03 of the Revised Code, as expeditiously as practicable.

New language has been added to paragraph (E)(6)(a) to identify the statutory obligation to also issue operational permits, i.e., PTIOs, under the same 180-day clock. Although this language did not previously exist under either OAC Chapter 3745-31 or OAC Chapter 3745-35, it does exist in the Ohio Revised Code. This will affect renewal PTIOs.

(6) Renewal PTIO

(a) The director shall issue or deny or propose to issue or deny a renewal PTIO pursuant to rules adopted under division (F) of section 3704.03 of the Revised Code within one hundred eighty days after the date the application for the renewal PTIO was determined to be complete as that date is set forth in the written notice of the determination of the completeness of the application provided under paragraph (A), (B), or (C)(1) of this rule or within one hundred eighty days after the application is deemed to be complete under paragraph (B) of this rule, as appropriate. If the director fails to issue or deny or propose to issue or deny the renewal PTIO within the appropriate one hundred eighty day period, the applicant may bring a mandamus action to obtain a judgment that orders the director to take a final action on the application.

New language has been added to paragraph (E)(6)(b) to identify the "application shield" provided under the Ohio Revised Code when a timely and complete renewal application is submitted. It identifies that the source should continue to operate under the expired PTIO until the renewal is issued.

(b) In accordance with division (C) of section 119.06 of the Revised Code, when an applicant submits a timely and complete renewal application pursuant to applicable law and the terms and conditions of the PTIO, the permittee's failure to have a renewed PTIO is not a violation of this chapter. Upon expiration of the PTIO, the permittee shall continue to operate under the terms and conditions of an expired PTIO until issuance of a renewal PTIO by the director.

k. Partially revoking a PTIO (for individual air contaminant sources) – OAC 3745-31-07(B)(2)

Because many air contaminant sources may be under one single PTIO document, additional language has been added to allow Ohio EPA to partially revoke a permit to remove the individual sources rather than requiring revocation of the full permit followed by re-issuance.

(B) Revocation

(2) The director may also revoke, or partially revoke, a permit-to-install, PTIO or variance if the permittee requests revocation for cause and the director determines that granting the requested revocation will not result in the violation of any applicable laws. When a permittee requests a revocation, the director, without prior hearing, shall make a final determination on the application.

l. New renewal cycle – OAC 3745-31-07(C)

Under the PTIO program, the renewal cycle for a PTIO will be set in accordance with the period identified in the Ohio Revised Code, which at this time is 10 years for PTIOs. FEPTIOs will continue to be renewed on a 5-year cycle. Also note paragraph (C)(1)(a), with respect to conditional PTIOs, was amended compared to the previous requirements for conditional operating permits under Chapter 3745-35. Previously the requirement was that conditional operating permits could only be issued for 6-month periods. Under the rule change this language was amended to be consistent with the statute to allow for issuance periods that the director determines is “reasonable.”

(1) A PTIO may be issued for a period of time consistent with the requirements of paragraph (G) of section 3704.03 of the Revised Code, and is subject to renewal pursuant to rule 3745-31-05 of the Administrative Code.

(a) A conditional PTIO issued pursuant to paragraph (B) of rule 3745-31-05 of the Administrative Code shall be effective for such reasonable periods as the director may determine on a case-by-case basis consistent with the requirements of paragraph (G) of section 3704.03 of the Revised Code. A conditional PTIO may not be renewed; however, the effective date may be extended for such reasonable periods as the director may determine on a case-by-case basis provided the total time period of effectiveness is consistent with the requirements of paragraph (G) of section 3704.03 of the Revised Code.

(b) A FEPTIO issued pursuant to paragraph (D) of rule 3745-31-05 of the Administrative Code shall be effective for a period of time consistent with the requirements of paragraph (G) of section 3704.03 of the Revised Code but no longer than five years, and is subject to renewal.

(2) A permit-to-install does not expire and is not renewable.

Cont.....

(3) Any site approval for a portable source issued pursuant to paragraph (G) of rule 3745-31-05 of the Administrative Code may be issued for a period of time consistent with the requirements of paragraph (F) of section 3704.03 of the Revised Code, and is subject to renewal pursuant to paragraph (G) of rule 3745-31-05 of the Administrative Code.

(4) Any variance issued pursuant to rule 3745-31-09 of the Administrative Code may be issued for a period of time consistent with the requirements of paragraph (G) of section 3704.03 of the Revised Code, and is subject to renewal. A variance may be renewed only when the Ohio environmental protection agency is satisfied that the source for which the variance was granted is making satisfactory progress toward achievement of the program specified in any compliance schedule incorporated into the variance and/or is complying with any other terms and conditions of the variance. Renewal shall be considered pursuant to rule 3745-31-09 of the Administrative Code.

m. Revisions with application requirement – OAC 3745-31-07(D)

New language has been added to paragraph (D) to allow DAPC to revise a PTIO for various reasons that were not addressed before because they did not trigger a modification. For example, a new applicable requirement is incorporated into state or federal rules. It also provides us with a mechanism to request an application, if necessary.

(D) Revision

(1) Any PTIO or variance issued by the director shall be subject to revision by the director in response to changes in applicable law or other factors affecting the compliance of the air contaminant source with the standards or conditions of any currently effective permit.

(2) The director may revise any site approval for a portable source issued pursuant to paragraph (H) of rule 3745-31-05 of the Administrative Code to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

(3) The director may require the owner or operator to submit a permit application pursuant to rule 3745-31-05 of the Administrative Code to fulfill the requirements of paragraph (D) of this rule.

n. Grandfathered permit-to-operate registrations – OAC 3745-31-08

Under the PTIO program, issuance of registration status operating permits is rendered redundant. However, all sources previously operating under registration status are grandfathered into the program. This new rule transfers much of the requirements from OAC Chapter 3745-35 for

registration permits. This rule provides language allowing them to remain on registration status but also provides a mechanism to incorporate them into the PTIO program if we determine it's necessary at a later date, or if the permittee requests revocation of the registration status.

(C) An air contaminant source placed on registration status as of the effective date of this rule may remain on registration status until removed in accordance with paragraphs (D) or (E) of this rule.

(D) The director may at any time require the owner or operator of an air contaminant source which obtained registration status prior to the effective date of this rule, to submit an updated application for a PTIO or variance and/or to demonstrate its continued compliance with the requirements of paragraph (A) of this rule. If the owner or operator complies with this request of the director within a reasonable period of time as specified by the director, the updated application shall be processed in accordance with applicable law, including continuation of the existing registration status if appropriate. If the owner or operator fails to comply with this request of the director within a reasonable period of time as specified by the director, the permit-to-operate application previously submitted by such owner or operator for such source shall be removed from registration status and processed in accordance with applicable law. Any subsequent permit denial or notice of application deficiency shall serve as notice to the owner or operator of the source that the permit-to-operate application for such source has in fact been removed from registration status.

(E) The director may revoke a registration status obtained prior to the effective date of this rule if the permittee requests revocation for cause and the director determines that granting the requested revocation will not result in the violation of any applicable laws. When a permittee requests a revocation pursuant to the paragraph, the director, without prior hearing, shall make a final determination on the request.

(1) Revocation of registration status shall be final immediately after service of notice to the registration status holder.

o. Periodic reporting requirements – OAC 3745-15-03

New language has been incorporated into this rule to address the PER and quarterly reporting requirements and to which types of sources they will apply. Paragraphs (B)(1) and (2) identify which types of sources are subject to the PER and which are subject to the quarterly report.

(1) Requirements under paragraph (C) of this rule shall be applicable to an owner or operator of a facility:

(a) Issued a permit-to-install, pursuant to Chapter 3745-31 of the Administrative Code, or

(b) Issued a federally enforceable permit-to-install and operate (FEPTIO), pursuant to Chapter 3745-31 of the Administrative Code; however, this requirement shall only be applicable to the terms and conditions specifically identified in the FEPTIO as subject to reporting under paragraph (C) of this rule, or

Cont.....

(c) Issued a permit-to-install and operate (PTIO), pursuant to Chapter 3745-31 of the Administrative Code, for a source for which a Title V permit is subsequently issued, pursuant to Chapter 3745-77 of the Administrative Code.

(2) Requirements under paragraph (D) of this rule shall be applicable to an owner or operator of a facility issued a permit-to-install and operate (PTIO) or a federally enforceable permit-to-install and operate (FEPTIO), pursuant to Chapter 3745-31 of the Administrative Code, for a source not subject to the requirements of Chapter 3745-77 of the Administrative Code.

The quarterly reporting requirements are identified under paragraph (C). The language in the rule was derived from the language in the standard terms and conditions. One change worth noting is the ability for a source to no longer report deviations from malfunctions that were previously reported under the malfunction rule. However, they are required to identify in the quarterly report the date the malfunction occurred and the form in which it was reported (e.g., telephone, e-mail, written).

(C)(3) Unless required by Chapter 3745-77 of the Administrative Code, quarterly reports may exclude the requirements of paragraphs (C)(1)(a) to (C)(1)(c) of this rule for reported deviations resulting from malfunctions reported in accordance with rule 3745-15-06 of the Administrative Code. In lieu of the requirements of paragraphs (C)(1)(a) to (C)(1)(c), the owner or operator shall identify in the quarterly report the date the malfunction occurred and the form in which it was reported (e.g., telephone, e-mail, written).

The requirements for the PER are contained in paragraph (D).

(D) Permit evaluation report.

(1) Pursuant to paragraph (A) of this rule, each permit described under paragraph (B)(2) of this rule shall require the owner or operator to submit a permit evaluation report, in a form and manner prescribed by the director, which identifies, at a minimum:

(a) A list of all air contaminant sources that have been issued a permit described under paragraph (B)(2) of this rule;

(b) Additional information or corrections to air contaminant sources identified in the permit evaluation permit, such as: permanently shutdown air contaminant sources, air contaminant sources that will not be installed or modified, new air contaminant sources that did not receive a permit described under paragraph (B)(2) of this rule, or modifications of air contaminant sources issued a permit described under paragraph (B)(2) of this rule;

Cont....

- (c) Any deviations from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in such permit;
- (d) The probable cause of such deviations; and
- (e) Any corrective actions or preventive measures which have been or will be taken to remedy the deviations; or
- (f) If no deviations occurred during the reporting period, the owner or operator shall identify in the permit evaluation report that no deviations occurred during that reporting period.

Paragraph (D)(2) identifies the reporting periods available under the PER.

(2) Reporting period.

(a) The permit evaluation report shall be submitted annually, at a minimum, and cover a reporting period of no more than twelve-months for each air contaminant source. The first permit, described under paragraph (B)(2) of this rule, issued to an owner or operator shall identify the reporting period for the covered air contaminant source. This reporting period shall be applied to all subsequent air contaminant sources issued permits described under paragraph (B)(2) of this rule. The four possible reporting periods, and subsequent permit evaluation report due dates are:

(i) January first to December thirty-first, report due by February fifteenth.

(ii) April first to March thirty-first, report due by May fifteenth.

(iii) July first to June thirtieth, report due by August fifteenth.

(iv) October first to September thirtieth, report due by November fifteenth.

(b) The permit evaluation report shall be submitted to the appropriate Ohio environmental protection agency district office or local air agency by the due date specified.

[Comment: "submitted" as used above will be considered the postmark date, if sent by United States postal service; the electronic signature date, if submitted through the Ohio environmental protection agency's electronic reporting system; or the signature date of the receipt, if hand delivered in person to the appropriate Ohio environmental protection agency district office or local air agency.]

(c) The Ohio environmental protection agency shall provide opportunity for an owner or operator to request a change in the permit evaluation reporting period and due date through procedures established by the director.

The same change regarding malfunction reporting in the PER is identified under paragraph (D)(3).

(D)(3) Unless required by Chapter 3745-77 of the Administrative Code, permit evaluation reports may exclude the requirements of paragraphs (D)(1)(c) to (D)(1)(e) of this rule for reported deviations resulting from malfunctions reported in accordance with rule 3745-15-06 of the Administrative Code. In lieu of the requirements of paragraphs (D)(1)(c) to (D)(1)(e), the owner or operator shall identify in the permit evaluation report the date the malfunction occurred and the form in which it was reported (e.g., telephone, e-mail, written).

ATTACHMENT A

PER Form and PER FAQs



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Annual Permit Evaluation Report (PER)

Due Date: [PER Due Date]

Reporting Period: [Reporting Period Start Date] - [Reporting Period End Date]

Facility Name: [Facility Name]

Facility ID: [Facility ID]

Facility Address: [Facility Address Line 1]

[Facility Address Line 2]

[Facility City, State Zip]

Primary Contact: [Primary Contact First Name, Last Name]

Mailing Address: [Primary Contact Address Line 1]

[Primary Contact Address Line 2]

[Primary Contact City, State Zip]

Phone: [Primary Contact Phone]

E-mail Address: [Primary Contact E-mail]

The facility address information given above was populated by Ohio EPA's most current database of information. If the above information has changed or is incorrect, please indicate the correct information below. You may also complete this PER electronically using the eBusiness Center - Air Services at ebiz.epa.ohio.gov on the Internet.

Indicate changes below.

<i>Facility Name:</i>	
<i>Facility Address:</i>	
<i>Reason for Facility Address Change:</i>	
<i>Primary Contact:</i>	
<i>Mailing Address:</i>	
<i>Phone Number:</i>	
<i>E-mail Address:</i>	



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Table I: Emissions Units with Issued PTIOs

<i>EU ID*</i>	<i>EU Description</i>	<i>Company Equipment ID</i>	<i>Permit Number</i>	<i>PTIO Effective Date</i>
[EU ID]	[Description]	[Company ID]	[Permit Number]	[Effective Date]

* List any additional emissions units (EUs) that have been issued a PTIO that are not included in the list above.

A "Detailed Emissions Unit (EU) Form" (attached) must be submitted for each EU listed in Table I to satisfy PER reporting obligations. In addition to the PER, please remember that your PTIOs may specify other state or federal reporting requirements.

Additional Information and Corrections:

Please list below any additional information you need to communicate with Ohio EPA. At a minimum, identify if you have any EU(s) that were permanently shutdown, EU(s) that will not be installed or modified, or EU(s) not in operation during the reporting period. See the "Annual Permit Evaluation (PER) Form FAQs" document for an explanation and additional examples or relevant information.

Report Responsibility:

This PER, including any accompanying information, is required under the authority of the director of the Ohio Environmental Protection Agency. [Ohio Revised Code 3704.03(l)] Failure to submit this PER, including any accompanying information, or falsifying this PER, including any accompanying information, may result in civil or criminal penalties in accordance with applicable state law.

Assistance With This Form:

If you have any questions please see the attached "Annual PER Form FAQs" document or contact **[DO/LAA Long Name]** at **[DO/LAA Phone]**.





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Detailed Emissions Unit Form(s)

PER Reporting Period: *[Reporting Period Start Date] - [Reporting Period End Date]*

Detailed Emissions Unit Form Instructions*:

1. Please complete questions A and B for each emissions unit (EU) that has been issued a PTIO. In addition, either confirm the accuracy of the information provided or change the information accordingly.
2. If you indicated "yes" for question A or B, for each deviation or exceedance that occurred during the reporting period, please provide an attachment with the following information:
 - a. EU ID;
 - b. dates and/or duration;
 - c. description of deviation or exceedance including probable cause;
 - d. description of corrective action(s) if taken; and
 - e. if no corrective action(s) were taken, then why not?
3. If applicable, for each visible emission (VE) incident that occurred during the reporting period, please provide an attachment with the following information:
 - a. EU ID;
 - b. dates and/or duration; and
 - c. additional information as required per the applicable PTIO.

* For further explanation, or if you have any questions, please see the attached "Annual PER Form FAQs" document or contact **[DO/LAA Long Name]** at **[DO/LAA Phone]**.

PER Detailed EU Form

EU ID: [EU ID] **Facility ID:** [Facility ID]

EU Description: [Emissions Unit Description]

Permit Number: [Permit Number] **PTIO Effective Date:** [PTIO Effective Date]

Please provide date below if not present.

Completion of initial installation date:	[FP EU Complete Installation]
Begin installation/modification date:	[FP EU Begin Installation]
Commence operation after installation or latest modification date:	[FP EU Commence Operation]

Were there any deviations or exceedances from the following PTIO requirements?

- A. Operational restrictions or emission limitations? Yes___ No___
- B. Monitoring, record keeping, or reporting requirements? Yes___ No___
- C. If Yes for A or B above, then submit the appropriate information as specified in #1 and #2 above. If any visible emission incident occurred during the reporting period, then submit the appropriate information as specified in #3 above.



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Annual Permit Evaluation Report (PER) Form Frequently Asked Questions

Introductory Information

What is a PER?:

Under your Permit-to-Install and Operate (PTIO) you must submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency (DO/LAA).

The PER summarizes the activity over a 12-month period for each emissions unit (EU) that has been issued a PTIO, including deviations and exceedances. There are four possible reporting periods for a PER: January 1 through December 31, April 1 through March 31, July 1 through June 30, and October 1 through September 30. Your reporting period is identified in any PTIO issued for your facility.

The PER must be mailed to the DO/LAA and postmarked by the due date indicated on the PER form or completed electronically and submitted by the due date indicated on the PER form.

Note: If your PTIO is a federally enforceable PTIO (FEPTIO) you are also required to submit quarterly reports, consistent with the terms and conditions of your FEPTIO, for ONLY those terms and conditions associated with your federally enforceable limitation(s). Depending on the due date of your annual PER, one of your required quarterly reports will be due approximately two weeks earlier than the PER report. For example, if the annual PER due date is May 15th, there will always be a quarterly report due on April 30th. Because the annual PER report will cover very similar information as the quarterly reporting requirement, you may submit the annual PER by the quarterly report due date (two weeks earlier) to cover both reporting requirements. If any additional information is specifically required in the quarterly reporting requirement contained in the terms and conditions of your FEPTIO, this can be submitted as an attachment to the PER.

If additional assistance is needed after review of this document, please contact your appropriate DO/LAA representative.

Important: Please be aware that each EU with a PTIO may have additional record keeping and/or reporting obligations not covered by the PER. Please review the "reporting requirements" section of your PTIO to identify any additional reporting requirements.

Examples of additional reporting requirements, which would not be covered by the PER, are listed in Appendix A of this document.

Completing the Cover Page of the PER

How do I complete the top of the form?

The facility PER due date and reporting period were established when you were issued a PTIO. There should be a single due date and reporting period if multiple PTIOs have been issued for the facility. If there is more than one PER due date or reporting period, please contact the appropriate DO/LAA for instruction.

The facility information was populated by Ohio EPA's most current database of information. If the information has changed or is incorrect, corrections should be made in the space provided.



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How do I complete the Table of Emissions Units with issued PTIOs?

This table lists all of the EUs that have been issued a final PTIO for the facility. If an EU was issued a PTIO after the PER form was mailed out, then that specific EU may not be included. If the EU was installed before the end of the reporting period, then include the EU in the Additional Information and Corrections section. If an existing EU has been permitted in a PTIO and was not listed in the table, please include that EU in the Additional Information and Corrections section.

For each EU listed in the table, complete a separate "Detailed Emissions Unit (EU) Form". You should have received a "Detailed Emissions Unit (EU) Form" for each EU listed in the table and an additional blank form. If not please contact the appropriate DO/LAA. Blank "Detailed Emissions Unit (EU) Forms" can be downloaded from <http://www.epa.state.oh.us/dapc/permits/ptio.html>.

How do I complete the Additional Information and Corrections section?

This space is provided for communication of any information to the DO/LAA that may not be captured in the "Detailed Emissions Unit (EU) Form". Examples of relevant information you should identify under this section include the following:

- If an EU did not operate at any point during the reporting period but it is not permanently shutdown.

Operation would include periods of testing such as a routine maintenance checks and brief production runs. Specific operational schedules are not required to be kept unless specified by the issued PTIO. If an EU did not operate at any point during the reporting period, you should consider whether the EU will be operated at some point in the future or if it should be formally shutdown. Please note that if the EU did not operate during the reporting period, the facility is not required to permanently shut it down.

- If an EU was permanently shutdown.

If you decide that the EU will not operate at all in the future, you can permanently shutdown the EU. Permanently shutting down an EU relieves you of future permit obligations for the subject EU, including future reporting obligations. Please refer to the "Standard Terms and Conditions" of your PTIO for details.

If you wish to formally permanently shutdown an EU as part of this report, you must submit a request and signed certification from the authorized official, as defined in OAC rule 3745-31-04(B), that identifies the emission unit ID and the date on which the EU was permanently shut down. Please note that if the EU did not operate during the reporting period, you are not required to permanently shut it down. However, you will continue to be obligated to comply with the PTIO requirements associated with an EU that was not in operation but not formally permanently shutdown.

Authorization to operate the affected EU shall cease upon the date certified by the authorized official that the EU was permanently shutdown. No EU certified by the authorized official as being permanently shutdown may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- Physical changes or changes in the method of operation of an EU that did not receive a PTIO.

This information will help you determine if a "modification" as defined by OAC rule 3745-31-01 has occurred during the reporting period. The rule partially defines "modify or modification" as:



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Any physical change in, or change in the method of operation of:

(a) Any air contaminant source that:

- (i) Results in an increase in the allowable emissions; or
- (ii) Results in an increase in emissions of greater than the de minimis levels in rule 3745-15-05 of the Administrative Code of any type of air contaminant not previously emitted; or
- (iii) Results in the relocation of the air contaminant source to a new facility, including, but not limited to, the movement of any existing air contaminant source from another state, county, or other geographic location; or
- (iv) Is otherwise defined as a major modification, or is defined as a modification under applicable regulations promulgated by the administrator of the United States environmental protection agency regarding new source performance standards or National Emissions Standards for Hazardous Air Pollutants, or Section 112 of the Clean Air Act.

A complete definition can be found on our website at: <http://www.epa.state.oh.us/dapc/regs/3745-31/31-01.pdf>

If you believe a change to an EU meets the definition of modification you should identify the EU ID and the date when the modification was initiated. If you need assistance in determining if a change meets this definition you can contact the appropriate DO/LAA for assistance. Generally, if the change meets the definition of modification, then a new permit is required. Please contact the appropriate DO/LAA to determine if a new permit is needed or any further action is required.

- An EU that has been permitted, but will not be installed or modified.
- An EU issued a PTIO not listed in Table I above.
- Any additional relevant information.

Completing the Detailed Emissions Unit (EU) Form(s)

How do I complete the date questions?

Please provide date below if not present.

Completion of initial installation date:	
Begin installation/modification date:	
Commence operation after installation or latest modification date:	

The above section of the Detailed Emissions Unit (EU) Form is populated with information that has been provided to Ohio EPA. If the dates are incorrect or not completed, then update the appropriate section with the correct dates.



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How do I complete sections A, B and C?

A. Were there any deviations or exceedances from PTIO required operational restrictions or emissions limitations?

Select "yes", if during the reporting period, one or more requirements listed as emission limitations or operational restrictions were exceeded or not maintained in a way that was specified in any term or condition or rule citation in the PTIO. Please note that selecting "yes" does not necessarily indicate that the EU is considered out of compliance.

Some examples of exceedances or deviations of operational restrictions or emission limitations include:

- A rolling, 12-month gallons usage restriction was exceeded for one or more months of the reporting period.
- A baghouse pressure drop reading was outside of the range specified as an operational restriction.
- An hourly/daily/yearly emission limitation specified by the PTIO was exceeded.
- The VOC content restriction of a coating was exceeded.
- The minimum thermal incinerator temperature as specified in the PTIO was not achieved while the EU is in operation.
- An alternative fuel that is not allowed by the PTIO was burned as fuel in the EU.

Select "no" only if, during the entire reporting period, the EU operated in accordance with all emission limitations and operational restrictions and experienced no exceedances or deviations.

B. Were there any deviations or exceedances from PTIO required monitoring, record keeping, or reporting requirements?

Your PTIO requires specific monitoring, record keeping, and reporting obligations for each EU. These requirements are found in the following sections of your PTIO:

- "Monitoring and/or Recordkeeping Requirements": Section A of the "Standard Terms and Conditions," and
- "Monitoring and/or Recordkeeping Requirements" and "Reporting Requirements": Section C of the "Emissions Unit Terms and Conditions".

Select "yes", if during the reporting period, one or more of these requirements were not completed, not completed on time, or not completed in a way that was specified in your PTIO. Please note that selecting "yes" does not necessarily indicate that the EU is considered out of compliance.

Some examples of deviations from the PTIO monitoring, record keeping, or reporting requirements include:

- A baghouse pressure drop reading is required to be performed at least once per day and one or more readings was not completed.



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- A baghouse pressure drop reading is required to be recorded at least once per day and one or more readings was not recorded.
- Visible emissions monitoring was not done in accordance with the schedule specified in the PTIO.
- Coating material data was not recorded on a monthly basis as required in the PTIO.
- The reports, as listed in Appendix A, were not submitted correctly or not submitted at all.

Select "no" only if, during the entire reporting period, all requirements listed as PTIO monitoring, record keeping, and reporting requirements for this EU were completed as specified and on a timely basis.

C. How do I complete the submittal of information pertaining to deviation, exceedance or any visible emission incident?

For each instance of an exceedance or deviation that prompted a "yes" answer for section A or B above, additional information must be reported. In addition, if any visible emission incident occurred during the reporting period, additional information must be reported. This additional information is to be provided on a separate sheet of paper as discussed on the instructions at the top of the Detailed Emissions Unit (EU) Form.

On a separate sheet of paper, the following information must be identified for each reported deviation, exceedance or visible emission incident:

- a. Emissions Unit ID:
Identify the EU identification number that experienced the deviation, exceedance or visible emission incident.
- b. Dates/Duration:
The date(s) and duration of the deviation, exceedance or visible emission incident should be listed.

For any deviation, exceedance or visible emission incident that lasts longer than a single date, or occurs multiple times within a reporting period, a range of dates (for example, Sept 15 - Oct 7, 2005 or 1st quarter 2005) may be listed.

The duration of an deviation, exceedance or visible emission incident should match the format of the PTIO requirement. For example, if a daily record keeping requirement was not completed, identify the duration as the number of days. Or, for hourly requirements, list the duration as the number of hours. If the exact date or duration is not known, provide an estimate and identify it as an "estimated" number.

- c. Description of deviation, exceedance or visible emission incident, and probable cause:
Provide a brief description and the probable cause of the deviation, exceedance or visible emission incident. Examples are provided above in section A and B of this document. If visible emissions were observed during a required observation, please note if the color of the visible emissions were normal of representative operations.



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- d. Description of required corrective action(s), if taken?:
Provide a description of the corrective action(s) taken to resolve the deviation, exceedance or visible emission incident. Examples of corrective actions include changing a fabric filter, performing maintenance on equipment, and retraining of staff, etc. Please note that not all deviations, exceedances or visible emission incidents require a corrective action to be taken.

- e. If no corrective action(s) were taken, then why not?:
An example of an explanation may be that corrective action is not required by the PTIO. Other examples may be an explanation describing staff limitations or other extraordinary circumstances.



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Appendix A

Examples of additional reporting requirements not included in the PER:

- Reporting requirements relating to limitation(s) found in a Federally Enforceable Permit-to-Install and Operate (FEPTIO).
- As included in the below table, reports relating to malfunctions.
- Specific rule based reporting requirements, such as those listed in the following table.

OAC Rule 3745-	Type of Report	Reporting Frequency
14-01(C)(2)(d)(iii)	Hours of unit operation or fuel usage; for units or sources exempt from the NOx budget trading	November 1 of the year
15-04(A)	Stack testing report, if necessary	30 days after completion of the test
15-05(I)	Exceedance report of the de-minimis rule	Immediately
15-06(A)(3)	Request to operate EU when control equipment is shutdown during scheduled maintenance	2 weeks prior to planned shutdown
15-06(B)(1)	Written report for malfunctions greater than 72 hours	Within 2 weeks of malfunction; detailed report within 2 months
17-08 Appendix B (A)(3)(c)	Unpaved roadway fugitive dust control practices	Within 5 days of any non compliance
17-08 Appendix B (B)	Reporting requirement for change to unpaved roads	Prior to change
17-10 (B)(3)(c)	Actual heat input report for de-rated boiler	no specific frequency
17-10 (C)(7)(vi)	Quality and quantity (on a dry basis) of each shipment of coal received	January and July
21-09(B)(3)(c)	Exceedance of 15 lb/day VOC limit for coating lines <i>Pertains to paragraphs (I) and (U) of the rule</i>	45 days after the exceedance occurs
21-09(B)(3)(e)	Exceedance of the maximum daily coating usage limit <i>Pertains to paragraphs (U)(1) of the rule</i>	45 days after the exceedance occurs
21-09(B)(3)(g)	Exceedances from coating and printing lines regarding the use of noncomplying coatings <i>Pertains to paragraphs (C) to (K), (S), (U),(Y),(FF), (II), (NN) to (PP), or (XX) of the rule</i>	30 days after the end of the calendar month in which the exceedance occurred
21-09(B)(3)(i)	Exceedances from coating and printing lines regarding daily volume-weighted average coatings. <i>Pertains to paragraphs (C) to (K), (S), (U),(Y),(FF), (II), (NN) to (PP), or (XX) of the rule</i>	45 days after the exceedance occurs



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OAC Rule 3745-	Type of Report	Reporting Frequency
21-09(B)(3)(k)	Exceedances from coating and printing lines regarding pounds of VOC per gallon of solids limitation. <i>Pertains to paragraphs (C) to (K), (S), (U),(Y),(FF), (I), (NN) to (PP), or (XX) of the rule.</i>	45 days after the exceedance occurs
21-09(B)(3)(m)	Coating and printing lines regulated under paragraphs (C) to (K), (S), (U),(Y),(FF), (I), (NN) to (PP), or (XX) are to report ongoing compliance with emissions limits or control requirement	quarterly
21-09(B)(4)(c)	Exceedances from operations other than coating and printing lines (O) to (W), (CC), (X),(EE), (KK) to (MM), (SS) to (VV), or (YY) to (BBB); ongoing compliance with emissions limits or control requirement	quarterly
21-09(L)(4)	Storing petroleum liquid with a vapor pressure greater than 1.52 psi	30 days after the exceedance occurs
21-09(P)(7)(a)	Bulk plant that exceeds 4000 gal/day	30 days of becoming aware of the exceedance
21-09(P)(7)(b)	Vapor leaks or liquid leaks not repaired within 15 days	30 days after repair is completed
21-09 (R)(5)	Gasoline throughput exceedance	45 days after the exceedance occurs
21-09(Z)(5)	Exceedance reporting of vapor pressure of 1.5 psi	within 30 days of becoming aware of the exceedance
21-09(BB)(5)(a)	Exceedance of the emissions limitation	within 30 days of becoming aware of the exceedance
21-09(BB)(5)(b)	Vapor leaks or liquid leaks not repaired within 15 days	30 days after repair is completed
21-09(BB)(5)(c)	Annual consumption of petroleum solvent greater than 4,700 gallons	30 days after the exceedance occurs
21-09(DD)(2)(m)	Number of pumps, valves, and compressors in service	semiannual
21-09(DD)(13)(b)	Alternative monitoring standard for valves	Notify prior to implementing an alternative standard
21-09(DD)(15)(b)	Testing requirements	30 days after the test date, and semiannually
21-09(DD)(15)(c)	Compliance testing requirements	Semi-annual reporting
21-09(NN)(5)	Minimum pressure differential for permanent total enclosure	quarterly
21-09(DDD)(2)(c)	Testing requirements reporting	30 days after the test date
35-03(H)(9)	Variance reporting	every 2 months
76	Various landfill reporting	
106-05(B) (draft)	Class I sludge concentrations of heavy metals, OC's, Operating parameters of control equipment	annually on February 19
106-05(C) (draft)	CEM's reporting	quarterly
107 (draft)	Similar reporting as 106	

ATTACHMENT B

Permit Template

PTIO (including FEPTIO)

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
 - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) None.
 - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
 - (2) None.
- 2.

3.

C. Emissions Unit Terms and Conditions

1. [Emissions Unit ID], [Company Equipment ID]

Operations, Property and/or Equipment Description:

[DAPC Description]

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

(a) None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

(a)

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
(a)		
(b)		

(2) Additional Terms and Conditions

(a) None.

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) None.

e) Reporting Requirements

(1) None.

f) Testing Requirements

(1) None.

g) **Miscellaneous Requirements**

(1) None.

2. **Emissions Unit Group - [Group Name]: [EU ID],**

EU ID	Operations, Property and/or Equipment Description
[EU ID]	[DAPC Description]

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

(a) None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

(a)

b) **Applicable Emissions Limitations and/or Control Requirements**

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
(a)		
(b)		

(2) **Additional Terms and Conditions**

(a) None.

c) **Operational Restrictions**

(1) None.

d) **Monitoring and/or Recordkeeping Requirements**

(1) None.

e) **Reporting Requirements**

(1) None.

f) **Testing Requirements**

(1) None.

g) Miscellaneous Requirements

(1) None.

Title V Sources (Title V and PTI)

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.
- 2.

3.

C. Emissions Unit Terms and Conditions

1. [Emissions Unit ID], [Company Equipment ID]

Operations, Property and/or Equipment Description:

[DAPC Description]

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
(a)		
(b)		

(2) Additional Terms and Conditions

(a) None.

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) None.

e) Reporting Requirements

(1) None.

f) Testing Requirements

(1) None.

g) Miscellaneous Requirements

(1) None.

2. Emissions Unit Group - [Group Name]: [EU ID],

EU ID	Operations, Property and/or Equipment Description
[EU ID]	[DAPC Description]

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

(1) None.

b) **Applicable Emissions Limitations and/or Control Requirements**

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
(a)		
(b)		

(2) **Additional Terms and Conditions**

(a) None.

c) **Operational Restrictions**

(1) None.

d) **Monitoring and/or Recordkeeping Requirements**

(1) None.

e) **Reporting Requirements**

(1) None.

f) **Testing Requirements**

(1) None.

g) **Miscellaneous Requirements**

(1) None.

ATTACHMENT C

DO/LAA Guidance for Review of the PER

DO/LAA Guidance for Review of the PER

The permit evaluation report (PER) was developed as part of the new permit-to-install and operate (PTIO) program. The purpose of the PER is to consolidate the installation certificate, quarterly, semi-annual and annual deviation reporting for PTIO's at a facility into one annual report. All correspondence and review of the submitted PERs will be performed by the respective DO/LAA. A PER may be submitted by the regulated entity electronically by the using Air Services or in hard copy form. Any hard copy forms received should be entered into Stars2 by the DO/LAA. The following are guidelines to assist staff in the review of PERs submitted by regulated facilities:

1. General Information (page 1 of hard copy)

If the permittee has made any changes to the facility information (e.g., facility name, facility address, mailing address, etc.) on page 1 and the form was submitted:

- a. Electronically – the permittee was required to update the Facility Profile and/or Owner/Contact list. When this was done you should have received a notification in an aggregate ToDo List.
- b. Hard copy – as part of the entry of the hard copy form, update the Facility Profile and/or Owner/Contact list with the appropriate information as indicated in the hard copy submittal.

2. Additional Information and Corrections (page 2 of hard copy)

Check to see if any additional information/corrections are indicated. If so, follow the appropriate update actions/process. (e.g., if any emissions unit is permanently shut down). Some possible types of information that may be reported include:

- a. If an emissions unit experienced a physical change or change in method of operation, then check to see if a PTIO application was submitted or needs to be submitted. If a PTIO application was needed for the change and it was not submitted, send a letter to the company as outlined in the New Source Review guidebook (see Section C.4.).
- b. If an emissions unit is identified as permanently shutdown, ensure you also received a signed notification from an authorized person according to the procedure indicated in the PER FAQs document. If not, contact the facility to request receipt. Once received, permanently shutdown the emissions unit in Stars2 (see the Facility Tree Online help page for procedures).

3. Detailed EU Information

If a hard copy form was submitted, verify that a completed “Detailed Emissions Unit (EU) Form” is attached for each emissions unit listed in Table 1 of page 2.

- a. For each emissions unit, the following information is pre-populated based upon data in Stars2:

Completion of initial installation date
Begin installation/modification date
Commence operation after installation or latest modification date

- i. Hard copy- the permittee is required to complete all empty fields of information. As part of the entry of the hard copy form, update the Emissions Unit Information page of the Facility Profile for each missing field.
- ii. Electronically – the permittee is required to update the Emissions Unit Information page of the Facility Profile for each missing field. Verify that any incomplete fields in the electronic PER contain appropriate data in the Facility Profile.

If the permittee did not complete this information, they will need to be contacted to ascertain if the emission unit(s) status.

- b. Were there any deviations or exceedances from the following PTIO requirements?

The permittee is required to answer YES or NO for each of the following questions and attach additional information as necessary. If the PER was submitted electronically, the permittee has the option of either 1) completing the Deviation, Exceedance OR Visible Emissions Detail table or 2) attaching their own document that contains the required information.

- i. Operational restrictions or emissions limits – if the permittee answered yes to this question, verify that the following information has been included:
- emission unit ID;
 - dates and/or duration;
 - description of deviation or exceedance;
 - description of corrective action(s) if taken; and
 - if no corrective action(s) were taken, then why not?

- ii. Monitoring, record keeping, or reporting requirements - if the permittee answered yes to this question, verify the same information as above has been included.
- iii. Visible emission incident – if a visible emissions incident occurred the permittee is required to include the following information (there is no yes or no question):
 - emission unit ID;
 - dates and/or duration;
 - additional information as required per the applicable PTIO

If deviations or exceedances are noted in the submitted PER, the DO/LAA shall take appropriate action in accordance with the Ohio EPA Enforcement Policy.

To complete the review in Stars2 (after electronic entry of any hard copy form), select the appropriate “Report Accepted” and “Reviewed On” date in the DAPC Staff section of the PER form. After this go to your ToDo list and dismiss the associated aggregate task.