



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
STARK COUNTY**

CERTIFIED MAIL

Street Address:

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Lazarus Gov. Center
P.O. Box 1049

Application No: 15-01695

Fac ID: 1576001521

DATE: 4/1/2008

Edward C. Levy Company
Linda Sturgess
8800 Dix Avenue
Detroit, MI 48209

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

Sincerely,

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

CC: USEPA

Canton LAA



**Permit To Install
Terms and Conditions**

**Issue Date: 4/1/2008
Effective Date: 4/1/2008**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 15-01695

Application Number: 15-01695
Facility ID: 1576001521
Permit Fee: **\$3750**
Name of Facility: Edward C. Levy Company
Person to Contact: Linda Sturgess
Address: 8800 Dix Avenue
Detroit, MI 48209

Location of proposed air contaminant source(s) [emissions unit(s)]:
**3715 Whipple Avenue SW
Canton, Ohio**

Description of proposed emissions unit(s):
Upgrade slag hauling truck design; increase slag processing rate.

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

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

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

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

3. Records Retention Requirements

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

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon

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

5. Scheduled Maintenance/Malfunction Reporting

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

6. Permit Transfers

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

7. Air Pollution Nuisance

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

8. Termination of Permit to Install

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

9. Construction of New Sources(s)

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

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

10. Public Disclosure

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

11. Applicability

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

12. Best Available Technology

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

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

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

14. Construction Compliance Certification

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

15. Fees

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

B. Permit to Install Summary of Allowable Emissions

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

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

<u>Pollutant</u>	<u>Tons Per Year</u>
PE (fugitive)	12.2
PM10 (fugitive)	3.8

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

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

Operations, Property, and/or Equipment -(F001) - Plant roadways and parking lots (Administrative Modification to PTI No. 15-413 issued on June 21, 1989).

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Employ Best Available Technology (BAT) control measures. See section A.2.c
OAC rule 3745-31-17-07(B)(5)	No visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty-minute observation period.
OAC rule 3745-31-17-08(B)	Reasonably Available Control Measures (RACM) to prevent fugitive dust from becoming airborne. See sections A.2.a and A.2.b

2. Additional Terms and Conditions

- 2.a Plant Unpaved Roadways: In accordance with the requirements of OAC rule 3745-31-17-08(B), Edward C. Levy Co. shall apply water or other suitable dust suppression chemicals as often as necessary on unpaved roads and parking areas to eliminate or minimize emissions of fugitive dust.

A maximum speed limit of ten (10) mph shall be established, posted, enforced, and observed by all vehicles operating within the facility.

The facility must maintain a truck mounted spray system on a full time basis for the exclusive use of the facility to distribute water or other dust suppressant solutions in order to minimize or eliminate visible emissions of fugitive dust.

- 2.b The application of used oil for dust suppression is prohibited.

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- 2.c** The requirements specified by this rule are satisfied by the best available control measures established pursuant to OAC rule 3745-17-08(B).

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform daily inspections of each of the unpaved roadway segments and parking areas.
2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
3. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in 3.d. shall be updated on a calendar quarter basis

Emissions Unit ID: F001

within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Compliance with the emission limitations in Sections A.1 and A.2 of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emission Limitation

No visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty-minute observation period.

Applicable Compliance Method

If required, compliance with the visible PE limitation listed above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources").

F. Miscellaneous Requirements

None

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

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

Operations, Property, and/or Equipment -(F002) - Material handling and slag processing plant (Administrative Modification to PTI No. 15-413 issued on June 21, 1989).

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Employ Best Available Technology (BAT) control measures. See section A.2.c
OAC rule 3745-31-17-07(B)(1)	Visible particulate emissions shall not exceed 20 percent opacity as a 3-minute average.
OAC rule 3745-31-17-08(B)	Reasonably Available Control Measures (RACM) to prevent fugitive dust from becoming airborne. See sections A.2.a and A.2.c

2. Additional Terms and Conditions

- 2.a** Aggregate Processing Plant: In accordance with the requirements of OAC rule 3745-31-17-08(B), Edward C. Levy Co. shall apply wet suppression as often as necessary to eliminate or minimize fugitive dust emissions. Spray equipment shall be installed with the capability of using the wet suppression (chemical) method. The spray nozzles shall be located at the discharge end of the conveyor handling material from the drum magnet to the slag screening. This plant includes a primary crusher and drop ball crushing of material too large to be accepted by the bar grizzly. Fugitive dust control for primary and drop ball crushing of oversized material shall be with water sprays or other suitable dust suppression chemicals.

The requirements are applicable to the slag processing plant shown in the print attached to the application.

- 2.b** Material Handling: In accordance with the requirements of OAC rule 3745-31-17-08(B), Edward C. Levy Co. shall apply water or other suitable dust

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suppression chemicals, as often as necessary, on all material handling, except molten slag, to minimize or eliminate fugitive dust or maintain sufficient moisture content or chemical dust suppression chemical content, prior to handling, to eliminate visible emissions of fugitive dust. Molten slag, once dumped into a pot dumping station, will be cooled and moistened with water at a rate of approximately 230 gallons per ton of material unloaded prior to any material handling operations.

These requirements are applicable to material transfers from the pot dumping stations to raw material storage piles, the raw material storage piles to processing plant, the processing plant to finished product storage piles, and the finished product storage piles to vendors' trucks.

- 2.c** The requirements specified by this rule are satisfied by the best available control measures established pursuant to OAC rule 3745-17-08(B).

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible emissions of fugitive dust from the egress points of this emissions unit. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
 - a. the location and color of the emissions;
 - b. whether the emissions are representative of normal operations;
 - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to minimize or eliminate the visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit).

Emissions Unit ID: **F002**

With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

2. The permittee shall keep records to demonstrate the amount of slag processed each month.

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D. Reporting Requirements

1. The permittee shall submit semiannual written reports that (a) identify all days during which any visible emissions of fugitive dust were observed from the egress points serving this emissions unit and (b) describe any corrective actions taken to minimize or eliminate the visible emissions. These reports shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) by January 31 and July 31 of each year and shall cover the previous six-month periods

E. Testing Requirements

1. Compliance with the emission limitations in Sections A.1 and A.2 of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation

Visible particulate emissions shall not exceed 20 percent opacity as a 3-minute average.

Applicable Compliance Method

Compliance shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002, and the applicable modifications listed in paragraphs (B)(3)(a) through (B)(3)(e) of OAC rule 3745-17-03.

F. Miscellaneous Requirements

None

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

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

Operations, Property, and/or Equipment -(F003) - Aggregate and slag storage piles (Administrative Modification to PTI No. 15-413 issued on June 21, 1989).

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Employ Best Available Technology (BAT) control measures. See Section A.2.c
OAC rule 3745-31-17-07(B)(6)	No visible particulate emissions from the material storage piles except for a period of time not to exceed 13 minutes during any 60-minute observation period.
OAC rule 3745-31-17-08(B)	Reasonably Available Control Measures (RACM) to prevent fugitive dust from becoming airborne. See Sections A.2.a and A.2.b

2. Additional Terms and Conditions

- 2.a Hot slag dumping: In accordance with the requirements of OAC rule 3745-31-17-08(B), trucks dumping hot slag from the Timken Harrison Ave. melt shop to the Edward C. Levy Co. slag plant for processing, and which are dumped to a storage pile without pre-watering of the slag, shall incorporate the truck design features described in the PTI Application to minimize fugitive dust. The truck design shall include, but not be limited to, the following features:

- i. The drop height not to exceed 4.5 feet.
- ii. The truck shall be equipped with a dump gate which is mechanically linked to open in proportion to the tipping angle of the bed.
- iii. The truck bed shall be smooth and of a semicircular cross sectional shape to minimize "avalanching" of the slag during dumping.

If this dry-dumping procedure is not sufficient to comply with the opacity

Emissions Unit ID: **F003**

restrictions of this permit, then all trucks delivering hot slag shall pass through a water station shed at a rate slow enough to assure that sufficient water from the spray bar therein will be delivered on the fresh slag to minimize or eliminate all fugitive dust from the slag when it is dumped at the loose slag storage pile.

- 2.b** Aggregate storage piles: In accordance with the requirements of OAC rule 3745-31-17-08(B), Edward C. Levy Co. shall apply water or other suitable dust suppression chemicals, as often as necessary, on all material stockpiles to minimize or eliminate visible emissions of fugitive dust.

During load-in and load-out operations associated with all storage piles, the drop height of the front-end loader shall be minimized in order to minimize or eliminate visible emissions of fugitive dust.

These requirements are applicable to raw material stock piles and finished product stock piles.

- 2.c** The requirements specified by this rule are satisfied by the best available control measures established pursuant to OAC rule 3745-17-08(B).

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible emissions of fugitive dust from any of the storage piles of the this emissions unit. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
 - a. the location and color of the emissions;
 - b. whether the emissions are representative of normal operations;
 - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to minimize or eliminate the visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission

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incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit). With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

Emissions Unit ID: F003

D. Reporting Requirements

1. The permittee shall submit semiannual written reports that (a) identify all days during which any visible emissions of fugitive dust were observed from the storage piles included in this emissions unit and (b) describe any corrective actions taken to minimize or eliminate the visible emissions. These reports shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) by January 31 and July 31 of each year and shall cover the previous six-month periods.

E. Testing Requirements

1. Compliance with the emission limitations in Sections A.1 and A.2 of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitation

There shall be no visible particulate emissions from material storage piles except for a period of time not to exceed 13 minutes during any 60-minute observation period.

Applicable Compliance Method

Compliance with the visible emission limitation for the material storage piles identified in this permit shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources") as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

F. Miscellaneous Requirements

None