State of Ohio Environmental Protection Agency

RE: DRAFT PERMIT TO INSTALL **CERTIFIED MAIL**
LUCAS COUNTY

Street Address: Lazarus Gov. Center **TELE:** (614) 644-3020 **FAX:** (614) 644-2329 Mailing Address: Lazarus Gov. Center

Application No: 04-01421
Fac ID: 0448010246

DATE: 11/1/2005

Sunoco, Inc.
Elaine Moore
1819 Woodville Rd.
Oregon, OH 43616

You are hereby notified that the Ohio Environmental Protection Agency has made a draft action recommending that the Director issue a Permit to Install for the air contaminant source(s) [emissions unit(s)] shown on the enclosed draft permit. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit public comments on the proposed installation. A public notice concerning the draft permit will appear in the Ohio EPA Weekly Review and the newspaper in the county where the facility will be located. Public comments will be accepted by the field office within 30 days of the date of publication in the newspaper. Any comments you have on the draft permit should be directed to the appropriate field office within the comment period. A copy of your comments should also be mailed to Robert Hodanbosi, Division of Air Pollution Control, Ohio EPA, P.O. Box 1049, Columbus, OH, 43266-0149.

A Permit to Install may be issued in proposed of final form based on the draft action, any written public comments received within 30 days of the public notice, or record of a public meeting if one is held. You will be notified in writing of a scheduled public meeting. Upon issuance of a final Permit to Install a fee of **$900** will be due. Please do not submit any payment now.

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

Sincerely,

Michael W. Ahern

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

CC: **USEPA** **TDES** **Toledo Met Area Council of Governments** **In** **MI**

LUCAS COUNTY

PUBLIC NOTICE
ISSUANCE OF DRAFT PERMIT TO INSTALL **04-01421** FOR AN AIR CONTAMINANT SOURCE FOR
Sunoco, Inc.

On 11/1/2005 the Director of the Ohio Environmental Protection Agency issued a draft action of a Permit To Install an air contaminant source for **Sunoco, Inc.**, located at **1819 Woodville Rd., Oregon**, Ohio.

Installation of the air contaminant source identified below may proceed upon final issuance of Permit To Install 04-01421:

naphtha simplification project

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

Karen Granata, Toledo Department of Environmental Services, 348 South Erie Street, Toledo, OH 43602 [(419)936-3015]

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install | **Issue Date: To be entered upon final issuance**
Terms and Conditions | **Effective Date: To be entered upon final issuance**

DRAFT PERMIT TO INSTALL 04-01421

Application Number:	04-01421
Facility ID:	0448010246
Permit Fee:	**To be entered upon final issuance**
Name of Facility:	Sunoco, Inc.
Person to Contact:	Elaine Moore
Address:	1819 Woodville Rd. Oregon, OH 43616

Location of proposed air contaminant source(s) [emissions unit(s)]:
1819 Woodville Rd.
Oregon, Ohio

Description of proposed emissions unit(s):
naphtha simplification project

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

A. State and Federally Enforceable Permit-To-Install General Terms and Conditions

1. Monitoring and Related Recordkeeping and Reporting Requirements

a. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

i. The date, place (as defined in the permit), and time of sampling or measurements.

ii. The date(s) analyses were performed.

iii. The company or entity that performed the analyses.

iv. The analytical techniques or methods used.

v. The results of such analyses.

vi. The operating conditions existing at the time of sampling or measurement.

b. 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.

c. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

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

ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the appropriate Ohio EPA District Office or local air agency. The written

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. See B.8 below if no deviations occurred during the quarter.

iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

iv. If this permit is for an emissions unit located at a Title V facility, then each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

d. The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

2. 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, i.e., upset, 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. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

3. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the

permittee shall comply with the requirement to register such a plan.

4. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

5. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

6. General Requirements

a. The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification

b. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c. This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

d. This permit does not convey any property rights of any sort, or any exclusive privilege.

e. 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 or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

7. 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 any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

8. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

9. Compliance Requirements

a. Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

i. At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.

iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

iv. As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c. The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually, or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

ii. An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

10. Permit-To-Operate Application

a. If the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77, the permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this permit is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. 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 source(s) covered by this permit.

11. 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.

12. 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.

13. Permit-To-Install

A permit-to-install must be obtained pursuant to OAC Chapter 3745-31 prior to "installation" of "any air contaminant source" as defined in OAC rule 3745-31-01, or "modification", as defined in OAC rule 3745-31-01, of any emissions unit included in this permit.

B. State Only Enforceable Permit-To-Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit 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 of state-only enforceable 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 state-only required 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. 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.

4. Authorization To Install or Modify

If applicable, authorization to install or modify any new or existing emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit 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.

5. Construction of New Sources(s)

This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. 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 this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit 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.

6. 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.

7. Applicability

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

8. Construction Compliance Certification

If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) 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.

9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)

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 quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

C. Permit-To-Install Summary of Allowable Emissions

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

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

Pollutant	Tons Per Year B055 (net increases*)
CO	14.43 (49.02)
NOx	7.01 (38.58)
PE	0.35 (1.17)
PM_{10}	1.31 (4.54)
SO_2	4.95 (0.00)
VOC	1.52 (3.81)

* where net increases = the summation of (projected actual emissions - baseline actual emissions) for B018, B021, B050, B051 and B055

A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions

1. For a period of 10 years after the date of startup of B055, the emissions increase of nitrogen oxides (NOx), as a summation of the emissions from emissions units B018, B021, B050, B051 and B055, shall not exceed 38.54 tons as a rolling, 12-month summation.

2. The permittee shall properly install, operate, and maintain equipment to monitor total quantity of refinery fuel gas (in cubic feet) burned in emissions units B018, B021, B050, B051 and B055. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s) with any modifications deemed necessary by the permittee.

3. The permittee shall maintain monthly records of the quantities of refinery fuel gas (in cubic feet) burned in emissions units B018, B021, B050, B051 and B055.

4. The permittee shall maintain monthly records of the total NOx emissions from emissions units B018, B021, B050, B051 and B055. These emissions shall be calculated as a summation of the quantities of refinery gas burned in each emissions unit (in cubic feet), multiplied by the respective NOx emission factor (in pounds per mmBtu) determined during the most recent stack test which demonstrated compliance with the applicable emissions limitation, multiplied by 950 Btu per cubic foot and divided by 2000 pounds per ton.

5. The permittee shall maintain monthly records of the rolling, 12-month actual emissions of NOx from emissions units B018, B021, B050, B051 and B055 in tons per year.

6. The permittee shall perform monthly calculations of the emissions increase from B018, B021, B050, B051 and B055 as a rolling, 12-month summation of the NOx emissions in tons per year. The emissions increase shall be calculated as:

emissions increase = actual emissions - baseline actual emissions

where:

emissions unit	baseline actual emissions (tons)
B018	78.88
B021	5.27
B050	8.53

B051	88.38
B055	0.00

To ensure enforceability during the first twelve calendar months of operation, following the issuance of this permit, emissions increases calculated from records from the previous 11 calendar months of operation shall be used to calculate the rolling, 12-month emissions increase from these emissions units.

7. The permittee shall submit quarterly deviation (excursion) reports that identify all exceedances of the emissions increase limitation from B018, B021, B050, B051 and B055. Each report shall be submitted to the Toledo Division of Environmental Services (TDOES) by January 31, April 30, July 31 and October 31 of each year and shall cover the previous 3 month period. If no deviations occurred in the calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the preceding 3-month period.

8. The above permit conditions assure that the net emissions increase of NOx from the new equipment, and equipment returned to service as part of the project associated with this permit, does not exceed 38.54 tons of NOx per rolling, 12-month period as established by the contemporaneous netting analysis of the permit application evaluation. This evaluation demonstrated that the net project emissions were less than the New Source Review Significance Level for all criteria pollutants. If the permittee desires to revise the plans regarding the emissions units above, the permittee must submit a new netting analysis including these changes to the Toledo Division of Environmental Services re-demonstrating Non-Attainment New Source Review Non-Applicability for NOx. This analysis must be submitted and approved prior to the startup of the operations authorized by this permit and prior to the startup of any new boiler.

9. Prior to the startup of emissions unit B055, the permittee shall permanently remove from service emissions units B002 (heater H302), B004 (heater H304), B011 (heater H508), B013 (heater H5101) and P018 (vacuum tower). These shut-downs will result in credible emissions reductions as follows:

emissions unit	CO (tons)	NOx (tons)	PM_{10} (tons)	SO_2 (tons)	VOC (tons)
B002	6.69	25.34	0.55	1.28	0.51
B004	6.98	27.94	0.72	1.34	0.56
B011	5.93	20.11	0.52	0.48	0.46
B013	0	0	0	0	0
P018	0	0	0	337	0

10. Emissions unit B044 (boiler H-9101) has been modified to burn only refinery fuel gas with a new limit of 0.04 lb/mmBtu of actual heat input for SO_2. Credible emissions reductions are as follows:

CO (tons)	NOx (tons)	PM_{10} (tons)	SO_2 (tons)	VOC (tons)
17.48	17.00	36.02	588.83	1.21

11. The fugitive emissions of volatile organic compounds from new equipment and equipment returned to service as part of the project associated with this permit shall result in a net increase of 0.58 tons of VOC per year. These emissions are subject to regulation under OAC rule 3745-21-09(T), 40 CFR Part 60 Subpart GGG and 40 CFR Part 63 Subpart CC. The permittee shall demonstrate compliance with this net emissions increase through the monitoring, recordkeeping, reporting and testing requirements of these regulations as required by inclusion in Part II of the facility's Title V permit.

40 CFR Part 63, subpart DDDDD

12. [63.7505(a)] General Requirements
The permittee must be in compliance with the emission limits (including operating limits) and the work practice standards in this subpart at all times, except during periods of startup, shutdown, and malfunction.

40 CFR Part 63, subpart DDDDD

13. [63.7555] Recordkeeping Requirements

a. [63.7555(a)]
The permittee must keep records according to paragraphs (a)(1) through (3) of this section.

i. A copy of each notification and report submitted to comply with subpart DDDDD, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance reports submitted, according to the requirements in 40 CFR 63.10(b)(2)(xiv).

ii. The records in 40 CFR 63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.

iii. Records of performance tests or other compliance demonstrations, performance evaluations, and opacity observations as required in 40 CFR 63.10(b)(2)(viii).

b. [63.7555(b)]
The permittee must keep records of monthly fuel use, including they type(s) of fuel and amount(s) used.

40 CFR Part 63, subpart DDDDD

14. [63.7560(a)-(c)] Recordkeeping Requirements

    a. The permittee's records must be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1).

    b. As specified in 40 CFR 63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

    c. The permittee must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). You can keep the records off site for the remaining 3 years.

40 CFR Part 63, subpart DDDDD Reporting Requirements

15. [63.7545] Notifications

a. [63.7545(a)]
The permittee must submit all of the notifications in 40 CFR 63.7(b) and (c), 63.8 (e), (f)(4) and (6), and 63.9 (b) through (h) that apply to this emissions unit by the dates specified.

b. [63.7545(c)]
As specified in 40 CFR 63.9(b)(4) and (b)(5), the permittee must submit an Initial Notification not later than 15 days after the actual date of startup of the affected source.

c. [63.7545(d)]
The permittee must submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin.

d. [63.7545(e)(1, 2,4-7, 9)]
The permittee must submit a Notification of Compliance Status according to 40 CFR 63.9(h)(2)(ii). For each initial compliance demonstration, submit the Notification of Compliance Status, including all performance test results, before the close of business on the 60th day following the completion of the performance test and/or other initial compliance demonstrations according to 40 CFR 63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in paragraphs the following paragraphs:

i. A description of the affected source including identification of which subcategory the source is in, the capacity of the source, a description of the add-on controls used on the source description of the fuel(s) burned, and justification for the fuel(s) burned during the performance test.

ii. Summary of the results of all performance tests and calculations conducted to demonstrate initial compliance including all established operating limits.

iii. Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing or fuel analysis.

iv. Identification of whether you plan to demonstrate compliance by emissions averaging.

v. A signed certification that you have met all applicable emission limits and work practice standards.

vi. A summary of the carbon monoxide emissions monitoring data and the maximum carbon monoxide emission levels recorded during the performance test to show that you have met any applicable work practice standard in Table 1 to this subpart.

vii. If a deviation from any emission limit or work practice standard occurred, the permittee must also submit a description of the deviation, the duration of the deviation, and the corrective action taken in the Notification of Compliance Status report.

40 CFR Part 63, subpart DDDDD

16. [63.7550(a) and (b)] Reporting Requirements - New or Reconstructed Sources

a. [63.7550(a)]
The permittee must submit each report in Table 9 of subpart DDDDD that applies to this emissions unit.

b. [63.7550(b)]
Unless the EPA Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the permittee must submit each report by the date in Table 9 of subpart DDDDD and according to the requirements in paragraphs b.i. through b.v. of this section.

i. The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in 40 CFR 63.7495.

ii. The first compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 CFR 63.7495.

iii. Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

iv. Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

v. For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

c. [63.7550(c) (1-6,9, and 10)]
The compliance report must contain the information required in the following paragraphs of this section.

i. Company name and address.

ii. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

iii. Date of report and beginning and ending dates of the reporting period.

iv. The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel and the total fuel usage amount with units of measure.

v. A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during this test, if applicable.

vi. A signed statement indicating no new types of fuel were burned.

vii. If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your SSMP, the compliance report must include the information in 40 CFR 63.10(d)(5)(i).

viii. If there are no deviations from any emission limits or operating limits and there are no deviations from the requirements for work practice standards in this subpart, a statement that there were no deviations from the emission limits, operating limits, or work practice standards during the reporting period.

d. [63.7550(d)(1-4)]

For each deviation from an emission limit or operating limit, the compliance report must contain the information in paragraphs 40 CFR 63.7550(c)(1) through (10) [see section A.IV.7.c. of this section] and the information required in paragraphs (d)(1) through (3) [see below of this section]. This includes periods of startup, shutdown, and malfunction.

i. The total operating time of each affected source during the reporting period.

ii. A description of the deviation and which emission limit, operating limit, or work practice standard from which you deviated.

iii. Information on the number, duration, and cause of deviations (including unknown cause), as applicable, and the corrective action taken.

e. [63.7550(f)]
Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 9 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

f. [63.750(g)]
If the permittee operates a new gaseous fuel unit that is subject to the work practice standard specified in Table 1 to subpart DDDDD, and intend to use a fuel other than natural gas or equivalent to fire the affected unit, the permittee must submit a notification of alternative fuel use within 48 hours of the declaration of a period of natural gas curtailment or supply interruption, as defined in 40 CFR 63.7575. The notification must include the information specified in paragraphs (g)(1) through (5) of this section.

i. Company name and address.

ii. Identification of the affected unit.

iii. Reason you are unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began.

i.v Type of alternative fuel that you intend to use.

v. Dates when the alternative fuel use is expected to begin and end.

40 CFR Part 63, subpart DDDDD

17. [63.7545(b)] Initial Notification Reporting Requirements - Existing Sources
As specified in 40 CFR 63.9(b)(2), if the permittee startups the affected source before November 12, 2004, the permittee must submit an Initial Notification not later than 120 days after November 12, 2004. The Initial Notification must include the information required by 40 CFR 63.9(b)(2) if the affected source has an annual capacity factor of greater than 10 percent.

40 CFR Part 63, subpart DDDDD - Testing Requirements

18. [63.7510(c) and (g)] Initial Compliance Requirements - New or Reconstructed Sources
The permittee's initial compliance demonstration is conducting a performance test within 180 days after startup of this source, for carbon monoxide (CO) according to Table 5 in 40 CFR 63, subpart DDDDD, as summarized below:

a. Select the sampling ports location and the number of traverse points by using Method 1 in 40 CFR Part 60, Appendix A;

b. Determine the oxygen and carbon dioxide concentrations of the stack gas using Method 3A or 3B in 40 CFR Part 60, Appendix A;

c. Measure the moisture content of the stack gas using Method 4 in 40 CFR Part 60, Appendix A; and

d. Measure the carbon monoxide emission concentration using Method 10, 10A, or 10B in 40 CFR Part 60, Appendix A.

19. [65.7515(e)] Conducting Subsequent Performance Tests
The permittee must conduct annual performance tests for carbon monoxide according to 40 CFR Part 63.7520. Each annual performance test must be conducted between 10 and 12 months after the previous performance test.

20. [63.7520(a)] Performance Tests and Procedures
The permittee must conduct all performance tests according to 40 CFR 63.7(c), (d), (f), and (h). The permittee must also develop a site-specific test plan according to the requirements in 40 CFR 63.7(c) if you elect to demonstrate compliance through performance testing.

B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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	Applicable Rules/Requirements	
B055 - 40.0 mmBtu/hr heater with low-NOx burners, fired with natural gas or refinery process gas (a mixture of refinery fuel gas, natural gas and landfill gas)	OAC rule 3745-31-05(A)(3)	
		OAC rule 3745-17-07(A)
		OAC rule 3745-17-10(B)(1)
		OAC rule 3745-18-54(O)(1)
		OAC rule 3745-21-07(B)
		OAC rule 3745-23-06(B)
		OAC rule 3745-21-08(B)
		40 CFR Part 60, Subpart J
		40 CFR Part 63, Subpart DDDDD
		40 CFR Part 63, Subpart A

Applicable Emissions Limitations/Control Measures	
	per year VOC emissions.
	See sections A.I.2.a. and A.I.2.f.
Visible particulate emissions shall not exceed 10% opacity as a 6-minute average;	See section A.I.2.b.
	See section A.I.2.b.
	See section A.I.2.b.
3.29 pounds per hour carbon monoxide (CO) emissions and	See section A.I.2.e.
14.43 tons per year CO emissions;	See section A.I.2.e.
	See section A.I.2.c.
1.60 pounds per hour nitrogen oxides (NO_x) emissions and 7.01 tons per year NO_x emissions;	See section A.I.2.d.
	See sections A.I.2.g. and A.I.2.h.
0.08 pound per hour particulate emissions (PE) and 0.35 ton per year PE;	See section A.I.2.i.
0.30 pound per hour particulate matter less than 10 microns emissions (PM_{10}) and 1.31 tons per year PM_{10} emissions;	
1.13 pound per hour sulfur dioxide (SO_2) emissions and 4.95 tons per year SO_2; and	
0.21 pound per hour volatile organic compound (VOC) emissions and 0.94 ton	

2. Additional Terms and Conditions

2.a The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subpart J, 40 CFR Part 63, subparts A and DDDDD.

2.b The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

2.c The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this permit to install.

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

2.d The permittee shall not burn in this emissions unit any refinery fuel gas that has a volume-weighted, rolling, 3-hour average H_2S concentration greater than 230 milligrams per dry standard cubic meter (0.10 grain per dry standard cubic foot).

2.e The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC rule 3745-21-07(B) and OAC rule 3745-23-06(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this Permit to Install.

On February 14, 2005, OAC rule 3745-23-06 was rescinded; therefore, paragraph (B) is no longer part of the State regulations. However, that rule revision has not yet been submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the U.S. EPA approves the revision to OAC rule 3745-23-06, the requirement to satisfy the "latest available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio

2.f The hourly limitations were established for PTI purposes to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with this limitation.

2.g [63.7495(a)]

The permittee shall comply with the requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit upon startup of the heater.

2.h [63.7500(a)(1)]
The permittee must meet the following emission limit for carbon monoxide (CO) as stated in Table 1 of 40 CFR Part 63, subpart DDDDD: 400 ppm by volume on gaseous fuel on a dry basis corrected to 3 percent oxygen (3-run average for units less than 100 MMBTU/hr).

2.i [63.7565]
Table 10 of 40 CFR Part 63, subpart DDDDD, shows which parts of the General Provisions in 40 CFR Part 63.1 through 63.15 of subpart A that applies to this emissions unit.

II. Operational Restrictions

1. The permittee shall burn only natural gas or refinery fuel gas in this emissions unit.

2. The permittee shall comply with the operational restrictions of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit.

III. Monitoring and/or Recordkeeping Requirements

1. For each day during which the permittee burns a fuel other than natural gas or refinery fuel gas, the permittee shall maintain a record of the type, quantity, sulfur content in pound(s) of sulfur per mmdscf, and heating value in Btu/dscf of the fuel burned.

   [60.105(a)(4) & (a)(4)(i)-(iii)]
2. A continuous monitoring systems shall be installed, calibrated, maintained, and operated by the permittee subject to the provisions of 40 CFR 60, Subpart J, as follows: an instrument for continuously monitoring and recording the concentration (dry basis) of H_2S in fuel gases before being burned in any fuel gas combustion device.

   a. The span value for this instrument is 425 mg/dscm H_2S.

   b. Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location, if monitoring at this location accurately represents the concentration of H_2S in the fuel gas being burned.

   c. The performance evaluations for this H_2S monitor under 40 CFR 60.13(c) shall use Performance Specification 7 from Appendix B. Method 11, 15, 15A, 16 shall

be used for conducting the relative accuracy evaluations.

[60.13(d)]

3. The permittee must automatically check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of 40 CFR Part 60. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified.

[40 CFR 60 Appendix F, Procedure 1, Section 4.2]

4. Monitors that automatically adjust the data to the corrected calibration values (e.g., microprocessor control) must be programmed to record the unadjusted concentration measured in the calibration drift (CD) prior to resetting the calibration, if performed, or record the amount of adjustment.

[40 CFR 60 Appendix F, Procedure 1, Section 4.3]

5. If either the zero (or low-level) or high-level CD result exceeds twice the applicable drift specification in appendix B for five, consecutive, daily periods, the CEMS is out-of-control. If either the zero (or low-level) or high-level CD result exceeds four times the applicable drift specification in 40 CFR Part 60, Appendix B during any CD check, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action. Following corrective action, repeat the CD checks.

[60.13(e)]

6. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required in 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows: the continuous monitoring system for measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15- minute period.

[60.13(h)]

7. One-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant). All excess emissions shall be converted into units of the standard. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable Subparts to specify the emission limit.

[40 CFR 60 Appendix F Procedure 1, Section 3]

8. The permittee must implement a quality control program. As a minimum, each quality

control program must include written procedures which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:

a. Calibration of CEMS.

b. CD determination and adjustment of CEMS.

c. Preventive maintenance of CEMS (including spare Parts inventory).

d. Data recording, calculations, and reporting.

e. Accuracy audit procedures including sampling and analysis methods.

f. Program of corrective action for malfunctioning CEMS.

As described in Section 5.2 of 40 CFR Part 60, Appendix F Procedure 1, whenever excessive inaccuracies occur for two consecutive quarters, the source permittee must revise the current written procedures or modify or replace the CEMS to correct the deficiency causing the excessive inaccuracies.

[60.7(f)]

9. The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this Part recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.

10. A statement of certification of the existing H_2S CEMS shall be maintained on site and shall consist of a letter from the Ohio EPA detailing the results of an Agency review of the certification tests and a statement by the Agency that the system is considered certified in accordance with the requirements of 40 CFR Part 60, Appendix B, Performance Specification 7. Proof of certification shall be made available to representatives of the Toledo local air agency upon request.

11 The permittee shall comply with the monitoring and recordkeeping requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit.

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas or refinery fuel gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

   [60.7(c)]

2. The permittee shall submit a quarterly written excess emissions and monitoring systems performance report and/or summary report form quarterly of all 3-hour periods during which the average concentration of H_2S exceeds 0.10 grain H_2S per dry standard cubic foot of fuel gas burned as a volume weighted average. These reports shall include the following information:

   a. the magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting.

   b. Specific identification of each period of excess emissions that it occurs during start-ups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventive measures adopted.

   c. The date and time identifying each period during which the continuous monitoring system was in operative except for zero and span checks and the nature the system repairs or adjustments.

   d. When no excess emissions have occurred or the continuous monitoring system(s) have not been in operative, repairs, or adjusted, such information shall be stated in the report.

   [60.7(d)]

3. The summary report form shall contain the information and be in the format shown in Figure 1 of 40 CFR 60.7 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

   a. If the total duration of excess emissions for the reporting period is less than 1 percent of the operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

   b. If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is five percent or greater of the total operating

time for reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

[40 CFR Appendix F, Procedure 1, Section 7]

4. The permittee shall submit a quarterly report for each CEMS, the accuracy results from Section 6 and the CD assessment results from Section 4. Report the drifted accuracy information as a Data Assessment Report (DAR), and include one copy of this DAR for each quarterly audit with the report of the emissions required under the applicable Subparts of this Part. As a minimum, the DAR must contain the following information:

   a. Permittee name and address.

   b. Identification and location of the monitors in the CEMS.

   c. Manufacturer and model number of each monitor in the CEMS.

   d. Assessment of the CEMS data accuracy and date of assessment as determined by a Relative Accuracy Test Audit (RATA), Relative Accuracy Audit (RAA), or Cylinder Gas Audit CGA described in Section 5 including the relative accuracy for the RATA, the Accuracy (A) for the RAA for CGA, the reference method (RM) results, the cylinder gases certified values, the CEMS responses, and the calculations results as defined in Section 6. If the accuracy audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.

   e. Results from EPA performance audit samples described in Section 5 and the applicable RM's.

   f. Summary of all corrective actions taken with CEMS was determined to be out-of-control as described in Sections 4 and 5.

   An example of a DAR format shown in Figure 1 of 40 CFR 60 Appendix F, Procedure 1.

5. The permittee shall comply with the reporting requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit.

6. The deviation reports shall be submitted in accordance with the requirements specified in Part I - General Term and Condition A.1.c.

V. Testing Requirements

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

a. Emission Limitation:
10% opacity as a 6-minute average

Applicable Compliance Method:
Compliance shall be determined through visible emission observations performed in accordance with Method 9 of 40 CFR Part 60, Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(1).

b. Emission Limitation:
3.29 pounds of CO per hour.

Applicable Compliance Method:
Multiply the uncontrolled emissions factor listed in AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 1.4, Table 1.4-1. EMISSION FACTORS FOR NITROGEN OXIDES (NOx) AND CARBON MONOXIDE (CO) FROM NATURAL GAS COMBUSTION, dated 7/98 (0.88 lb/mmBtu of fuel gas burned) corrected for heating value by the maximum heat input of the burners (40 mmBtu/hr). The emission factor is based on the refinery fuel gas heating value of 950 Btu/scf. If required, compliance shall be demonstrated based upon the procedures specified in Methods 1 through 4 and 10 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

c. Emission Limitation:
14.43 tons of CO per year.

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable CO emission limitation (3.29 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

d. Emission Limitation:
1.60 pounds of NOx per hour.

Applicable Compliance Method:
Multiply the vendor supplied NO_x emission factor of 0.04 lb/mmBtu by the maximum heat input of the burners (40 mmBtu/hr) to determine the hourly NO_x emissions. If required, the permittee shall demonstrate compliance using

Methods 1 through 4 and 7E of 40 CFR part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

e. Emission Limitation:
7.01 tons of NOx per year.

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable NOx emission limitation (1.60 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

f. Emission Limitation:
0.08 pound of PE per hour.

Applicable Compliance Method:
Multiply the uncontrolled emissions factor listed in AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 1.4, TABLE 1.4-2. EMISSION FACTORS FOR CRITERIA POLLUTANTS AND GREENHOUSE GASES FROM NATURAL GAS COMBUSTION, dated 7/98 (0.002 lb/mmBtu of fuel gas burned) corrected for heating value by the maximum heat input of the burners (40 mmBtu/hr). The emission factor is based on the refinery fuel gas heating value of 950 Btu/scf. If required, compliance shall be demonstrated based upon the procedures specified in Methods 1 through 5 of 40 CFR Part 60, Appendix A using the methods and procedures specified in OAC rule 3745-17-03(B)(9). Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

g. Emission Limitation:
0.35 ton of PE per year.

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable PE limitation (0.08 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

h. Emission Limitation:
0.30 pound per hour of PM_{10} emissions

Applicable Compliance Method:
Multiply the uncontrolled emissions factor listed in AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 1.4, TABLE 1.4-2. EMISSION FACTORS FOR CRITERIA POLLUTANTS AND GREENHOUSE GASES FROM NATURAL GAS COMBUSTION, dated 7/98 (0.0075 lb/mmBtu of fuel gas burned) corrected for heating value by the maximum heat input of the burners (40 mmBtu/hr). The emission factor is based on the refinery fuel gas heating value of 950 Btu/scf. If required, compliance shall be demonstrated based upon the procedures specified in Methods 201 and 202 of 40 CFR Part

51, Appendix M. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

i. Emission Limitation:
1.31 tons per year of PM_{10} emissions

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable PE limitation (0.30 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

j. Emission Limitation:
1.13 pounds of SO_2 per hour.

Applicable Compliance Method:
Allowable emissions are based on operation at maximum capacity with a maximum H_2S concentration of 0.10 gr/dscf. Therefore compliance with the 0.10 grain H_2S per dry standard cubic foot of fuel gas burned as a volume-weighted, rolling, 3-hour average emission limitation constitutes compliance with the hourly SO_2 emission limitation. If required, the permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Methods 1 through 4 and 6 of 40 CFR Part 60 Appendix A using the methods and procedures specified in OAC rule 3745-18-04.

k. Emission Limitation:
4.95 tons of SO2 per year.

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable SO2 emission limitation (1.13 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

l. Emission Limitation:
0.21 pound of VOC per hour.

Applicable Compliance Method:
Multiply the uncontrolled emissions factor listed in AP-42, Fifth Edition,

Compilation of Air Pollution Emission Factors, Section 1.4, TABLE 1.4-2. EMISSION FACTORS FOR CRITERIA POLLUTANTS AND GREENHOUSE GASES FROM NATURAL GAS COMBUSTION, dated 7/98 (0.005 lb/mmBtu of fuel gas burned) corrected for heating value by the maximum heat input of the burners (40 mmBtu/hr). The emission factor is based on the refinery fuel gas heating value of 950 Btu/scf. If required, the permittee shall demonstrate compliance using Methods 1 through 4 and 25 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

m. Emission Limitation:
0.94 ton of VOC per year.

Applicable Compliance Method:
This emission limitation was developed by multiplying the hourly allowable VOC emission limitation (0.21 lbs/hr) by the maximum annual hours of operation (8760 hrs), and then dividing by 2000 lbs/ton. Therefore, if compliance is shown with the hourly limitation, compliance shall also be shown with the annual emission limitation.

n. Emission Limitation:
230 mg/dscm (0.10 gr/dscf) hydrogen sulfide (H_2S)

Applicable Compliance Method:
[60.106(e)]
The permittee shall determine compliance with the H_2S standard as follows: Method 11, 15, 15A or 16 shall be used to determine the H_2S concentration. The gases entering the sampling train should be at about atmospheric pressure. If the pressure in the refinery fuel gas lines is relatively high, a flow control valve may be used to reduce the pressure. If the line pressure is high enough to operate the sampling train without a vacuum pump, the pump may be eliminated from the sampling train. The sample shall be drawn from a point near the centroid of the fuel gas line.

For Method 11, the sampling time and sample volume shall be at least 10 minutes and 0.010 dscm (0.35 dscf). Two samples of equal sampling times shall be taken at about 1-hour intervals. The arithmetic average of these two samples shall constitute a run. For most fuel gases, sampling times exceeding 20 minutes may result in depletion of the collection solution, although fuel gases containing low concentrations of H_2S may necessitate sampling for longer periods of time.

For Method 15 or 16, at least three injects over a 1-hour period shall constitute a run.

For Method 15A, a 1-hour sample shall constitute a run.

o. Emission Limitation:
400 ppmv of CO on gaseous fuel on a dry basis corrected to 3 percent oxygen

Applicable Compliance Method:
Compliance shall be demonstrated on an annual basis, based upon the procedures specified in Methods 1 through 4 and 10, 10A or 10B of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

2. The permittee shall comply with the testing requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit.

3. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. The emission testing shall be conducted within 180 days of start-up..

b. The emission testing shall be conducted to demonstrate compliance with the mass emissions rates for carbon monoxide and nitrogen oxides (lb/hr and lb/mmBtu).

c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s): Methods 1 thru 4, 7 and 10 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).

f. Personnel from the appropriate Ohio EPA District Office or local air agency shall

be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

VI. Miscellaneous Requirements

1. Excessive Audit Inaccuracy. If the RA, using the RATA, CGA, or RAA exceeds the criteria in section 5.2.3, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, the source permittee must audit the CEMS with a RATA, CGA, or RAA to determine if the CEMS is operating within the specifications. A RATA must always be used following an out-of-control period resulting from a RATA. The audit following corrective action does not require analysis of USEPA performance audit samples. If audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.

B. State Only Enforceable Section

I. 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	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
B055 - 40.0 mmBtu/hr heater with low-NOx burners, fired with natural gas or refinery process gas (a mixture of refinery fuel gas, natural gas and landfill gas)		

2. Additional Terms and Conditions

2.a none

II. Operational Restrictions

none

III. Monitoring and/or Recordkeeping Requirements

none

IV. Reporting Requirements

none

V. Testing Requirements

none

VI. Miscellaneous Requirements

none

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
B018 - 108 mmBtu per hour Selas Corp. heater [H604] with low NOx burners, fired with refinery process gas, landfill gas and natural gas	OAC rule 3745-17-07(A)	Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.
	OAC rule 3745-17-10(B)(1)	0.020 pound of particulate emissions (PE) per mmBtu of actual heat input
	OAC rule 3745-18-54(O)(1)	0.04 pound of sulfur dioxide (SO_2) per mmBtu of actual heat input
	OAC rule 3745-31-02(A)(2)	0.04 pound of nitrogen oxides (NOx) per mmBtu of actual heat input
	40 CFR Part 63, Subpart A	See section A.I.2.a.
	40 CFR Part 63, Subpart DDDDD	See section A.I.2.b.

2. Additional Terms and Conditions

2.a [63.7495(a)]
The permittee shall comply with the requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit and Part III, section A.VI.

2.b [63.7575]
This emissions unit is considered an existing large gaseous fuel process heater installed before November 12, 2004, and only needs to submit an Initial Notification report as required in 40 CFR 63.7545(b) (see section A.IV.).

II. Operational Restrictions

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

2. The quality of the refinery fuel gas, landfill gas and/or natural gas burned in this emissions unit shall meet, on an "as burned" basis, a sulfur content that is sufficient to comply with the allowable sulfur dioxide emission limitation of 0.04 pound of SO_2 per mmBtu of actual heat input.

III. Monitoring and/or Recordkeeping Requirements

1. For each day during which the permittee burns a fuel other than refinery fuel gas, the permittee shall maintain a record of the type, quantity, sulfur content in pound(s) of sulfur per mmdscf, and heating value in Btu/dscf of the fuel burned.

2. REFINERY FUEL GAS SAMPLING
The permittee shall collect samples of the refinery fuel gas system Monday through Friday (except holidays) for gas chromatographic analysis or other approved analytical method. Each normal sample point shall be collected at least two times per week in accordance with the schedule developed by the permittee. Each sample shall be collected in a sample bag, bomb, cylinder or similar device suitable for the designated analytical method.

3. The permittee shall maintain daily records of the actual heating value of the refinery fuel gas. The actual heating value (H) of the refinery fuel gas shall be calculated from the results of a fuel gas compositional analysis using gas chromatography and the results maintained in units Btu/scf.

4. The permittee shall maintain daily records on the laboratory method used to conduct compositional analysis of the refinery fuel gas. The method shall be reported to the Toledo Division of Environmental Services in the periodic report. Any standard ASTM method may be used.

5. The permittee shall maintain records of the H_2S content (in ppmv) for the refinery fuel gas for each day, and which hydrogen sulfide continuous emissions monitoring system (H_2S CEMS) was used to obtain the data (i.e., from which of the following emissions units: B048, B050, B051).

6. The permittee shall maintain daily records (Monday through Friday) of the average SO_2 emission rate for the refinery fuel gas. The SO_2 emission rate shall be calculated as follows, in accordance with OAC rule 3745-18-04(F)(3):

   ERG = ((14.696)*S*(32)*(1.998))/(H*(10.73)*(520))

   where:

ERG = average SO_2 emission rate, in pounds of SO_2 per mmBtu for each day;
14.969 = standard pressure, psia;
S = daily average H_2 S content of refinery fuel gas, ppmv;
32 = molecular weight of sulfur, lb per lb-mole;
1.998 = lb of SO_2 per lb sulfur, as calculated in accordance with OAC rule 3745-18-04(F)(3);
H = daily average heat content, in Btu/scf (STP at 14.696 psia and 520°R);
10.73 = ideal gas constant, psia-cubic feet/lb-mole °R;
520 = standard temperature, °R.

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than refinery fuel gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

2. The permittee shall submit quarterly deviation (excursion) reports that identify each average SO_2 emission rate, as calculated in section A.III., that exceeds the SO_2 emission limitation of 0.04 pound of SO_2 per mmBtu of actual heat input for the burning of refinery fuel gas.

3. The deviation reports shall be submitted in accordance with the requirements specified in Part I - General Term and Condition A.1.c.

40 CFR Part 63, subpart DDDDD

4. [63.7545(b)] Initial Notification Reporting Requirements - Existing Sources
As specified in 40 CFR 63.9(b)(2), if the permittee startups the affected source before November 12, 2004, the permittee must submit an Initial Notification not later than 120 days after November 12, 2004. The Initial Notification must include the information required by 40 CFR 63.9(b)(2) if the affected source has an annual capacity factor of greater than 10 percent. unit.

V. Testing Requirements

1. Compliance with the emissions limitation(s) in section A.I.1 of these terms and conditions shall be determined in accordance with the following methods:

   a. Emission Limitation:
   20% opacity as a 6-minute average

Applicable Compliance Method:
If required, compliance shall be demonstrated based upon the procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(1).

b. Emission Limitation:
0.020 pound of particulates (PE) per mmBtu of actual heat input

Applicable Compliance Method:
If required, the permittee shall demonstrate compliance using the methods and procedures specified in OAC rule 3745-17-03(B)(9).

c. Emission Limitation:
0.04 pound of sulfur dioxide (SO_2) per mmBtu of actual heat input

Applicable Compliance Method:
Compliance shall be demonstrated based upon the monitoring and record keeping requirements of section A.III. If required, compliance shall also be demonstrated based upon the methods and procedures of OAC rule 3745-18-04(E) and (F).

d. Emission Limitation:
0.04 pound of nitrogen oxides (NOx) per mmBtu of actual heat input

Applicable Compliance Method:
If required, the permittee shall demonstrate compliance using Methods 1 through 4 and 7 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA

VI. Miscellaneous Requirements

none

B. State Only Enforceable Section

I. 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	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
B018 - 108 mmBtu per hour Selas Corp. heater [H604] fired with refinery fuel gas, landfill gas and/or natural gas		

2. Additional Terms and Conditions

2.a none

II. Operational Restrictions

none

III. Monitoring and/or Recordkeeping Requirements

none

IV. Reporting Requirements

none

V. Testing Requirements

none

VI. Miscellaneous Requirements

none

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
B044 - 296 million Btu/hr #10 Babcock and Wilcox boiler [H-1910] fired with refinery fuel gas, a mixture of refinery process gas, landfill gas and natural gas	OAC Chapter 3745-14	See sections A.I.2.a. and 2.b.
	OAC rule 3745-17-07(A)	Visible particulate emissions from any stack shall not exceed 20 percent opacity as a 6-minute average, except as provided by the rule
	OAC rule 3745-17-10(C)(1)	0.14 pound of particulate emissions (PE) per million Btu of actual heat input
	OAC rule 3745-18-54(O)(4)	See sections A.I.2.c. and A.I.2.d.
	OAC rule 3745-31-02(A)(2)	0.04 pound of sulfur dioxide per million Btu of actual heat input
	40 CFR Part 63, Subpart A	See sections A.I.2.e.
	40 CFR Part 63, Subpart DDDDD	See section A.I.2.f.

2. Additional Terms and Conditions

2.a [OAC rule 3745-14-01(A) and (C)(1)(b)(i)] - NOx Budget

OAC Chapter 3745-14 establishes the provisions and requirements to implement a NOx budget trading program in the state of Ohio as a means of control and reduction of NOx emissions. The following non-electrical generating units are subject to these applicable requirements and the annual NOx allowance listed below:

Emissions Unit	Annual NOx Allowance for 2004 through 2007
B044	47

2.b [OAC rule 3745-14-01(E)(1)] NOx Budget - Permit Requirements

i. [OAC rule 3745-14-01(E)(1)(a) and 3745-14-03(B)(1) and (B)(2)]
The NOx authorized account representative of each NOx budget unit or NOx budget source required to have a federally enforceable permit for the unit or source shall:

(a) submit to the Director a complete NOx budget permit application before May 1, 2003;

(b) submit in a timely manner any supplemental information that the Director determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

ii. [OAC rule 3745-14-01(E)(1)(b)]
The permittee of each NOx budget unit or source required to have a federally enforceable permit shall have a NOx budget permit issued by the Director and operate the unit in compliance with such NOx budget permit.

NOTE: "Director" means the Director of the Ohio Environmental Protection Agency and "Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's duly authorized representative.

2.c The burning of fuel oil in this emissions unit is prohibited.

2.d The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-18-54(O)(1).

2.e [63.7495(a)]

Emissions Unit ID: B044

The permittee shall comply with the requirements of 40 CFR Part 63, Subpart DDDDD as included in Part II of this permit and Part III, section A.IV.

2.f [63.7575]
This emissions unit is considered an existing large gaseous fuel process heater installed before November 12, 2004, and only needs to submit an Initial Notification report as required in 40 CFR 63.7545(b) (see section A.IV.).

II. Operational Restrictions

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

2. [OAC rule 3745-14-01(E)] NOx BUDGET TERMS

a. [OAC rule 3745-14-01(E)(3)]
NOx Allowance

i. [OAC rule 3745-14-01(E)(3)(a)]
The permittee of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under paragraph (E) of rule 3745-14-06 of this chapter, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with rule 3745-14-08 [see section A.III., IV. and VI.] of this chapter, plus any amount necessary to account for actual utilization under paragraph (C)(5) of rule 3745-14-05 of this chapter for the control period.

ii. [OAC rule 3745-14-01(E)(3)(b)]
Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of this chapter, the Clean Air Act, and applicable Ohio law.

iii. [OAC rule 3745-14-01(E)(3)(c)]
A NOx budget unit shall be subject to the requirements under paragraph (E)(3)(a) [see section A.I.] of this rule starting on the later of May 31, 2004 or the date on which the unit commences operation.

iv. [OAC rule 3745-14-01(E)(3)(d)]
NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with rules 3745-14-05 [see section A.IV.], 3745-14-06 [see section A.III.], 3745-14-07 [see section A.VI.] and 3745-14-09 of this chapter.

v. [OAC rule 3745-14-01(E)(3)(e)]
A NOx allowance shall not be deducted, in order to comply with the requirements under paragraph (E)(3)(a) [see section A.II.] of this rule, for a control period in a year prior to the year for which the NOx allowance was allocated.

vi. [OAC rule 3745-14-01(E)(3)(f)]
A NOx allowance allocated by the Director under the NOx budget trading

program is a limited authorization to emit one ton of NOx in accordance with the NOx budget trading program. No provision of the NOx budget trading program, the NOx budget permit application, the NOx budget permit, or an exemption under paragraph (C)(2) or (D) of this rule and no provision of law shall be construed to limit the authority of the United States or the state of Ohio to terminate or limit such authorization.

vii. [OAC rule 3745-14-01(E)(3)(g)]
A NOx allowance allocated by the Director under the NOx budget trading program does not constitute a property right.

viii. [OAC rule 3745-14-01(E)(3)(h)]
Upon recordation by the Administrator under rules 3745-14-06 [see section A.III.] and 3745-14-07 [see section A.VI.] of this chapter, every allocation, transfer, or deduction of a NOx allowance to or from a NOx budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, any NOx budget permit of the NOx budget unit by operation of law without any further review.

b. [OAC rule 3745-14-01(E)(4)]
The permittees of a NOx budget unit that has excess emissions in any control period shall:

i. [OAC rule 3745-14-01(E)(4)(a)]
surrender the NOx allowances required for deduction under paragraph (E)(4)(a) of rule 3745-14-06 of this chapter; and

ii. [OAC rule 3745-14-01(E)(4)(b)]
pay any fine, penalty, or assessment or comply with any other remedy imposed under paragraph (E)(4)(c) of rule 3745-14-06 of this chapter.

III. Monitoring and/or Recordkeeping Requirements

1. For each day during which the permittee burns a fuel other than refinery fuel gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

2. REFINERY FUEL GAS SAMPLING:
The permittee shall collect samples of the refinery fuel gas system Monday through Friday (except holidays) for gas chromatographic analysis or other approved analytical

method. Each normal sample point shall be collected at least two times per week in accordance with the schedule developed by the permittee. Each sample shall be collected in a sample bag, bomb, cylinder or similar device suitable for the designated analytical method.

3. The permittee shall maintain daily records of the actual heating value of the refinery fuel gas. The actual heating value (H) of the refinery fuel gas shall be calculated from the results of a fuel gas compositional analysis using gas chromatography and the results maintained in units of Btu/scf.

4. The permittee shall maintain records on the laboratory method used to conduct compositional analysis of the refinery fuel gas. The method shall be reported to the Toledo Division of Environmental Services in the periodic report. Any standard ASTM method may be used.

5. The permittee shall maintain records of the average H_2S content (in ppmv) for the refinery fuel gas for each 3-hour block of time, and which hydrogen sulfide continuous emissions monitoring system (H_2S CEMS) was used to obtain the data (i.e., from which of the following emissions units: B048, B050, B051).

6. The permittee shall maintain daily records (Monday through Friday) of the average SO_2 emission rate for the refinery fuel gas. The SO_2 emission rate shall be calculated as follows, in accordance with OAC rule 3745-18-04(F)(3):

   ERG = ((14.696)*S*(32)*(1.998))/(H*(10.73)*(520))

   Where:

   ERG = average SO_2 emission rate, in pounds SO_2 per mmBtu for each day;
   14.696 = standard pressure, psia;
   S = daily average H_2S content of refinery fuel gas, ppmv;
   32 = molecular weight of sulfur, lb per lb-mole;
   1.998 = lb of SO_2 per lb sulfur, as calculated in accordance with OAC rule 3745-18-04(F)(3);
   H = daily average heat content, Btu/scf (STP at 14.696 psia and 520°R);
   10.73 = ideal gas constant, psia-cubic feet/lb-mole ^{o}R);
   520 = standard temperature, ^{o}R.

7. [OAC rule 3745-14-01(E)] NOx BUDGET TERMS - STANDARD REQUIREMENTS

   a. [OAC rule 3745-14-01(E)(2)] Monitoring Requirements

      i. [OAC rule 3745-14-01(E)(2)(a)]
      The permittee and, to the extent applicable, the NOx authorized account representative of each NOx budget source and each NOx budget unit at the source shall comply with the monitoring requirements of rule 3745-14-

08 [see section A.III. and A.VI.] of this chapter.

ii. [OAC rule 3745-14-01(E)(2)(b)]
The emissions measurements recorded and reported in accordance with rule 3745-14-08 [see section A.IV.] of this chapter shall be used to determine compliance by the unit with the NOx budget emissions limitation under paragraph (E)(3) [see section A.II.] of this rule.

b. [OAC rule 3745-14-01(E)(5)] Recordkeeping

i. [OAC rule 3745-14-01(E)(5)(a)]
Unless otherwise provided, the permittee of a NOx budget source and each NOx budget unit at the source shall keep on site at the source, or at a central location in Ohio for unattended sources, each of the following documents for a period of five years from the date the document is created: (This period may be extended for cause, at any time prior to the end of five years, in writing by the Director or the Administrator. Records for unattended sources retained at a central location shall be available immediately at the central location upon the request of the Director or Administrator and within three days following receipt of a written request from the Director or Administrator.)

(a) the account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with paragraph (D) of rule 3745-14-02 of this chapter, provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative;

(b) all emissions monitoring information, in accordance with rule 3745-14-08 [see section A.III.] of this chapter;

(c) copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx budget trading program; and

(d) copies of all documents used to complete a NOx budget permit application and any other submission under the NOx budget trading program or to demonstrate compliance with the requirements of the NOx budget trading program.

8. [OAC rule 3745-14-06] NOx BUDGET TERMS
Compliance.

   a. [OAC rule 3745-14-06(E)(3)]
   Identification of NOx allowances by serial number

      i. [OAC rule 3745-14-06(E)(3)(a)]
      The NOx authorized account representative for each compliance account may identify by serial number the NOx allowances to be deducted from the unit's compliance account under paragraph (E)(2), (E)(4), (E)(5) [see section A.III.] or (E)(6) of this rule. Such identification shall be made in the compliance certification report submitted in accordance with paragraph (A) of rule 3745-14-04 [see section A.IV.] of this chapter.

   b. [OAC rule 3745-14-06(E)(5)]
   In the case of units sharing a common stack and having emissions that are not separately monitored or apportioned in accordance with rule 3745-14-08 [see section A.III.] of this chapter:

      i. [OAC rule 3745-14-06(E)(5)(a)]
      The NOx authorized account representative of the units may identify the percentage of NOx allowances to be deducted from each such unit's compliance account to cover the unit's share of NOx emissions from the common stack for a control period. Such identification shall be made in the compliance certification report submitted in accordance with paragraph (A) of rule 3745-14-04 [see section A.IV.] of this chapter.

   c. [OAC rule 3745-14-06(H)(1)]
   The NOx authorized account representative of a general account may instruct the Administrator to close the account by submitting a statement requesting deletion of the account from the NOx allowance tracking system and by correctly submitting for recording, under paragraph (A) of rule 3745-14-07 [see section A.VI.] of this chapter, an allowance transfer of all NOx allowances in the account to one or more other NOx allowance tracking system accounts.

9. [OAC rule 3745-14-08] NOx BUDGET TERMS
NOx Monitoring

   a. [OAC rule 3745-14-08(A)]
   General requirements

      i. [OAC rule 3745-14-08(A)(1)]
      The permittee, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this rule and in subpart H of 40 C.F.R. part 75. For purposes of complying with such requirements, the

definitions in paragraph (B) of rule 3745-14-01 and in 40 C.F.R. 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 C.F.R. part 75 shall be replaced by the terms "NOx budget unit," "NOx authorized account representative, " and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in paragraph (B) of rule 3745-14-01 of this chapter.

ii. [OAC rule 3745-14-08(A)(2)]
The permittee of each NOx budget unit and each unit for which an application for a NOx budget opt-in permit is submitted and not denied or withdrawn, as provided in rule 3745-14-09 of this chapter, shall meet the following requirements:

(a) install all monitoring systems required under this rule for monitoring NOx mass emissions; (This includes all systems required to monitor NOx emission rate, NOx concentration, heat input rate, and stack flow rate, in accordance with 40 C.F.R. 75.71 and 75.72.)

(b) install all monitoring systems for monitoring heat input rate;

(c) successfully complete all certification tests required under paragraph (B) of this rule and meet all other requirements of this rule and 40 C.F.R. part 75 applicable to the monitoring systems under paragraphs (A)(2)(a) and (A)(2)(b) [see section A.III.] of this rule; and

(d) record, report and quality assure the data from the monitoring systems required under paragraphs (A)(2)(a) and (A)(2)(b) [see section A.III.] of this rule.

iii. [OAC rule 3745-14-08(A)(5)]
The permittee of a NOx budget unit shall comply with the prohibitions under OAC rule 3745-14-08(A)(5).

b. [OAC rule 3745-14-08(E)]
NOx record keeping.

i. [OAC rule 3745-14-08(E)(1)(a)] General Provisions
The NOx authorized account representative shall comply with all record keeping and reporting requirements in this rule and with the requirements of paragraph (A)(5) of rule 3745-14-02 of this chapter.

ii. [OAC rule 3745-14-08(E)(2)(b)] Monitoring plans.

The permittee of a unit that is not subject to an Acid Rain emissions limitation shall comply with the requirements of 40 C.F.R. 75.62, except that the monitoring plan is only required to include the information required by subpart H of 40 C.F.R. part 75.

iii. [OAC rule 3745-14-08(E)(3)]
The NOx authorized account representative shall submit an application to the Administrator, U.S. EPA Region 5 office, and the Director within forty-five days after completing all initial certification or recertification tests required under paragraph (B) of this rule including the information required under subpart H of 40 C.F.R. part 75.

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than refinery fuel gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

2. The permittee shall submit quarterly deviation (excursion) reports that identify each average SO_2 emission rate, as calculated in section A.III., that exceeded the SO_2 emission limitation of 1.8 pounds of SO_2 per mmBtu of actual heat input for the burning of refinery fuel gas.

3. The deviation reports shall be submitted in accordance with the requirements specified in Part I - General Term and Condition A.1.c.

4. [OAC rule 3745-14-01(E)(5)] NOx BUDGET TERMS - REPORTING

   a. [OAC rule 3745-14-01(E)(5)(b)]
   The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the NOx budget trading program, including those under rules 3745-14-04 [see section A.IV.], 3745-14-08 [see section A.IV.] and 3745-14-09 of this chapter.

5. [OAC rule 3745-14-04] NOx BUDGET TERMS - COMPLIANCE CERTIFICATION

   a. [OAC rule 3745-14-04(A)]
   The compliance certification report.

      i. [OAC rule 3745-14-04(A)(1)]
      For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions limitation, the NOx authorized account representative of the source shall submit to the Director and the Administrator, by November 30 of that year, a compliance certification report for each source covering all such units.

ii. [OAC rule 3745-14-04(A)(2)]
The NOx authorized account representative shall include in the compliance certification report under paragraph (A)(1) [see section A.IV.] of this rule the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx budget emissions limitation for the control period covered by the report:

(a) [OAC rule 3745-14-04(A)(2)(a)]
identification of each NOx budget unit;

(b) [OAC rule 3745-14-04(A)(2)(b)]
at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under paragraph (E) of rule 3745-14-06 of this chapter for the control period;

(c) [OAC rule 3745-14-04(A)(2)(c)]
at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with rule 3745-14-08 of this chapter, the percentage of allowances that is to be deducted from each unit's compliance account under paragraph (E)(5) of rule 3745-14-06 of this chapter; and

(d) [OAC rule 3745-14-04(A)(2)(d)]
the compliance certification under paragraph (A)(3) [see section A.IV.] of this rule.

iii. [OAC rule 3745-14-04(A)(3)]
In the compliance certification report under paragraph (A)(1) [see section A.IV.] of this rule, the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the NOx budget trading program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx budget trading program applicable to the unit, including all the following:

(a) [OAC rule 3745-14-04(A)(3)(a)]
whether the unit was operated in compliance with the NOx budget emissions limitation;

(b) [OAC rule 3745-14-04(A)(3)(b)]
whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with rule 3745-14-08 of this chapter;

(c) [OAC rule 3745-14-04(A)(3)(c)]
whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with rule 3745-14-08 [see section A.IV.] of this chapter, and if conditional data were reported, the permittee shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) [OAC rule 3745-14-04(A)(3)(d)]
whether the facts that form the basis for certification under rule 3745-14-08 [see sections A.III. and A.VI.] of this chapter of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under rule 3745-14-08 of this chapter, if any, have changed.

(e) [OAC rule 3745-14-04(A)(3)(e)]
If a change is required to be reported under paragraph (A)(3)(d) [see section A.IV.] of this rule, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

b. [OAC rule 3745-14-04(B)]
Director’s or Administrator’s action on compliance certifications.

i. [OAC rule 3745-14-04(B)(1)]
The Director or Administrator may review and conduct independent audits concerning any compliance certification or any other submission under the NOx budget trading program and make appropriate adjustments of the information in the compliance certifications or other submissions.

ii. [OAC rule 3745-14-04(B)(2)]
The Administrator may deduct NOx allowances from or transfer NOx allowances to a unit's compliance account or a source's overdraft account based on the information in the compliance certifications or other submissions, as adjusted under paragraph (B)(1) [see section A.IV.] of this rule.

6. [OAC rule 3745-14-05] NOx BUDGET TERMS - NOx ALLOWANCE ALLOCATIONS

a. [OAC rule 3745-14-05(C)(4)]
For each control period under OAC rule 3745-14-05(B)(4), the Director shall allocate NOx allowances to NOx budget units under paragraph (C)(1) of rule 3745-14-01 of this chapter that commence operation, or are projected to commence operation, on or after the following dates: May 1, 1997, for control periods under paragraph (B)(1) of this rule; May 1, 2003, for control periods under paragraph (B)(2) of this rule; and May 1 of the year five years before the beginning of the group of five years that includes the control period, for control periods under paragraph (B)(3) of this rule. The Director shall make the allocations under this paragraph (C)(4) of this rule in accordance with the following procedures:

i. [OAC rule 3745-14-05(C)(4)(b)]
The NOx authorized account representative of a NOx budget unit specified in paragraph (C)(4) [see section A.IV.] of this rule may submit to the Director a request, in a format specified by the Director, to be allocated NOx allowances for the control period. The NOx allowance allocation request shall be submitted to the Director on or after the date on which the Director issues a permit to construct the unit and by January 1 before the control period for which the NOx allowances are requested.

ii. [OAC rule 3745-14-05(C)(4)(d)]
In a NOx allowance allocation request under paragraph (C)(4)(b) of this rule, the NOx authorized account representative for a NOx budget unit under paragraph (C)(1)(b) [see section A.I.2.] of rule 3745-14-01 of this chapter may request for a control period NOx allowances in an amount that does not exceed the lesser of:

(a) 0.17 lb/mmBtu multiplied by the unit's maximum design heat input, multiplied by the lesser of three thousand six hundred seventy two hours or the number of hours remaining in the control period starting with the day in the control period on which the unit commences operation or is projected to commence operation, divided by 2,000 lb/ton, and rounded to the nearest whole number of NOx allowances as appropriate; or

(b) the unit's most stringent state or federal NOx emission limitation multiplied by the unit's maximum design heat input, multiplied by the lesser of three thousand six hundred seventy two hours or the number of hours remaining in the control period starting with the day in the control period on which the unit commences operation or is projected to commence

operation, divided by 2,000 lb/ton, and rounded to the nearest whole number of NOx allowances as appropriate.

b. [OAC rule 3745-14-05(D)] Early Reduction Credit.
The permittee of a NOx budget unit may request early reduction credit for NOx emission rate reductions made in the unit during the 2001, 2002 or 2003 control periods. The Director may allocate NOx allowances, to be used in 2004 and 2005, to the unit in accordance with the following requirements:

i. [OAC rule 3745-14-05(D)(1)]
Each NOx budget unit for which the permittee requests any early reduction credit under this rule shall monitor and report NOx emissions in accordance with rule 3745-14-08 [see sections A.III. and A.IV.] of this chapter starting in the 2000 control period and for each control period for which such early reduction credit is requested. The unit's per cent monitor data availability shall be not less than ninety per cent during the 2000 control period, and the unit shall be in compliance with any applicable state or federal emission control requirements during 2000 through 2003.

ii. [OAC rule 3745-14-05(D)(2)]

The NOx emission rate and heat input under paragraphs (D)(3) and (D)(4) [see section A.IV.] of this rule shall be determined in accordance with rule 3745-14-08 of this chapter.

iii. [OAC rule 3745-14-05(D)(3)]
Each NOx budget unit for which the permittee requests early reduction credit under paragraph (D)(4) [see section A.IV.] of this rule shall reduce its NOx emission rate for each control period for which early reduction credit is requested to less than eighty per cent of the unit's NOx emission rate in the 2000 control period. Early reduction credits shall not be earned for NOx reductions required under the state implementation plan or otherwise required under any provision of the Clean Air Act.

iv. [OAC rule 3745-14-05(D)(4)]
The NOx authorized account representative of a NOx budget unit that meets the requirements of paragraphs (D)(1) and (D)(3) [see section A.IV.] of this rule may submit to the Director a request for early reduction credit based on NOx emission rate reductions for the unit in any or all of the control periods in 2001, 2002 or 2003.

(a) The NOx authorized account representative may request early reduction credit for NOx reductions made in the 2001, 2002 or 2003 control periods in the amount equal to the following: the unit's heat input for such control period multiplied by the difference between the unit's NOx emission rate (in lb/mmBtu) during the 2000 control period and the NOx emission rate (in lb/mmBtu) for each control

period for which early reduction credits are requested, divided by 2000 lbs/ton and rounded to the nearest whole number of tons as appropriate.

(b) Requests for early reduction credit for reductions made in 2001 and 2002 shall be submitted, in a format specified by the Director, by February 1, 2003; and for reductions made in 2003, by February 1, 2004.

7. [OAC rule 3745-14-08] NOx BUDGET TERMS - NOx REPORTS

a. [OAC rule 3745-14-08(E)(4)(b)]
If a NOx budget unit is not subject to an Acid Rain emission limitation, then the NOx authorized account representative shall either:

i. [OAC rule 3745-14-08(E)(4)(b)(i)]
meet all of the requirements of 40 C.F.R. part 75 related to monitoring and reporting NOx mass emissions during the entire year and meet the reporting deadlines specified in paragraph (E)(4)(a) of this rule; or

ii. [OAC rule 3745-14-08(E)(4)(b)(ii)]
submit quarterly reports covering the period May 1 through September 30 of each year and including the data described in 40 C.F.R. 75.74(c)(6). The NOx authorized account representative shall submit such quarterly reports, beginning with:

(a) for a unit for which the permittee intends to apply or applies for early reduction credit under paragraph (D) of rule 3745-14-05 of this chapter, the calendar quarter that includes the date of initial provisional certification under paragraph (B)(2)(c)(iii) or (B)(3) of this rule. Data shall be recorded and reported from the date and hour corresponding to the date and hour of provisional certification; or

(b) for a unit that commences operation on or before May 1, 2003 and that is not subject to paragraph (E)(4)(b)(i) [see section A.IV.] of this rule, the calendar quarter covering May 1 through June 30, 2003 Data shall be recorded and reported from the earlier of the date and hour corresponding to the date and hour of initial certification under paragraph (B)(2)(c)(iii) or (B)(3) of this rule or the first hour of May 1, 2003.

b. [OAC rule 3745-14-08(E)(4)(c) and (E)(4)(c)(ii)]
The NOx authorized account representative shall submit each quarterly report to the Administrator within thirty days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 C.F.R. part 75 and 40 C.F.R. 75.64. For units not subject to an Acid Rain emissions limitation, quarterly reports are only required to include all of

the data and information required in subpart H of 40 C.F.R. part 75 for each NOx budget unit (or group of units using a common stack).

c. [OAC rule 3745-14-08(E)(4)(d)]
The NOx authorized account representative shall submit to the Administrator a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's' emissions are correctly and fully monitored. The compliance certification shall state that:

i. [OAC rule 3745-14-08(E)(4)(d)(i)]
the monitoring data submitted were recorded in accordance with the applicable requirements of this rule and 40 C.F.R. part 75, including the quality assurance procedures and specifications;

ii. [OAC rule 3745-14-08(E)(4)(d)(ii)]
for a unit with add-on NOx emission controls and for all hours where data are substituted in accordance with 40 C.F.R. 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under Appendix B of 40 C.F.R. part 75 and the substitute values do not systematically underestimate NOx emissions; and

iii. [OAC rule 3745-14-08(E)(4)(d)(iii)]
for a unit that is reporting on a control period basis under paragraph (E)(4)(d)(ii) [see section A.IV.] of this rule, the NOx emission rate and NOx concentration values substituted for missing data under subpart D of 40 C.F.R. part 75 are calculated using only values from a control period and do not systematically underestimate NOx emissions.

d. [OAC rule 3745-14-08(F)(2)] Petitions
The NOx authorized account representative of a NOx budget unit that is not subject to an Acid Rain emission limitation may submit a petition under 40 CFR 75.66 to the Director and the Administrator requesting approval to apply an alternative to any requirement of this rule.

i. [OAC rule 3745-14-08(F)(2)(a)]
The NOx authorized account representative of a NOx budget unit that is subject to an Acid Rain emission limitation may submit a petition under 40 CFR 75.66 to the Director and the Administrator requesting approval to apply an alternative to a requirement concerning any additional CEMS

required under the common stack provisions of 40 CFR 75.72 or a NOx concentration CEMS used under 40 CFR 75.71(a)(2).

ii. [OAC rule 3745-14-08(F)(2)(b)]
Application of an alternative to any requirement of this rule shall be in accordance with this rule only to the extent the petition under paragraph (F)(2) of this rule is approved by both the Director and the Administrator.

e. [OAC rule 3745-14-08(G)]
Additional requirements to provide heat input data for allocation purposes.
The permittee of a NOx budget unit that monitors and reports NOx mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input rate at the unit level using the procedures set forth in 40 CFR part 75.

40 CFR Part 63, subpart DDDDD

8. [63.7545(b)] Initial Notification Reporting Requirements - Existing Sources
As specified in 40 CFR 63.9(b)(2), if the permittee startups the affected source before November 12, 2004, the permittee must submit an Initial Notification not later than 120 days after November 12, 2004. The Initial Notification must include the information required by 40 CFR 63.9(b)(2) if the affected source has an annual capacity factor of greater than 10 percent. unit.

V. Testing Requirements

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

a Emission Limitation:
20 percent opacity as a 6-minute average

Applicable Compliance Method:
If required, compliance shall be demonstrated based upon the methods and procedures specified in OAC rule 3745-17-03(B)(1).

b. Emission Limitation:
0.14 pound of particulate emissions per million Btu of actual heat input

Applicable Compliance Method:
If required, compliance shall be demonstrated based upon the methods and procedures of OAC rule 3745-17-03(B)(9).

c. Emission Limitation:
0.04 pound of SO_2 per million Btu of actual heat input

Applicable Compliance Method:

If required, compliance shall be demonstrated based upon the methods and procedures of OAC rule 3745-18-04(E)(1).

VI. Miscellaneous Requirements

1. [OAC rule 3745-14-03] NOx BUDGET PERMIT

   a. [OAC rule 3745-14-03(B)(3)(a)] Duty to Reapply.
   For a NOx budget source required to have a Title V operating permit, the NOx authorized account representative shall submit a complete NOx budget permit renewal application for the NOx budget source covering the NOx budget units at the source in accordance with paragraph (E) of rule 3745-77-08 of the Administrative Code.

   b. [OAC rule 3745-14-03(C)]
   Information requirements for NOx budget permit applications.

      i. [OAC rule 3745-14-03(C)(1)]
      A complete NOx budget permit application shall include the following elements concerning the NOx budget source for which the application is submitted, in a format prescribed by the Director:
         (a) identification of the NOx budget source, including plant name and the ORIS (Office of Regulatory Information Systems) or facility code assigned to the source by the United States Energy Information Administration, or a facility code assigned to the source by the Administrator;
         (b) identification of each NOx budget unit at the NOx budget source and whether it is a NOx budget unit under paragraph (C)(1) [see section A.I.2.] of rule 3745-14-01 or rule 3745-14-09 of this chapter;
         (c) the standard requirements under paragraph (E) of rule 3745-14-01 of this chapter; and
         (d) for each NOx budget opt-in unit at the NOx budget source, the following certification statements by the NOx authorized account representative:
            (i) "I certify that each unit for which this permit application is submitted under rule 3745-14-09 of this chapter is not a NOx budget unit under paragraph (C)(1) of rule 3745-14-01 of this chapter and is not covered by an exemption under paragraph (C)(2) or (D) of rule 3745-14-01 of this chapter that is in effect."
            (ii) if the application is for an initial NOx budget opt-in permit,

"I certify that each unit for which this permit application is submitted under rule 3745-14-09 of this chapter is currently operating, as that term is defined under paragraph (B)(2) of rule 3745-14-01 of this chapter."

c. [OAC rule 3745-14-03(D)]
NOx budget permit contents.

i. [OAC rule 3745-14-03(D)(1)]
Each NOx budget permit (including any draft or proposed NOx budget permit, if applicable) shall contain, in a format prescribed by the Director, all elements required for a complete NOx budget permit application under paragraph (C) of this rule.

ii. [OAC rule 3745-14-03(D)(2)]
Each NOx budget permit is deemed to incorporate automatically the definitions of terms under paragraph (B) of rule 3745-14-01 of this chapter and, upon recordation by the Administrator, in accordance with rules 3745-14-06 and 3745-14-07 of this chapter, every allocation, transfer, or deduction of a NOx allowance to or from the compliance accounts of the NOx budget units covered by the permit or the overdraft account of the NOx budget source covered by the permit.

d. [OAC rule 3745-14-03(E)]
NOx budget permit revisions.

i. [OAC rule 3745-14-03(E)(1)]
For a NOx budget source with a Title V operating permit, except as provided in paragraph (D)(2) [see section A.VI.] of this rule, the Director shall revise the NOx budget permit, as necessary, in accordance with rule 3745-77-08 of the Administrative Code.

2. [OAC rule 3745-14-07] NOx ALLOWANCE TRANSFERS

a. [OAC rule 3745-14-07(A)]
Submission of NOx allowance transfers.

i. [OAC rule 3745-14-07(A)(1)]
The NOx authorized account representatives seeking recording of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:
(a) the numbers identifying both the transferor and transferee accounts;

(b) a specification by serial number of each NOx allowance to be transferred; and

(c) the printed name and signature of the NOx authorized account representative of the transferor account and the date signed.

b. [OAC rule 3745-14-07(B)]
Recordation of NOx allowance transfer requests.

i. [OAC rule 3745-14-07(B)(1)]
Within five business days of receiving a NOx allowance transfer, except as provided in paragraph (B)(2) [see section A.VI.] of this rule, the Administrator shall record a NOx allowance transfer by moving each NOx allowance from the transferor account to the transferee account as specified by the request, provided that:
(a) the transfer is correctly submitted under paragraph (A) of this rule; and
(b) the transferor account includes each NOx allowance identified by serial number in the transfer.

ii. [OAC rule 3745-14-07(B)(2)]
A NOx allowance transfer that is submitted for recording following the NOx allowance transfer deadline and that includes any NOx allowances allocated for a control period prior to or the same as the control period to which the NOx allowance transfer deadline applies shall not be recorded until after completion of the process of recording of NOx allowance allocations in paragraph (D) of rule 3745-14-06 of this chapter.

iii. [OAC rule 3745-14-07(B)(3)]
Where a NOx allowance transfer submitted for recording fails to meet the requirements of paragraph (B)(1) [see section A.VI.] of this rule, the Administrator shall not record such transfer.

c. [OAC rule 3745-14-07(C)]
Notification of transfers recorded.

i. [OAC rule 3745-14-07(C)(1)]
Within five business days of recording a NOx allowance transfer under paragraph (B) [see section A.VI.] of this rule, the Administrator shall notify the NOx authorized account representative of both the transferor and transferee accounts.

ii. [OAC rule 3745-14-07(C)(2)]
Within ten business days of receipt of a NOx allowance transfer that fails

to meet the requirements of paragraph (B)(1) [see section A.VI.] of this rule, the Administrator shall notify the NOx authorized account representatives of both accounts subject to the transfer of:

(a) a decision not to record the transfer, and

(b) the reasons for not recording the transfer.

iii. [OAC rule 3745-14-07(C)(3)]
Nothing in this rule shall preclude the re-submission of a NOx allowance transfer for recording that failed to meet the requirements of paragraph (B)(1) [see section A.VI.] of this rule upon a previous submission.

3. [OAC rule 3745-14-08] NOx BUDGET TERMS
Monitoring and Reporting

a. [OAC rule 3745-14-08(B)]
Initial certification and recertification procedures.

i. [OAC rule 3745-14-08(B)(2)]
The permittee of a NOx budget unit that is not subject to an Acid Rain emissions limitation shall comply with the following initial certification and recertification procedures. The permittee of such a unit that qualifies to use the low mass emissions excepted monitoring methodology under 40 C.F.R. 75.19 or that qualifies to use an alternative monitoring system under subpart E of 40 C.F.R. part 75 shall comply with the following procedures, as modified by paragraph (B)(3) or (B)(4) [see section A.VI.] of this rule.

ii. [OAC rule 3745-14-08(B)(3)]
The permittee of a gas fired or oil fired unit using the low mass emissions excepted methodology under 40 C.F.R. 75.19 and not subject to an Acid Rain emission limitation shall meet the applicable general operating requirements of 40 C.F.R. 75.10 and the applicable requirements of 40 C.F.R. 75.19. The permittee of such a unit shall also meet the applicable certification and recertification procedures of paragraph (B)(2) [see section A.VI.] of this rule, except that the excepted methodology shall be deemed provisionally certified for use under the NOx budget trading program as of the following dates:

(a) for a unit that does not have monitoring equipment initially certified or recertified for the NOx budget trading program as of the date on which the NOx authorized account representative submits the certification application under 40 C.F.R. 75.19 for the unit, starting on the date of such submissions until the completion of the period for the Director's review;

(b) for a unit that has monitoring equipment initially certified or recertified for the NOx budget trading program as of the date on which the NOx authorized account representative submits the

certification application under 40 C.F.R. 75.19 for the unit and that reports data on an annual basis under paragraph (E)(4) of this rule, starting January 1 of the year after the year of such submission until the completion of the period for the Director' review;

(c) for a unit that has monitoring equipment initially certified or recertified for the NOx budget trading program as of the date on which the NOx authorized account representative submits the certification application under 40 C.F.R. 75.19 for the unit and that reports on a control period basis under paragraph (E)(4) of this rule, starting May 1 of the control period after the year of such submission until the completion of the period for the Director's review.

iii. [OAC rule 3745-14-08(B)(4)]
The NOx authorized account representative of each unit not subject to an Acid Rain emissions limitation for which the permittee intends to use an alternative monitoring system approved by the Administrator under subpart E of 40 C.F.R. part 75, shall comply with the applicable certification procedures in paragraph (B)(2) of this rule before using the system under the NOx budget trading program. The NOx authorized account representative shall also comply with the applicable recertification procedures in paragraph (B)(2)(c) of this rule. The requirements of 40 C.F.R. 75.20(f) shall apply to such alternative monitoring system.

b. [OAC rule 3745-14-08(C)]
Out of control periods.

i. [OAC rule 3745-14-08(C)(1)]
Whenever any monitoring system fails to meet the quality assurance or data validation requirements of 40 C.F.R. part 75, data shall be substituted using the applicable procedures in subpart D, Appendix D, or Appendix E of 40 C.F.R. part 75.

ii. [OAC rule 3745-14-08(C)(2)]
Whenever both an audit of a monitoring system and a review of the initial certification or recertification application reveal that any system or component should not have been certified or recertified because it did not meet a particular performance specification or other requirement under paragraph (B) of this rule or the applicable provisions of 40 C.F.R. part 75, both at the time of the initial certification or recertification application submission and at the time of the audit, the Director shall issue a notice of disapproval of the certification status of such system or component. For the purposes of this paragraph, an audit shall be either a field audit or an audit of any information submitted to the Director or the Administrator. By issuing the notice of disapproval, the Director revokes prospectively the certification status of the system or component. The data measured and recorded by the system or component shall not be considered valid quality-assured data from the date of issuance of the notification of the revoked certification status until the date and time that the permittee completes subsequently approved initial certification or recertification tests for the system or component.

c. [OAC rule 3745-14-08(D)]
The NOx authorized account representative for a NOx budget unit shall submit written notice of certification and recertification test dates to the Director in accordance with 40 C.F.R. 75.61.

B. State Only Enforceable Section

I. 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	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
B044 - 296 million Btu/hr #10 Babcock and Wilcox boiler [H-1910] fired with refinery fuel gas, a mixture of refinery process gas, landfill gas and natural gas		

2. Additional Terms and Conditions

2.a none

II. Operational Restrictions

none

III. Monitoring and/or Recordkeeping Requirements

none

IV. Reporting Requirements

none

V. Testing Requirements

none

VI. Miscellaneous Requirements

none