

Ohio EPA  
Division of Air Pollution Control  
**Inter-office communication**

To: All Permitting Staff  
From: Mike Hopkins  
Date: June 26, 2008  
Re: Citing Terms in Permit Documents

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Future permits will be structured in a way that requires we rethink how we cite specific terms throughout a permit document. The following decisions have been made in an effort to reduce the amount of work needed in citing terms and changes needed when copying terms from one document to another (for example, put PTI terms into a Title V permit).

Background -New Permit structure

Permits contain the same outline format and are designed to easily transfer/copy terms between permit types.

They are comprised of three sections:

- Section A - Standard Terms and Conditions
- Section B - Facility-Wide Terms and Conditions
- Section C - Emissions Unit Terms and Conditions

Each section is outlined as follows:

- A. Level 1 –*the section level*
  - 1. Level 2 –*for Section C-the emissions unit or grouping level*
    - a) Level 3
      - (1) Level 4
        - a. Level 5
          - i. Level 6
            - (a) Level 7
              - (i) Level 8
                - 1) Level 9

## Citing Terms

1. The "General" Terms and Conditions are now called "Standard" Terms and Conditions.
2. Only cite the section when referencing OUTSIDE of the section or OUTSIDE of a set of emissions unit terms where the citation is located. For example, Emissions unit terms and conditions #2 (outline location is C.2.) needs to reference a shared term with emissions unit terms and conditions #3 (outline location is C.3.):

### 2. [Emissions Unit ID], [Company Equipment ID]

#### **Operations, Property and/or Equipment Description:**

[DAPC Description]

- a) This permit document constitutes .....
- b) Applicable Emissions Limitations and/or Control Requirements.....
- c) Operational Restrictions
  - (1) The permittee shall operate the dry filtration system for the control of particulate emissions whenever this emissions unit is in operation.
  - (2) Prior to the use of any coating in this coating line, the permittee shall determine that the coating meets the toxic screening criteria described below.  
  
Purpose: The purpose of this test is to evaluate coatings to determine if the chemical compounds in the coatings would be emitted at acceptable levels for the general permit.  
  
.....
- d) Monitoring and/or Recordkeeping Requirements
  - (1) The permittee shall collect and record the results of any toxic screening evaluations done per c)(2) and c)(4) of Section C.3.

3. When referencing a term in the same section for Section B, start with Level 2 (e.g., 1.). For example,

## **B. Facility-Wide Terms and Conditions**

- .....
1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
    - a) None.
  2. The permittee shall monitor the emissions of any regulated NSR pollutant that could increase as a result of the removal of the ladle metallurgical furnace (LMF) and .....
  3. For the electric arc furnaces (EAFs P901 and P902), as existing emissions units, the permittee shall submit a report to the director if the annual emissions, in tons per year, following the removal of the ladle metallurgical furnace (LMF) identified above in 2., exceed the baseline actual emissions (as documented .....The report shall contain the following:
    - a) The name, address and telephone number of the major stationary source;
    - b) The annual emissions as calculated pursuant to 2., above; and
    - c) Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).

4. When referencing a term in the same set of terms and conditions for an emissions units, start with Level 3 (e.g., a)). For example,

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

**Operations, Property and/or Equipment Description:**

[DAPC Description]

a) This permit document constitutes .....

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

(1) The specific operations(s), .....

|    | Applicable Rules/Requirements | Applicable Emissions Limitations/Control Measures  |
|----|-------------------------------|--|
| a. | OAC rule 3745-31-05(A)(3)     | Particulate emissions (PE) shall not exceed 0.551 pounds per hour and 2.4 tons per year from coatings. See c). |
| b. | OAC rule 3745-21-09(U)(1)     | See b)(2)a.  |

(2) Additional Terms and Conditions

a. The VOC content of the metal .....

c) Operational Restrictions .....

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

(1) The permittee shall maintain daily records.....

(2) The permittee shall .....

a. The name and identification number of each coating employed.

b. The VOC content (excluding water and exempt solvents) of each coating, as applied.

c. The number of gallons (excluding water and exempt solvents) of each coating, as applied.

d. The daily VOC emissions from all the coatings employed, in pounds, (i.e., the sum of d)(2)b. times d)(2)c. for each coating employed).

This will reduce the amount of changes needed when transferring PTI terms into Title V permits.

5. Do not use the designation Term, Paragraph, etc. in front of the citation. The only time this should occur is in relation to "Section" as identified in 2.a. above.

## Citations in Enforceability Terms

ALL permits are no longer bifurcated (state-only AND state and federally enforceable sections separated). Rather, the first term of each of the sections contains an enforceability term. Previous guidance has been provided regarding what to cite in these sections<sup>1</sup>; however, when citing a term's enforceability for Section B or Section C, follow the instructions above - #3 for Section B and #4 for Section C emissions unit terms.

For example, the enforceability section for emissions units for PTIOs (including FEPTIOs) would be formatted as follows:

|   |
|---|
| <p><b>1. [Emissions Unit ID], [Company Equipment ID]</b></p> <p><b>Operations, Property and/or Equipment Description:</b></p> <p>[DAPC Description]</p> <p>a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).</p> <p>(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.</p> <p>a. c)(2) and d)(5).</p> <p>(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.</p> <p>a. None.</p> <p>b) Applicable Emissions Limitations and/or Control Requirements</p> |
|---|

While the enforceability section for emissions units for PTIs and Title V permits would be formatted as follows:

|  |
|--|
| <p><b>1. [Emissions Unit ID], [Company Equipment ID]</b></p> <p><b>Operations, Property and/or Equipment Description:</b></p> <p>[DAPC Description]</p> <p>a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.</p> <p>(1) c)(2) and d)(5)</p> <p>b) Applicable Emissions Limitations and/or Control Requirements</p> |
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<sup>1</sup> See the May 22, 2008 Permit Transition Listserv Message (posted on the Stars2 Intranet website).

## Reporting Citations

New reporting terms and conditions have been incorporated into the Terms and Conditions Library as a result of changes to the program and specifically for the new annual Permit Evaluation Report (PER). The PER requires annual "deviation" reporting for all limitations, operational restrictions, monitoring, recordkeeping, reporting and visible emissions incidents. Therefore, the amount of specific reporting requirements incorporated into permits that require the annual PER (PTIOs, including FEPTIOs) will be reduced. You will only need to identify reporting requirements from rules (state or federal) that are not covered by the PER or are required at a greater frequency than one year. Quarterly deviation reporting will no longer be applicable for sources issued a PTIO and will be very limited for sources issued an FEPTIO. Previous guidance was provided on the reporting requirements<sup>2</sup>.

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<sup>2</sup> See the May 22, 2008 Permit Transition Listserv Message (posted on the Stars2 Intranet website).