3745-31-01 **Definitions.**

(C) "Actual emissions" means the actual rate of emissions of a regulated NSR pollutant from an emissions unit, as determined in accordance with paragraphs (C)(1) to (C)(4) of this rule, except that this definition shall not apply for calculating whether a significant emissions increase, as defined in this rule, has occurred, or for establishing a PAL under rule 3745-31-33 of the Administrative Code.

(1) Actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a consecutive twenty-four-month period which precedes the particular date and which is representative of normal emissions unit operation. The director shall allow the use of a different time period upon a determination that it is more representative of normal emissions unit operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates and types of materials processed, stored or combusted during the selected time period.

(2) The director may presume that emissions unit-specific allowable emissions for the emissions unit are equivalent to the actual emissions of the emissions unit.

(3) For any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(D) "Actuals PAL" for a major stationary source means a PAL based on the baseline actual emissions of all emissions units at the source that emit or have the potential to emit the PAL pollutant.

(E) "Adhesive" means any substance that is used to bond one surface to another surface.

(I) "Air contaminant source" means each separate operation, or activity that results or may result in the emission of any air contaminant. This definition applies to operations or activities that emit air contaminants, whether regulated under Ohio law or regulated under the Clean Air Act.

(J) "Air Contaminant Source Project" means, for the purposes of paragraph (A)(1)(qq) of rule 3745-31-03 of the Administrative Code, one or more air contaminant sources and/or one or more modifications to air contaminant source(s), each with an uncontrolled potential to emit of less than column B of the threshold exemption table described in paragraph (A)(1)(qq)(xi) of rule 3745-31-03 of the Administrative Code, associated with a discrete production goal or objective where installation is scheduled to begin or has begun within any 12-month period. For the purposes of this definition, installation shall mean the same as described in paragraph (A)(1)(qq)(vi) of rule 3745-31-03 of the Administrative Code.

(M) "Auto body refinishing facility" means a facility engaged primarily in collision repair and refinishing of automobiles and light duty trucks. Automobile "paint-only" and customizing facilities, which are engaged in repainting used motor vehicles and light duty trucks, but do not perform collision repair work, are also included in this

definition. Mobile auto body painting operations, which employ temporary spray booths meeting the design criteria specified by paragraph (A)(4)(f) of rule 3745-31-03 of the Administrative Code, are also included in this definition.

(N) "Available information" means, for purposes of identifying control technology options for a major MACT source, information contained in the following information sources as of the date of the MACT determination by the director:

(1) A relevant proposed regulation, including all supporting documentation;

(2) Background information documents for a draft or proposed regulation;

(3) Data and information available from the "Control Technology Center" developed pursuant to section 113 of the Clean Air Act;

(4) Data and information contained in the "Aerometric Informational Retrieval System" including information in the MACT database;

(5) Any additional information that can be expeditiously provided by the administrator; and

(6) Any additional information provided by the applicant or others, and any additional information considered available by the director.

(O) "Baseline actual emissions" means the rate of emissions, in tons per year, of a regulated NSR pollutant, as determined under this rule.

(1) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive twenty-four-month period selected by the owner or operator within the five-year period immediately preceding when the owner or operator begins actual construction of the NSR project. The director shall allow the use of a different time period upon a determination that it is more representative of normal source operation.

(a) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(b) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive twenty-four-month period.

(c) For a regulated NSR pollutant, when a NSR project involves multiple emissions units, only one consecutive twenty-four-month period must be used to determine the baseline actual emissions for the emissions units

being changed. A different consecutive twenty-four-month period can be used for each regulated NSR pollutant.

(d) The average rate shall not be based on any consecutive twenty-four-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (O)(1)(b) of this rule.

(2) For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive twenty-four-month period selected by the owner or operator within the ten-year period immediately preceding either the date the owner or operator begins actual construction of the NSR project, or the date a complete permit application is received by the director for a permit required either under this rule or under a plan approved by the Administrator, whichever is earlier, except that the ten-year period shall not include any period earlier than November 15, 1990.

(a) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(b) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive twenty-four-month period.

(c) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive twenty-four-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the Administrator proposed or promulgated under 40 CFR part 63, the baseline actual emissions need only be adjusted if the State has taken credit for such emissions reductions in an attainment demonstration or maintenance plan consistent with the requirements in rule 3745-31-22 of the Administrative Code.

(d) For a regulated NSR pollutant, when a NSR project involves multiple emissions units, only one consecutive twenty-four-month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive twenty-four-month period can be used for each regulated NSR pollutant.

(e) The average rate shall not be based on any consecutive twenty-four-month period for which there is inadequate information for determining annual

emissions, in tons per year, and for adjusting this amount if required by paragraphs (O)(2)(b) and (O)(2)(c) of this rule.

(3) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero if the operation of the new unit has not yet begun, or shall equal the unit's potential to emit if operation of the new unit has begun.

(4) For a PAL for a major stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph (O)(1) of this rule, for other existing emissions units in accordance with the procedures contained in paragraph (O)(2) of this rule, and for a new emissions unit in accordance with the procedures contained in paragraph (O)(3) of this rule.

(P) "Baseline area" means any intrastate area (and every part thereof) designated as attainment or unclassifiable under Section 107(d) of the Clean Air Act in which the major stationary source or major modification establishing the minor source baseline date would construct or would have an air quality impact equal to or greater than 1 microgram per cubic meter (annual average) of the air pollutant for which the minor source baseline date is established.

Any baseline area established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that such baseline area shall not remain in effect if the permit authority rescinds the corresponding minor source baseline date in accordance with paragraph (NNN)(4) of this rule.

Area redesignations under section 107(d) of the Clean Air Act cannot intersect or be smaller than the area of impact of any major stationary source or major modification that:

(1) Establishes a minor source baseline date; or

(2) Is subject to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166, and would be constructed in the same state as the state proposing the redesignation.

(Q) "Baseline concentration" means that ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include:

(1) The actual emissions, as defined in paragraph (C) of this rule, representative of sources in existence on the applicable minor source baseline date, except as provided in paragraph (Q)(3) of this rule;

(2) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.

(3) The following will not be included in the baseline concentration and will affect the applicable maximum allowable increases(s):

(a) Actual emissions, as defined in paragraph (C) of this rule, from any major stationary source on which construction commenced after the major source baseline date; and

(b) Actual emissions increases and decreases, as defined in paragraph (C) of this rule, at any stationary source occurring after the minor source baseline date.

(S) "Best available control technology (BACT)" means an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the director, on a case-by-case basis, taking into account energy, environmental and economic impacts and other costs, determines is achievable for such major stationary source or major modification through application of production processes or available methods, systems and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant that would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60, 61, and 63. If the director determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be approved by the director instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation and shall provide for compliance by means which achieve equivalent results.

(T) "Best available technology (BAT)" means any combination of work practices, raw material specifications, throughput limitations, source design characteristics, an evaluation of the annualized cost per ton of air pollutant removed, and air pollution control devices that have been previously demonstrated to the director of environmental protection to operate satisfactorily in this state or other states with similar air quality on substantially similar air pollution sources.

(U) "Clean Air Act" means the Clean Air Act as amended November 15, 1990; 42 U.S.C. 7401 to 7671q.

(V) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or postcombustion stage, at a new or existing facility that will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam, and that is not in widespread use as of November 15, 1990

(W) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "Department of Energy-Clean Coal Technology," up to a total amount of $2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the environmental protection agency. The federal contribution for a qualifying clean coal technology demonstration project shall be at least twenty percent of the total cost of the clean coal technology demonstration project.

(X) "Cleaning solution" means liquid solvents or solutions used to remove ink and debris from the operating surfaces of the printing press and its parts.

(DD) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition or modification of an emissions unit) that would result in a change in emissions.

(EE) "Continuous emissions monitoring system (CEMS)" means all of the equipment that may be required to meet the data acquisition and availability requirements of this chapter, to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

(FF) "Continuous emissions rate monitoring system (CERMS)" means the total equipment required for the determination and recording of the pollutant mass emissions rate (in terms of mass per unit of time).

(GG) "Continuous parameter monitoring system (CPMS)" means all of the equipment necessary to meet the data acquisition and availability requirements of this chapter, to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example,

gas flow rate, O_2 or CO_2 concentrations), and to record average operational parameter value(s) on a continuous basis.

(JJ) "Digital printing (direct-to-media printing) line" means a printing line where the transfer of electronic files occurs directly from the computer to an electronically driven output device that prints the image directly on the selected media (substrate). Electronic images and four-color process images can be printed virtually any size.

(MM) "Emissions unit" means any part of a stationary source that emits or would have the potential to emit any regulated NSR pollutant and includes an electric steam generating unit. Air contaminant sources that do not emit or would not have the

potential to emit any regulated NSR pollutant but which emit a pollutant regulated under state law are not considered emissions units. There are two types of emissions units:

(1) A new emissions unit is any emissions unit which is (or will be) newly constructed and which has existed for less than two years from the date such emissions unit first operated.

(2) An existing emissions unit is any emissions unit that does not meet the requirements in paragraph (MM)(1) of this rule. A replacement unit, as defined in paragraph (EEEEE) of this rule, is an existing emissions unit

(NN) "Facility" means all of the air contaminant sources that belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel and those emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or non-road vehicle as defined in Section 216 of the Clean Air Act. Air contaminant sources shall be considered as part of the same industrial grouping if they belong to the same "major group" (i.e., they have the same two-digit code) as described in the "Standard Industrial Classification Manual."

(QQ) "Fountain solution additives" means volatile and non-volatile chemicals, alcohols, and other additives, which are blended with water to form the fountain solution used in the lithographic printing process.

(TT) "General permit to install" means a permit to install issued under rule 3745-31-29 of the Administrative Code.

(UU) "Greenfield site" means a contiguous area under common control that is an undeveloped site.

(VV) "Hazardous air pollutant" means any air pollutant listed in or pursuant to Section 112(b) of the Clean Air Act.

(WW) "High terrain" means any area having an elevation of nine hundred feet or more above the base of the stack of a stationary source.

(XX) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

(YY) "Indian reservation" means any federally recognized reservation established by treaty, agreement, executive order, or act of congress.

or operator of the proposed emissions unit demonstrates that such limitations are not achievable; or

(2) The most stringent emissions limitation that is achieved in practice by such class or category of emissions unit. This limitation, when applied to a major modification, means the lowest achievable emissions rate for the new or modified emissions units within the stationary source. In no event shall the application of this term permit a proposed new or modified emissions unit to emit any air pollutant in excess of the amount allowable under applicable new source standards of performance.

(III) "Major modification" means:

Any physical change in or change in the method of operation of a major stationary source that would result in:

(1) A significant emissions increase of a regulated NSR pollutant; and

(2) A significant net emissions increase of that pollutant from the major stationary source.

[Comment: Except as otherwise provided in rules 3745-31-32 of the Administrative Code, and consistent with the definition of major modification, a NSR project is a major modification for a regulated NSR pollutant if it causes two types of emissions increases; a significant emissions increase and a significant net emissions increase. The NSR project is not a major modification if it does not cause a significant emissions increase. If the NSR project causes a significant emissions increase, then the NSR project is a major modification only if it also results in a significant net emissions increase.]

(3) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is considered significant for volatile organic compounds shall be considered significant for ozone.

(4) The procedure for calculating (before beginning actual construction) whether a significant emissions increase (i.e., the first step of the process) will occur depends upon the type of emissions units being modified, according to paragraphs (III)(4)(a) to (III)(4)(d) of this rule. The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source (i.e., the second step of the process) is contained in paragraph (SSS) of this rule. Regardless of any such preconstruction projections, a major modification results if the NSR project causes a significant emissions increase and a significant net emissions increase.

(a) Actual-to-projected-actual applicability test for NSR projects that only involve existing emissions units.

A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant amount for that pollutant.

(b) Actual-to-potential test for NSR projects that only involve construction of a new emissions unit(s).

A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the NSR project and the baseline actual emissions of these units before the NSR project equals or exceeds the significant amount for that pollutant.

(d) Hybrid test for NSR projects that involve multiple types of emissions units.

A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the method specified in paragraphs (III)(4)(a) to (III)(4)(c) of this rule as applicable with respect to each emissions unit, for each type of emissions unit equals or exceeds the significant amount for that pollutant.

(5) A physical change or change in the method of operation shall not include:

(a) Routine maintenance, routine repair, and routine replacement;

(b) Use of an alternative fuel or raw material by reason of an order under section 2(A) and (B) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under Section 125 of the Clean Air Act;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source that:

(i) For nonattainment NSR purposes, the stationary source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition that was established after December 21, 1976, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51 subpart I or 40 CFR 51.166; or

(ii) For PSD purposes, the stationary source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition that was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51 subpart I or 40 CFR 51.166; or

(iii) The stationary source is approved to use under any effective and applicable nonattainment NSR permit or PSD permit;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition that was established after:

(i) For nonattainment NSR purposes, December 21, 1976 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51 subpart I or 40 CFR 51.166; or

(ii) For PSD purposes, January 6, 1975 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51 subpart I or 40 CFR 51.166.

(g) Any change in ownership at a stationary source;

(i) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the temporary clean coal technology project complies with:

(i) The Ohio state implementation plan, and

(ii) Other requirements necessary to attain and maintain the national ambient air quality standard during the temporary clean coal technology project and after it is terminated.

(j) For PSD purposes only, the installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(k) For PSD purposes only, the reactivation of a very clean coal-fired electric utility steam generating unit.

(6) This definition shall not apply with respect to a particular regulated NSR pollutant when the major stationary source is complying with the requirements under rule 3745-31-32 of the Administrative Code for a PAL for that pollutant. Instead, the definition under paragraph (GGGG) of this rule shall apply.

(JJJ) "Major source baseline date" means:

(1) In the case of a particulate matter and sulfur dioxide, January 6, 1975, and

(2) In the case of nitrogen dioxide, February 8, 1988.

(3) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(a) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under Section 107(d)(1)(D) or (E) of the Clean Air Act for the pollutant on the date of its complete application under 40 CFR 52.21 or the requirements of rules 3745-31-11 to 3745-31-20 of the Administrative Code; and

(b) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(KKK) "Major stationary source" means any stationary source or any group of stationary sources that are described in paragraph (KKK)(1) or (KKK)(2) of this rule except as restricted under paragraphs (KKK)(3) to (KKK)(5) of this rule.

(1) For stationary sources located in a nonattainment area for a given regulated air pollutant:

Any stationary source of air pollutants that emits, or has the potential to emit one hundred tons per year or more of any regulated NSR pollutant, or

(2) For stationary sources located in an attainment area for a given regulated air pollutant:

(a) Any of the following stationary sources of air pollutants that emits, or has the potential to emit, one hundred tons per year or more of any regulated NSR pollutant:

(i) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input;

(ii) Coal cleaning plants (with thermal dryers);

(iii) Kraft pulp mills;

(iv) Portland cement plants;

(v) Primary zinc smelters;

(vi) Iron and steel mill plants;

(vii) Primary aluminum ore reduction plants;

(viii) Primary copper smelters;

(ix) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;

(x) Hydrofluoric, sulfuric or nitric acid plants;

(xi) Petroleum refineries;

(xii) Lime plants;

(xiii) Phosphate rock processing plants;

(xiv) Coke oven batteries;

(xv) Sulfur recovery plants;

(xvi) Carbon black plants (furnace process);

(xvii) Primary lead smelters;

(xviii) Fuel conversion plants;

(xix) Sintering plants;

(xx) Secondary metal production plants;

(xxi) Chemical process plants;

(xxii) Fossil fuel boilers (or combinations thereof) totaling more than two hundred fifty million British thermal units per hour heat input;

(xxiii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;

(xxiv) Taconite ore processing plants;

(xxv) Glass fiber processing plants; and

(xxvi) Charcoal production plants, or

(b) Notwithstanding the stationary source size specified in paragraph (KKK)(2)(a) of this rule, any stationary source that emits, or has the potential to emit, two hundred fifty tons per year or more of any regulated NSR pollutant.

(3) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(4) The fugitive emissions of a stationary source to the extent quantifiable shall not be included in determining for any of the purposes of this rule whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources:

(a) Coal cleaning plants (with thermal dryers);

(b) Kraft pulp mills;

(c) Portland cement plants;

(d) Primary zinc smelters;

(e) Iron and steel mills;

(f) Primary aluminum ore reduction plants;

(g) Primary copper smelters;

(h) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(i) Hydrofluoric, sulfuric, or nitric acid plants;

(j) Petroleum refineries;

(k) Lime plants;

(l) Phosphate rock processing plants;

(m) Coke oven batteries;

(n) Sulfur recovery plants;

(o) Carbon black plants (furnace process);

(p) Primary lead smelters;

(q) Fuel conversion plants;

(r) Sintering plants;

(s) Secondary metal production plants;

(t) Chemical process plants;

(u) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;

(v) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;

(w) Taconite ore processing plants;

(x) Glass fiber processing plants;

(y) Charcoal production plants;

(z) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input;

(aa) Any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Clean Air Act.

(5) Any physical change that would occur at a stationary source not qualifying under paragraph (KKK) of this rule as a major stationary source would be considered a major stationary source, if the change would constitute a major stationary source by itself.

(NNN) "Minor source baseline date" means the earliest date after the trigger date on which a major stationary source or a major modification subject to 40 CFR 52.21 or the requirements of rules 3745-31-11 to 3745-31-20 of the Administrative Code submits a complete application under the relevant regulations. The trigger date is:

(1) In the case of a particulate matter and sulfur dioxide, August 7, 1977; and

(2) In the case of nitrogen dioxide, February 8, 1988.

(3) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(a) The are in which the proposed source or modification would construct is designated as attainment or unclassifiable under Section 107(d)(1)(D) or (E) of the Clean Air Act for the pollutant on the date of its complete application

under 40 CFR 52.21 or the requirements of rules 3745-31-11 to 3745-31-20 of the Administrative Code; and

(b) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(4) Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that the director may rescind any such minor source baseline date where it can be shown, to the satisfaction of the director, that the emissions increase from the major stationary source, or the net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM-10 emissions.

(SSS) "Net emissions increase" means, with respect to any regulated NSR pollutant emitted by a major stationary source, the amount by which the sum of the following, except as limited by paragraph (SSS)(3) of this rule, exceeds zero:

(1) Any increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under this rule; and

(2) Any other increases and decreases in actual emissions at the stationary source that are contemporaneous with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases under paragraph (SSS) of this rule shall be determined as provided in paragraph (O) of this rule, except that paragraphs (O)(1)(c) and (O)(2)(d) of this rule shall not apply.

(3) The following subparagraphs limit paragraphs (SSS)(1) and (SSS)(2) of this rule:

(a) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date five years before construction on the particular change commences and the date that the increase from the particular change occurs;.

(b) An increase or decrease in actual emissions is creditable only if the director has not relied on it in issuing a permit for the stationary source under regulations approved pursuant to this rule, which permit is in effect when the increase in actual emissions from the particular change occurs;

(c) For PSD purposes only, an increase or decrease in actual emissions of sulfur dioxide, nitrogen oxide, or particulate matter that occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available. Only PM10 emissions shall be used to evaluate the net emissions increase for PM10.;

(e) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level;.

(f) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change;

(v) For nonattainment NSR purposes only, the director has not relied on it in issuing any permit under regulations pursuant to 40 CFR part 51, subpart I or the director has not relied on it in demonstrating attainment or reasonable further progress.

(g) An increase that results from a physical change at a stationary source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular air pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days; and.

(h) Paragraph (C)(1) of this rule shall not apply for determining creditable increases and decreases or after a change.

(UUU) "New Source Review (NSR) project" means a physical change in, or change in the method of operation of, an existing major stationary source.

(VVV) "Nonattainment" or "nonattainment area," for a given pollutant, for purposes of determining applicability of Chapter 3745-31 of the Administrative Code, means that the area has been designated as nonattainment in 40 CFR 81.336.

(WWW) "Nonattainment new source review (NSR) permit" means any permit that is issued under a major source preconstruction permit program that has been approved by the Administrator and incorporated into a plan to implement the requirements of 40 CFR 51.165, or a program that implements 40 CFR Part 51, Appendix S, Sections I through VI.

(XXX) "Non-heatset" means an offset lithographic printing process where the printing inks dry by oxidation and absorption without the use of heat. For the purposes of this chapter, ultraviolet-cured (UV) and electron beam-cured inks employed in an offset lithographic printing process are considered non-heatset.

(YYY) "Non-methane organic compound" or "NMOC" has the same meaning as found in paragraph (B)(16) of rule 3745-76-01 of the Administrative Code.

(ZZZ) "Non-road engine" means, as defined under 40 CFR 89.2, as follows:

(1) Except as discussed in paragraph (ZZZ)(2) of this rule, a non-road engine is any internal combustion engine:

(a) In or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers); or

(b) In or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers); or

(c) That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one

location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

(2) An engine is not a non-road engine if:

(a) The engine is used to propel a motor vehicle or a vehicle used solely for competition, or is subject to standards promulgated under Section 202 of the Clean Air Act; or

(b) The engine is regulated by a federal new source performance standard promulgated under Section 111 of the Clean Air Act; or

(c) The engine otherwise included in paragraph (ZZZ)(1)(c) of this rule remains or will remain at a location for more than twelve consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location.

(d) Engines used in aircraft as defined in 40 CFR 87.1 (a); or

(e) Engines used in underground mining or engines used in underground mining equipment and regulated by the mining safety and health administration (MSHA) in 30 CFR Parts 7, 36, 56, 57, 70, and 75; or

(f) Engines subject to the standards of 40 CFR part 92 (engines exempted from the requirements of 40 CFR Part 92 under 40 CFR 92.907 are subject to the requirements of 40 CFR Part 89); or

(g) Engines used in marine vessels as defined in the general provisions of the United States Code, 1 U.S.C. 3, if those engines have a rated power at or above 37 KW (kilowatts); or

(h) Engines with a per cylinder displacement of less than fifty cubic centimeters.

(CCCC) "PAL allowable emissions" means allowable emissions as defined in paragraph (K) of this rule, except as this definition is modified according to the following paragraphs (CCCC)(1) and (CCCC)(2) of this rule.

(1) The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

(2) An emissions unit's potential to emit shall be determined using the definition in paragraph (UUUU) of this rule, except that the words or enforceable as a practical matter should be added after federally enforceable.

(DDDD) "PAL effective date" generally means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit, which is part of the PAL major modification, becomes operational and begins to emit the PAL pollutant.

(EEEE) "PAL effective period" means the period beginning with the PAL effective date and ending ten years later.

(FFFF) "PAL major emissions unit" means:

(1) Any emissions unit that emits or has the potential to emit one hundred tons per year or more of the PAL pollutant in an attainment area; or

(2) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Clean Air Act for nonattainment areas. For example, in accordance with the definition of major stationary source in Section 182(c) of the Clean Air Act, an emissions unit would be a PAL major emissions unit for VOC if the emissions unit is located in a serious ozone nonattainment area and it emits or has the potential to emit fifty or more tons of VOC per year.

(GGGG) "PAL major modification" means, notwithstanding this rule (the definitions for major modification and net emissions increase), any physical change in or change in the method of operation of the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.

(HHHH) "PAL permit" means the permit to install issued by the director that establishes, incorporates or modifies a PAL for a major stationary source.

(IIII) "PAL pollutant" means the pollutant for which a PAL is established at a major stationary source.

(JJJJ) "PAL significant emissions unit" means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level as defined in this rule or in the Clean Air Act whichever is lower for that PAL pollutant, but less than the amount that would qualify the unit as a PAL major emissions unit as defined in paragraph (FFFF) of this rule.

(KKKK) "PAL small emissions unit" means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant, as defined in this rule or in the Clean Air Act, whichever is lower.

(LLLL) "Particulate matter" shall have the same meaning as found in rule 3745-17-01 of the Administrative Code.

(MMMM) "Particulate matter emissions" shall have the same meaning as found in rule 3745-17-01 of the Administrative Code.

(OOOO) "Plantwide applicability limitation (PAL)" means an emission limitation expressed in tons per year, for a pollutant at a major stationary source, that is enforceable as a practical matter and established source-wide in accordance with paragraphs (A)(1) to (A)(13) of rule 3745-31-32 of the Administrative Code.

(PPPP) "PM10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50, Appendix J and designated in accordance with 40 CFR Part 53 or an equivalent method designated in 40 CFR Part 53.

(QQQQ) "PM10 emissions" means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal ten micrometers that is or has been emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternative method, specified in 40 CFR Part 51, Appendix M.

(SSSS) "Pollution prevention" means any activity that through process changes, product reformulation or redesign, or substitution of less polluting raw materials, eliminates or reduces the release of air pollutants (including fugitive emissions) and other pollutants to the environment prior to recycling, treatment, or disposal; it does not mean recycling (other than certain in-process recycling practices), energy recovery, treatment, or disposal.

(VVVV) "Predictive emissions monitoring system (PEMS)" means all of the equipment necessary to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, O_2 or CO_2 concentrations), and calculate and record the mass emissions rate (for example, lb/hr) on a continuous basis.

(WWWW) "Prevention of Significant Deterioration (PSD) increment" means an allowable increment specified in paragraph (B) of rule 3745-31-11 of the Administrative Code.

(XXXX) "Prevention of Significant Deterioration (PSD) permit" means any permit that is issued under a major source preconstruction permit program that has been approved by the administrator and incorporated into the plan to implement the requirements of 40 CFR 51.166, or under the program in 40 CFR 52.21.

(ZZZZ) "Projected actual emissions" means, the maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated NSR pollutant in any one of the five years (twelve-month period) following the date the unit resumes regular operation after the NSR project, or in any one of the ten years following that date, if the NSR project involves increasing the emissions unit's design capacity or its potential to emit of that regulated NSR pollutant and full utilization of the unit

would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

(1) In determining the projected actual emissions under this rule before beginning actual construction, the owner or operator of the major stationary source:

(a) Shall consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the approved plan; and

(b) Shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions; and

(c) Shall exclude, in calculating any increase in emissions that results from the particular NSR project, that portion of the unit's emissions following the NSR project that an existing unit could have accommodated during the consecutive twenty-four-month period used to establish the baseline actual emissions under paragraph (O) of this rule and that are also unrelated to the particular NSR project, including any increased utilization due to product demand growth; or,

(d) In lieu of using the method set out in paragraphs (ZZZZ)(1)(a) to (ZZZZ)(1)(c) of this rule, may elect to use the emissions unit's potential to emit, in tons per year, as defined under paragraph (UUUU) of this rule.

(DDDDD) "Regulated NSR pollutant" means the following:

(1) For stationary sources located in a nonattainment area for a given regulated air pollutant:

(a) Nitrogen oxides or any volatile organic compounds;

(b) Any pollutant for which a national ambient air quality standard has been promulgated; or

(c) Any pollutant that is a constituent or precursor of a general pollutant listed under paragraph (DDDDD)(1)(a) or (DDDDD)(1)(b) of this rule, provided that a constituent or precursor pollutant may only be regulated under NSR as part of regulation of the general pollutant.

(2) For stationary sources located in an attainment area for a given regulated air pollutant:

(a) Any pollutant for which a national ambient air quality standard has been promulgated and any constituents or precursors for such pollutants identified by the administrator (e.g., volatile organic compounds are precursors for ozone);

(b) Any pollutant that is subject to any standard promulgated under section 111 of the Clean Air Act;

(c) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Clean Air Act; or

(d) Any pollutant that otherwise is subject to regulation under the Clean Air Act; except that any or all hazardous air pollutants either listed in section 112 of the Clean Air Act or added to the list pursuant to section 112(b)(2) of the Clean Air Act, which have not been delisted pursuant to section 112(b)(3) of the Clean Air Act, are not regulated NSR pollutants unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the Clean Air Act.

(EEEEE) "Replacement unit" means an emissions unit for which all the criteria listed in paragraphs (EEEEE)(1) to (EEEEE)(4) of this rule are met. No creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced.

(1) The emissions unit is a reconstructed unit within the meaning of 40 CFR 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit.

(2) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(3) The replacement does not alter the basic design parameters of the process unit.

(4) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(HHHHH) "Screen printing line" means a printing a process where the printing ink passes through a web or a fabric to which a refined form of stencil has been applied. The stencil openings determine the form and dimensions of the imprint.

(KKKKK)

(1) "Significant" in reference to a net emissions increase or the potential of a stationary source to emit any of the following air pollutants, means a rate of emissions that would equal or exceed any of the following rates:

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Air Pollutant	Emissions Rate (Ton/Yr)
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Total suspended particulate matter	25
Particulate matter less than 10 microns	15
Ozone (Volatile organic compounds)	40
Lead	0.6
Fluorides (excluding hydrogen fluoride)	3
Sulfuric acid mist	7
Hydrogen sulfide	10
Total reduced sulfur	10
Reduced sulfur compounds	10
Non-methane organic compounds from municipal waste landfills	50

(a) Municipal waste combustor organic (measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans): 3.2 grams per year (0.007055 pounds per year).

(b) Municipal waste combustor metals (measured as particulate matter): fourteen megagrams per year (fifteen tons per year).

(c) Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): thirty-six megagrams per year (forty tons per year).

(2) "Significant", in reference to a net emissions increase or the potential of a stationary source to emit a regulated NSR pollutant that the air pollutant and emissions rate table in paragraph (KKKKK)(1) of this rule does not list, any emissions rate.

(3) Notwithstanding paragraph (KKKKK)(1) of this rule, "significant" means any emissions rate or any net emissions increase associated with a major stationary source or major modification that would be constructed within ten kilometers of a class I area, and have an impact on such area equal to or greater than one microgram per cubic meter (twenty-four hour average).

(LLLLL) "Significant emissions increase" means, for a regulated NSR pollutant, an increase in emissions that is significant (as defined in paragraph (KKKKK) of this rule) for that pollutant.

(PPPPP) "Stationary source" means all of the emissions units that belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel and those emissions resulting directly from an internal combustion engine for transportation purposes or from a non-road engine or non-road vehicle as defined in Section 216 of the Clean Air Act. Emissions units shall be considered as part of the same industrial grouping if they belong to the same "major group" (i.e., that have the same two-digit code) as described in the "Standard Industrial Classification Manual."

(QQQQQ) "Temporary clean coal technology demonstration project" means a clean coal technology demonstration project that is operated for a period of five years or less, and which complies with the state implementation plan for the state in which the clean coal technology demonstration project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the clean coal technology demonstration project and after it is terminated.

(UUUUU) "Total suspended particulate" shall have the same meaning as found in rule 3745-17-01 of the Administrative Code.

(XXXXX) "Water-based ink/coating/adhesive" means an ink, coating or adhesive with a VOC content less than or equal to ten per cent by weight as applied.

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