



Ohio Administrative Code Rule 3745-15-01 Definitions.

Effective: February 19, 2023

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (BB) of this rule titled "referenced materials."]

As used in all air pollution rules, except as may be otherwise specifically provided.

(A) "Act" means Chapters 3704. and 3745. of the Revised Code.

(B) "Air pollutant" or "air contaminant" means particulate matter, dust, fumes, gas, mist, smoke, vapor or odorous substances, or any combination thereof.

(C) "Air pollution" means the presence in the ambient air of one or more air pollutants or any combination thereof in sufficient quantity and of such characteristics and duration as is or threatens to be injurious to human health or welfare, plant or animal life, or property, or which interferes with the comfortable enjoyment of life or property.

(D) "Ambient air" means that portion of the atmosphere outside of buildings and other enclosures, stacks, or ducts which surrounds human, plant, or animal life, or property.

(E) "Ambient air quality standards" means ambient air quality goals expressed numerically and intended to be attained and maintained in a stated time through the application of appropriate preventive or control measures.

(F) "ASME" means the "American Society of Mechanical Engineers."

(G) "ASTM" means the "American Society for Testing and Materials."

(H) "Area" means the state of Ohio.



- (I) "Clean Air Act" or "CAA" means the federal Clean Air Act.
- (J) "Control equipment" means any device or contrivance which prevents or reduces emissions.
- (K) "Commenced" means that an owner or operator has undertaken a continuous program of construction or modification or has entered into a binding contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.
- (L) "Director" means the director of the Ohio environmental protection agency.
- (M) "Emission" means the act of releasing or discharging an air pollutant into the ambient air from any source.
- (N) "Existing source" means any source the construction of which was commenced prior to February 15, 1972.
- (O) "Facility" means any building, structure, installation, operation, or combination thereof which contains one or more stationary source of air contaminants.
- (P) "Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, electronic software or hardware, or a process to operate in manner representative of normal source operation which is likely to cause, or has likely caused, emissions reasonably estimated to be in excess of the amount allowed by an applicable emissions limitation, standard, or permit term in the absence of a malfunction. Malfunctions include, but are not limited to, failures caused by power outages, sabotage, or acts of God. Failures that are attributable to poor maintenance or careless operation are not malfunctions. In accordance with paragraph (A)(1) of rule 3745-15-06 of the Administrative Code, maintenance of air pollution control equipment which is scheduled to prevent a malfunction which would occur within two weeks if the maintenance were not performed is considered to be a malfunction.
- (Q) "Modification" means any physical change in, or change in the method of operation of, an existing source or a new source that increases the amount of any air pollutant emitted by such source



or which results in the emission of any air pollutant not previously emitted from the same location.

(R) "NAAQS" means national ambient air quality standard.

(S) "New source" means any source the construction or modification of which is commenced on or after February 15, 1972.

(T) "Non-methane hydrocarbon" means any chemical compound containing carbon but excluding: carbon monoxide, carbon dioxide, carbides, metallic carbonates, ammonium carbonate, and methane.

(U) "Ohio EPA" or "OEPA," means the Ohio environmental protection agency or the director as the context or other law or rules may require.

(V) "Owner or operator" means any person who owns, leases, controls, operates or supervises a facility or air pollution control equipment.

(W) "Person" means the state or any agency thereof, any political subdivision, or any agency thereof, public or private corporation, individual, partnership, or other entity.

(X) "PSD" means prevention of significant deterioration.

(Y) "Region" means an air quality control region as designated by the secretary of health, education and welfare, or by the administrator, United States environmental protection agency, or by the director.

(Z) "Source" means any building, structure, facility, operation, installation, other physical facility, or real or personal property that emits or may emit any air pollutant.

(AA) "Source operation" means the last operation preceding emission which operation meets both of the following:

(1) Results in the separation of the air contaminant from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion fuel.



(2) Is not an air pollution abatement operation.

(BB) "Stack" means any chimney, flue, conduit, or duct arranged to conduct emissions to the ambient air.

(CC) "Standard conditions" means a dry gas temperature of seventy degrees Fahrenheit (21.1 degrees centigrade) and a gas pressure of 14.7 pounds per square inch absolute (seven hundred sixty millimeters mercury).

(DD) Referenced materials. This chapter includes references to certain subject matter or materials. The text of the referenced materials is not included in the rules contained in this chapter. Information on the availability of the referenced materials, as well as the date of and/or the particular edition or version of the material is included in this rule. For materials subject to change, only the specific version specified in this rule are incorporated. Material is referenced as it exists on the effective date of this rule. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a referenced document is not included unless and until this rule as been amended to specify the new dates.

(1) Availability. The referenced materials are available as follows:

(a) American society of mechanical engineers (ASME). Information and copies of ASTM documents may be obtained by writing to: "ASME International, P.O. Box 2300, Fairfield, NJ 07007-2300." ASME documents are also available for purchase at www.asme.org. ASME documents are also available for inspection and use at most public libraries and "The State Library of Ohio."

(b) American society for testing materials (ASTM). Information and copies of ASTM documents may be obtained by writing to: "ASTM International, 100 Bar Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19426- 2959." ASTM documents are also available for purchase at www.astm.org. ASTM documents are also available for inspection and use at most public libraries and "The State Library of Ohio."

(c) Code of Federal Regulations (CFR). Information and copies may be obtained by writing to:



"Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954."

The full text of the CFR is also available in electronic format at <https://www.ecfr.gov/>. The CFR compilations are also available for inspection and use at most public libraries and "The State Library of Ohio."

(d) United States Code (USC). Information and copies may be obtained by writing to:

"Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954."

The full text of the United States Code is also available in electronic format at <http://www.gpo.gov/fdsys/>. The U.S.C compilations are also available for inspection and use at most public libraries and "The State Library of Ohio."

(2) Incorporated materials.

(a) 40 CFR Part 302; "Designation, reportable quantities, and notification;" as published in the July 1, 2021 Code of Federal Regulations.

(b) 40 CFR Part 355; "Emergency Planning and Notification;" as published in the July 1, 2021 Code of Federal Regulations.

(c) 42 USC 7401 to 7671q; "The Public Health and Welfare-Air Pollution Prevention and Control;" as published in the 2018 Edition of the United States Code.

(d) Section 112(b) of the Clean Air Act; contained in 42 USC 7412; "Hazardous air pollutants- List of pollutants;" as published in the 2018 Edition of the United States Code.