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## Air Permit Exemptions

*A common misconception is that every air emission source needs an air permit, however this is not always the case. Ohio EPA has over 60 air permit exemptions, 15 permit-by-rule (PBR) exemptions, and a de minimis exemption for air emission sources that are considered minor.*

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### Exemption Categories

#### Permit Exemptions OAC Rule 3745-31-03(B)

This rule includes over 60 types of equipment and industrial activities that are permanently exempt from air permitting. Discretionary exemptions under [OAC rule 3745-31-03\(B\)\(3\)](#) require a written request that Ohio EPA evaluates to determine whether the request meets the criteria in the rule and if so, issues a director's letter to the company that authorizes the change.

If you are claiming a permanent exemption under [OAC rule 3745-31-03\(B\)\(1\)](#) you are not required to provide notification to Ohio EPA. Commonly used permanent exemptions are shown below. See [OAC rule 3745-31-03\(B\)](#) for the complete list of exempt sources and the specific criteria that applies to exempt sources (for example, horsepower, capacity, sizing).

- Boilers, heaters, furnaces, and dryers rated less than 10 million Btu per hour that burn only natural gas, biodiesel, liquefied petroleum gas, or distillate oil.
- Fossil fuel or wood-fired boilers and heaters rated less than one million Btu per hour (except units burning waste fuels or waste oil).
- Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-borne adhesives, coatings, or binders.
- Bench scale laboratory equipment, fume hoods and paint sample preparation booths.
- Resin injection molding equipment using less than one million pounds of resin annually.
- Storage tanks for inorganic liquids or pressurized gases.
- Storage tanks for liquids with a capacity of <700 gallons.
- Storage tanks for organic liquids of less than 19,815 gallons capacity and equipped with submerging filling.
- Storage tanks for low vapor pressure organic liquids.
- Acid storage tanks of 7,500 gallons capacity or less.
- Solvent recycling units (stills) less than 20 gallons capacity.
- Unheated solvent cleaning tanks with a surface area  $\leq 10$  square feet or a reservoir opening of less than six inches in diameter.
- Grinding, machining, abrasive blasting, wood working, and pneumatic conveying operations controlled by an internally vented dust collector under 4,000 cubic feet per minute.
- Aluminum die casting machines.
- Gas stations equipped with Stage I vapor controls (certain counties only).
- Maintenance welding.
- Refrigerant reclaiming and recycling machines at motor vehicle repair facilities.
- Natural gas compressor engines used for maintenance activities with a heat input rate of  $\leq 10$  million Btu per hour
- Emergency electrical generators, compressors, and pumps rated at 50 horsepower or less.
- Mobile treatment units or vacuum trucks used to contain and/or prevent further migration of a hazardous material spill during an emergency response (only effective for 30 days).
- Heating units burning used oil, in which the manufacturer's maximum heat input rating is less than 500,000 Btu/hr.

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- Compost piles, windrows and associated activities including material receiving, storage, mixing, curing, turning and load-out at Class II, III and IV composting facilities, provided that the material is kept sufficiently wet for effective composting and dust control.
- Roadways and parking areas (either paved or unpaved) with less than 3,800 vehicle miles traveled per year, less than 5.0 tons particulate emissions and less than 1.45 tons PM10 per year.

### PBR Provisions OAC Rule 3745-31-30(C)(2)

A PBR is a specific permit provision that applies to certain types of low-emitting air pollution sources. If your source qualifies for the PBR you may use it in place of a traditional permit. A PBR does not expire, it exempts your air pollution source from the administrative permitting process, and it functions as the permit for the source.

**OAC 3745-31-30(C)(2)** contains 15 PBR provisions.

- Emergency electrical generators, pumps, and compressors with  $\geq 50$  horsepower output used less than 500 hours per year.
- Resin injection/compression molding equipment.
- Small crushing and screening plants – nonmetallic mineral processing.
- Remediation projects for soil-vapor extraction lasting less than 18 months with total combined emission rates of  $\leq 15$  pounds of organic compounds per day.
- Remediation projects for soil-liquid extraction lasting less than 18 months with total combined emission rates of  $\leq 15$  pounds of organic compounds per day.
- Auto body refinishing shops.
- Gas stations with Stage I vapor controls (certain counties).
- Gas stations with Stage I and decommissioned (or never installed) Stage II vapor controls (certain counties).
- Natural gas-fired boilers and heaters rated at or between 10 and 100 million Btu per hour.
- Small printing facilities.
- Mid-size printing facilities.
- Unpaved roadways and parking areas.
- Paved roadways and parking areas.
- Portable bulk material railcar transloaders.
- Petroleum solvent dry cleaners.

Each PBR provision contains qualifying criteria, emission limits, conditions for operation and requirements for record keeping and reporting. To legally operate under the PBR, you must continually meet all the PBR criteria specific to the source or any additional record keeping identified by the PBR. It is important that you maintain all inspection and other record keeping documentation required under the PBR and can produce it in the event of an inspection.

If you wish to operate under any of the PBR provisions, you must first submit a simple, one-page notification form to your **Ohio EPA district office or local air agency (DO/LAA)**. You must also comply with all the PBR conditions immediately upon installing and operating the source. Unless you wish to convert an existing air permit to a PBR, there is no waiting period or fee associated.

If you can no longer comply with the conditions of the PBR, you must apply for an air pollution permit. Additionally, Ohio EPA retains the authority to deny or revoke a company's ability to operate under a PBR provision and require the company to obtain a permit if conditions necessitate.

PBR notification forms, instructions, guidance materials and an online database of registered PBR sources are available on the **Division of Air Pollution Control's PBR webpage**.

## Air Permit Exemptions

### “De Minimis” Air Contaminant Source Exemption Ohio Administrative Code (OAC) Rule 3745-15-05

The de minimis exemption excludes an air pollution source from requiring a permit if it emits less than 10 pounds per day of particulate matter, sulfur dioxide, nitrogen oxides, organic compounds, carbon monoxide, lead or any other air contaminant.

You cannot use the de minimis exemption if:

- A Clean Air Act requirement, specific Ohio emissions standard, or limit/rule adopted by the Director limits the emissions of an air pollutant (or restricts the operation of a source) to less than 10 pounds per day;
- The source emits radionuclides;
- The source alone or in combination with similar sources has potential emissions of any air pollutant more than 25 tons per year; or
- The source emits more than one ton per year of any hazardous air pollutant or combination of hazardous air pollutants.

**OAC rule 3745-15-05** contains the complete de minimis rule language and specific requirements.

If you are claiming a de minimis exemption, you are not required to provide notification to Ohio EPA. You must maintain records, however, demonstrating that the source meets the exemption and actual emissions do not exceed de minimis thresholds. Typically, the demonstration will include calculations that establish a usage or time limit and then documentation of staying under that use limit. Ohio EPA’s district office or LAA may ask to review your de minimis calculations and associated records during an inspection, so it is important to maintain these records at your facility. If you need assistance in establishing records to demonstrate a de minimis exemption, you can contact your ***DO/LAA representative*** or Ohio EPA’s ***Office of Compliance Assistance and Pollution Prevention (OCAPP)***.

### More Information

For more information, visit ***Ohio EPA’s DAPC permitting webpage***. You may also contact your ***DO/LAA*** for air permitting issues and questions about exemptions. If you have questions or need help understanding Ohio EPA’s rules, you can contact OCAPP for help. OCAPP is a non-regulatory and confidential office within Ohio EPA with the goal of helping you comply with environmental regulations. For more information, contact OCAPP’s hotline at (800) 329-7518 or visit ***OCAPP’s webpage***.