

3745-15-06

Malfunction of equipment; scheduled maintenance; reporting.

(A) Scheduled maintenance of air pollution control equipment shall be conducted according to the following [work practice and notification requirements](#):

(1) For the purposes of this rule, 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 shall be considered ~~to be~~ a malfunction and shall be subject to the provisions of paragraph (B) of this rule.

(2) Except as otherwise indicated in ~~paragraph~~ [paragraphs](#) (A)(3) and (A)(5) of this rule, scheduled maintenance of air pollution control equipment, that requires ~~the shutdown~~ [shutting down](#) or bypassing ~~of said the~~ equipment, must be accompanied by the shutdown of the associated ~~air pollution sources~~ [source](#).

(3) In cases where a complete source shutdown may result in damage to the ~~air pollution sources~~ [source](#) or is otherwise impossible or impractical, the owner or operator ~~may request authorization to continue operating the sources during the scheduled maintenance of air pollution control equipment. Any such request shall be made in a written report~~ [shall notify the director](#) at least two weeks prior to the planned shutdown of the air pollution control equipment. The ~~director shall authorize the shutdown of the air pollution control equipment if, in his judgment, the situation justifies continued operation of the sources. Any written report submitted pursuant to this paragraph~~ [notification](#) shall contain the following:

(a) ~~Identification~~ [The identification, including the facility identification number,](#) and location of the ~~specific~~ source for which air pollution control equipment will be taken out of service. ~~The identification shall include the Ohio environmental protection agency permit application number.~~

(b) The expected length of time that the air pollution control equipment will be taken out of service.

(c) The nature and estimated quantity of emissions of ~~air contaminants which are~~ [regulated air pollutants](#) likely to occur ~~during the shutdown period from all affected emission units at the facility during the scheduled maintenance, compared to the maximum authorized emissions of the same air pollutants from all affected emission units at the facility during normal operations.~~

(d) Measures such as the use of off-shift labor and equipment that will be

taken to minimize the length of the shutdown period.

- (e) The reasons ~~that~~ why it will be impossible or impractical to shut down the source operation during the scheduled maintenance period.
- (f) A ~~demonstration that all feasible~~ description of the interim control measures that will be taken to reduce emissions from the source during the ~~shutdown period~~ scheduled maintenance.

(4) In cases where a complete source shutdown during the scheduled maintenance of air pollution control equipment may result in damage to the source or sources or is otherwise impossible or impractical, the owner or operator shall comply with the following work practices:

(a) All practicable measures shall be taken to minimize the duration of the shutdown period.

(b) All feasible interim control measures shall be taken to reduce emissions from the source during the shutdown period.

(5) Within five business days of completion of the scheduled maintenance of air pollution control equipment identified in paragraph (A)(3) of this rule, the owner or operator of the source shall provide notification to the director that the scheduled maintenance activity has been completed including any deviations from the initial notification.

(6) The exceedance of any emission limit or term and condition of a permit shall be reported in accordance with chapter 3745-77 of the Administrative Code or paragraph (D) of rule 3745-15-03 of the Administrative Code.

(B) Malfunctions of air pollution control equipment shall be reported as follows:

- (1) In the event that any emission source, air pollution control equipment, or related facility ~~breaks down in such a manner as to cause~~ causes the emission of air contaminants in ~~violation of any applicable law~~ excess of the applicable emission standard as a result of a malfunction, the person responsible for such source, equipment or facility shall immediately notify the Ohio environmental protection agency district office or delegate agency of such ~~failure or breakdown~~ malfunction. If the malfunction continues for more than ~~seventy-two~~ twenty-four hours, the source owner or operator shall provide a written statement to the director within ~~two weeks~~ one week of the date the malfunction occurred. The immediate notification and written statement shall include the following data:

- (a) Identification and location of such equipment including the Ohio environmental protection agency permit application number for each air contaminant source.
- (b) The estimated or actual duration of breakdown.
- (c) The nature and estimated quantity of air contaminants which have been or may be emitted into the ambient air during the breakdown period.
- (d) Statements demonstrating the following:
 - (i) Shutdown or reduction of source operation during the breakdown period will be or would have been impossible or impractical.
 - (ii) The estimated breakdown period will be or was reasonable in duration based on installation or repair time, delivery dates of equipment, replacement parts, or materials, or current unavailability of essential equipment, parts, or materials.
 - (iii) Available alternative operating procedures and interim control measures will be or have been implemented during the breakdown period to reduce adverse effects on public health or welfare.
 - (iv) All actions necessary and required by any applicable preventive maintenance and malfunction abatement plan will be or have been implemented.
- (2) The Ohio environmental protection agency district office or delegate agency shall be notified when the condition causing the failure or breakdown has been corrected and the equipment is again in operation. Notification of the correction of the condition causing the failure or breakdown may be given verbally if the duration of the malfunction is ~~seventy-two~~ twenty-four hours or less. Otherwise, such notification shall be in writing.
- (3) Within two months following a failure or breakdown which exceeded ~~seventy-two~~ twenty-four hours in duration, the owner or operator of such equipment shall prepare and submit a detailed report which identifies a program to prevent, detect and correct, as expeditiously as practicable, similar future failures or breakdowns of such equipment.

~~(C) The director retains the responsibility to evaluate any report submitted pursuant to this rule. The director shall take appropriate action upon a determination that the reporting requirements of this rule have not been satisfied, that the equipment was not properly operated and maintained prior to breakdown, that shutdown of the source or operation during the period of maintenance or breakdown was or has become practicable, that the shutdown or breakdown was or has become avoidable, or was induced or prolonged in bad faith, or that the emissions endanger or tend to endanger the health or safety of the public.~~

(C) The director shall evaluate each known malfunction and subsequent notification or report that is filed and any other relevant information and take appropriate action based on the magnitude and duration of the emissions as a result of the malfunction, if it is determined that the reporting requirements of the rule have not been satisfied, that the source or associated air pollution control equipment was not properly maintained prior to the malfunction, that shutdown of the source during the malfunction was or has been practicable, that the malfunction was avoidable, that the malfunction was induced or unnecessarily prolonged in bad faith, or that the excess emissions during the malfunction endanger or tend to endanger the health and safety of the public.

The initial notification and written report required by this rule does not constitute an admission of a violation of the applicable emission standard. Any malfunction that is subsequently determined to be in excess of an allowable emission limitation or contrary to another permit term and condition shall be properly reported under paragraph (D) of rule 3745-15-03 or Chapter 3745-77 of the Administrative Code.

(D) If, in the judgment of the director, excessive or unduly prolonged malfunctions of any emission source, air pollution control equipment or related facility have occurred, the director may require the owner or operator of said source, equipment or related facility to prepare, submit and implement a preventive maintenance and malfunction abatement plan which is acceptable to the director. Such plan shall be designed to prevent, detect and correct malfunctions or equipment failures which could result in emissions exceeding any applicable law.

(1) Each preventive maintenance and malfunction abatement plan shall be in writing and specify the following:

(a) A comprehensive preventive maintenance program, including a description of the items or conditions that will be inspected, the frequency of these inspections or repairs, and an identification of the types and quantities of the replacement parts which will be maintained in inventory for quick replacement.

(b) An identification of the source and the operating outlet variables of the air

pollution control equipment that will be monitored in order to detect a malfunction or failure, the normal operating range of these variables, and a description of the monitoring or surveillance procedures and of the method of informing operating personnel of any malfunction, including alarm systems, lights or other indicators.

- (c) A description of the corrective procedures that will be taken in the event of a malfunction or failure in order to achieve compliance with any applicable law as expeditiously as practicable.
- (2) Any acceptable preventive maintenance and malfunction abatement plan shall be specified in the terms and conditions of any permit or variance issued for a source covered by such plan.
- (3) Operation and maintenance records shall be maintained by the owner or operator of the source to demonstrate that any preventive maintenance and malfunction abatement plan is fully implemented. All such records shall be maintained for a minimum of two years and shall be subject to inspection by the director or his representative upon request.

(E) Alternative emissions limits applicable to operations during periods of startup, shutdown, malfunction, and scheduled maintenance.

(1) Applicability.

(a) Paragraph (E) of this rule shall apply to any new or existing source that has a permit containing emissions limits under any state or federal permitting authority has been delegated to the director.

(b) An owner or operator of a source may request that the director establish by permit one or more site-specific alternative emissions limits to apply during the periods of start-up, shut down or malfunction, or other operating periods where the use of the control equipment for the source is technically infeasible.

(2) Form of alternative emissions limits.

Alternative emissions limits may be in a different form than the emissions limit applicable to each unit during other modes of operation, provided that the alternative emission limit is one of the following forms, and results in a system of emissions limits that are applicable at all times:

(a) A numerical emission limit equivalent to emission levels during other modes of operation of the source, under best engineering practices for

the unit.

(b) A numerical alternative emission limit or work practice standard established under a federal new source performance standard or national emission standard for hazardous air pollutant that is applicable to a unit during one or more of the modes of operation outlined in paragraph (E)(1)(b) of this rule.

(c) A work practice standard representative of best engineering practices for the unit.

(3) Content of alternative emissions limit requests.

Requests shall be made through, and compliant with, the permit application, permit modification, or permit renewal requirements in Chapter 3745-77 of the Administrative Code. In addition, each application shall include the following:

(a) Each alternative emission limitation shall meet all applicable levels of stringency for the type of emission limitation, for example, the limitation meets BACT for the purposes of PSD permitting program purposes.

(b) All requested alternative emission limits must be legally and practically enforceable.

(c) Alternative emission limitations or work practices shall be limited to specific, narrowly defined source categories (or to a single source or related group of sources) using specific control strategies, for example, cogeneration facilities burning natural gas and using selective catalytic reduction.

(d) The source shall take steps to minimize, to the extent practicable, the frequency and duration of operation in startup or shutdown mode.

(e) The source shall take steps to minimize the impact of emissions on ambient air quality during startup and shutdown.

(f) The source shall analyze the potential worst-case emissions that could occur during startup and shutdown based on the applicable alternative emission limitation, and include the results of that analysis in the alternative emissions limitation plan.

(g) At all times, the facility shall be operated in a manner consistent with good engineering practice for minimizing emissions, including efforts regarding planning, design, and operating procedures.

(h) The owner or operator's actions during startup and shutdown periods shall be documented by contemporaneous operating logs or other relevant evidence.

(4) Alternative emissions limit issuance, modifications, revisions, revocations, reopenings, and termination.

The issuance of, and any subsequent modification to (including revision, revocation, reopening, or termination), alternative emissions limits shall be made in accordance with the requirements contained in Chapter 3745-77 of the Administrative Code.

(a) Initial issuance.

The initial application for and issuance of alternative emissions limits shall be made in accordance with paragraph (C)(3) of rule 3745-77-08 of the Administrative Code.

(b) Subsequent modifications.

Subsequent modifications to alternative emissions limits shall be made in accordance with paragraph (C)(1) of rule 3745-77-08 of the Administrative Code.

(F) During routine maintenance of add-on pollution controls, an owner or operator of a coke oven battery is exempt from the provisions of any permit-to-install or permit-to-install and operate issued under Chapter 3745-31 of the Administrative Code or any permit-to-operate issued under Chapter 3745-77 of the Administrative Code if all of the following occur:

(1) Routine maintenance of the add-on control in any rolling twenty-four-month period does not exceed fourteen days.

(2) Routine maintenance is conducted in a manner consistent with good air pollution control practices for minimizing emissions.

(3) A report is submitted to the director ten days prior to the start of the routine maintenance containing an explanation of the schedule of the maintenance.

(G) During routine maintenance of add-on pollution controls, an owner or operator of a glass melting furnace is exempt from the provisions of any permit-to-install or permit-to-install and operate issued under Chapter 3745-31 of the Administrative Code or any permit-to-operate issued under Chapter 3745-77 of the Administrative Code if the following occur:

(1) Routine maintenance in each calendar year does not exceed six days.

- (2) Routine maintenance is conducted in a manner consistent with good air pollution control practices for minimizing emissions.
- (3) A report is submitted to the director ten days before the start of the routine maintenance (if ten days cannot be provided, the report must be submitted as soon as practicable) and the report contains an explanation of the schedule of the maintenance.