



Ohio Administrative Code

Rule 3745-15-06 Malfunction of equipment; scheduled maintenance; reporting.

Effective: February 19, 2023

(A) Scheduled maintenance of air pollution control equipment shall be conducted according to the following:

(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 subject to the provisions of paragraph (B) of this rule.

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

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

(a) The identification, including the Ohio EPA facility identification number and permit application number, and location of the specific source for which air pollution control equipment will be taken out of service.

(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 regulated air pollutants which are likely to occur from all



affected air pollution sources at the facility during the scheduled maintenance, compared to the maximum authorized emissions of the same air pollutants from all affected air pollution sources at the facility during normal operation.

(d) Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the scheduled maintenance.

(e) The reason it will be impossible, impractical, or unsafe to shut down the source operation during the scheduled maintenance period.

(f) A description of the interim control measures that will be taken to reduce emissions from the source during the scheduled maintenance period.

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

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

(a) Take all practicable measures to minimize the duration of the scheduled maintenance.

(b) Take all feasible interim control measures to reduce emissions from the source during the scheduled maintenance.

(6) Within five business days of completing the scheduled maintenance of air pollution control



equipment identified in paragraph (A)(3) of this rule, the owner or operator of the source shall notify the director that the scheduled maintenance has been completed and described any deviations from the initial notification.

(7) Deviations from any emissions limitation 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 shall be reported as follows:

(1) If a malfunction occurs, the person responsible for the equipment in question shall immediately notify the Ohio EPA district office or delegate agency of such malfunction via telephone or email. Giving notice is not an admission or proof of a violation of any specific emissions limitation, standard or permit term. If the malfunction continues for more than twenty-four hours, the source owner or operator shall provide a written statement to the director within one week of the date the malfunction occurred and include in both the immediate notification and written statement the following:

(a) The name of the owner or operator of the regulated entity experiencing the malfunction event and the Ohio EPA facility identification number.

(b) The identification and location of such equipment including the Ohio EPA emissions unit identification number for each air pollution source involved in the malfunction.

(c) A summary of the event which caused the malfunction to occur.

(d) The estimated or actual duration of malfunction.

(e) The nature and estimated quantity of regulated air contaminants which have been or may be emitted into the ambient air during the malfunction period.

(f) Any adverse impacts to human health or the environment as a result of the malfunction that have been identified.



(g) Statements demonstrating the following:

(i) Shutdown or reduction of source operation during the malfunction period will be or would have been impossible, impractical, or unsafe (if applicable)..

(ii) The estimated malfunction 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, materials, or personnel.

(iii) Available alternative operating procedures and interim control measures will be or have been implemented during the malfunction 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 EPA district office or delegate agency shall be notified when the condition causing the malfunction has been corrected and the equipment is again in normal operation. Notification of the correction of the condition causing the malfunction may be given verbally if the duration of the malfunction is twenty-four hours or less or in writing if the duration exceeds twenty-four hours.

(3) Within two months following a malfunction which exceeded 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 malfunctions of such equipment.

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



the source during the scheduled maintenance or the malfunction endanger or tend to endanger the health or safety of the public.

(D) If, in the judgment of the director, excessive or unduly prolonged malfunctions of any air pollution 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 be subject to inspection by the



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director or his representative upon request.