

PERMITTING TITLE V FACILITIES

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Introduction

- Rule 2520
- Title V Facilities – 243 Title V Facilities
- Define Types of Permitting Actions
- Describe Revision Process
- Describe Options\Provide Tips
- Review Examples



Notes About Permits for Title V Facilities

- One District “Operating Permit”
- Title V Permit and District-only req.
- Single Document Makes Compliance Simpler and Retains Flexibility
- Title V Permit Conditions IDed as Federally Enforceable through Title V.
- District-only Conditions are not part of Title V permit
- Addition of or Modification to District-only Conditions is Not a Title V Modification



Types of Title V Permitting Actions

- Initial Title V Permits
- New Facilities
- Administrative Amendments
- Minor Modifications
- Significant Modifications
- Changes Not Requiring Title V Permit Amendment



Initial and New Title V Permits

- **Required if PE > Title V Thresholds**
- **Two Ways Out of Title V**
- **12 Months After Subject to Title V**
- **Application Form, Insignificant Activities, Compliance Plan, Compliance Certification**
- **Administrative Completeness**
- **All applicable Requirements - SIP Rules; NSR; NSPS; NESHAPS; MACT; etc.**
- **Title V Permits are Bigger**
- **Change in Attainment Status – Initial Title V**



Administrative Amendments

- Correct Typographical Errors
- Change Address, Phone No., etc. in Permit
- Requires More Monitoring and Reporting
- Other Similar Changes Identified by EPA
- Incorporates ATC/COC Requirements



Administrative Amendments - Process

- Submit Application to District
- Change Can be Made Upon Submittal
- Within 60 Days the District Will Take Final Action
- District Notifies EPA After Final Action



Minor Modification

A modification that:

- **Doesn't Relax Monitoring, Recordkeeping, or Reporting**
- **Doesn't Involve Case-by-Case Determinations (MACT, Ambient Impact, PSD Increment, etc.)**
- **Doesn't Seek to Establish or Change Emission Cap Without Basis**
- **Doesn't Violate Federally Enforceable Regulations**
- **Is Not a Title I, Section 111, or 112 Modification**



Minor Modification Process

Option 1

- Apply for Authority to Construct
- Receive Authority to Construct
- Construct Modification or New Unit
- Apply for Minor Title V Modification
- Startup (Under Application)
- 45 Day EPA Review
- Demonstrate Compliance (Inspection, Source Test, etc.)
- Receive Modified TV Permit



Minor Modification Process

Option 2

- Apply for ATC\CO^C
- 45 Day EPA Review
- Receive ATC\CO^C
- Construct Modification or New Unit
- Apply for Administrative Amendment
- Startup (Under Application for Amendment)
- Demonstrate Compliance (Inspection, Source Test, etc.)
- Receive Modified TV Permit



What is a COC?

- **Certificate of Conformity**
- **Condition on the ATC Stating:**

This Authority to Construct was issued in accordance with procedural requirements substantially equivalent to the requirements of 40 CFR 70.7 and 70.8, and substantially equivalent to the compliance requirements of 70.6 (8)(c).
- **Designed to Integrate Title V Review with NSR**
- **One EPA/Public Notice Period**
- **Shortens Overall Permit Processing Time**
- **EPA\Public Review is Done Prior to Construction**
- **ATC Incorporated into Title V Permit as Administrative Amendment**



Significant Modification

A change that either:

- Relaxes Monitoring, Recordkeeping, or Reporting; or
- Requires Case-by-Case Determination (MACT, Ambient Impact, PSD Increment, etc.); or
- Emission Cap Without Basis; or
- Violates Federal Requirements; or
- Title I, Section 111, or 112 Modification



Significant Modification

Option 1 - Not Recommended

- Apply for Authority to Construct
- EPA Review/Public Notice
- Receive Authority to Construct
- Construct Modification or New Unit
- Apply for Significant Title V Modification
- 45 Day EPA Review/Public Notice
- No Trial Operation
- Receive Modified Title V Permit
- Startup



Significant Modification Option 2 - Recommended

- Apply for ATC\COC
- EPA Review\Public Notice
- Receive ATC\COC
- Construct Modification or New Unit
- Apply for Administrative Amendment
- Startup
- Demonstrate Compliance (Inspection, Source Test, etc.)
- Receive Modified Title V Permit



Other Changes Not Requiring Title V Permit Amendment

- Described in Section 6.4.4 of Rule 2520
- Changes Must Not be Title I Modifications
- Changes Must Not Violate Current Conditions
- May Include the Addition of New Units
- District ATC/Permit Still Required
- Incorporated in Title V at Renewal



Example #1

Springville Water District received their new Title V permit in 2005. The permit they received incorrectly identified a test method required for particulates as EPA Method 50. The test method needs to be corrected before they perform their annual testing and certify compliance. What type of change will correct this error?



Example #2

Ducor Limited received their initial Title V permit last year. They haven't expanded their operation since 1989 and are now swamped with orders. They want to add two new gas-fired 62.5 MMBTU/Hr process heaters. What type of modification is this? What are their options?



Example #3

Redbanks Cogeneration Co. received their initial Title V permit in June of 1998. They are proposing to increase the maximum allowable ammonia emission concentration from 25 ppm to 30 ppm. The current condition states:

7. The concentration of NH₃ in the combustor exhaust shall not exceed 25 ppmv [District Rule 4102]

What type of Title V modification will this be?

