

# Air Pollution Control Program Permits Section

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# Air Permitting

## Two types of air permits:

- New Source Review (NSR)/Construction Permit
  - Permit required prior to commencing construction
  - Allows construction and operation
  - Based on project's potential emissions
- Operating Permit/Title V (Clean Air Act)
  - Required after commencing operation
  - Based on entire installation potential emissions

# General Air Permitting Procedure

1. Installation obtains a Construction/NSR Permit for a new installation or a project at an existing installation
2. Installation constructs and commences operation
3. Installation obtains/amends Operating Permit
  - within 30 days (Basic sources), 90 days (Intermediate sources), or 12 months (Title V sources) of commencing operation

## Air Permit Applicability

- **Potential emissions** of project and installation the determine type of permit needed, if any
- **Potential emissions** are based on maximum hourly design rate operating 8,760 hours per year
- **Emission factors** are obtained from stack testing, EPA (AP-42 or FIRE), material balance, or engineering data
- **Control devices** may only be considered in the potential to emit if they are inherent to the process or a federally enforceable condition requires their use

# NSR Permitting Thresholds

Pollutant	Insignificant Levels (lb/hr)	De Minimis Levels (tpy)	Major Source Thresholds for Named Sources (tpy)	Major Source Thresholds for Non-named Sources (tpy)
PM	-	25	100	250
PM <sub>10</sub>	1.0	15	100	250
PM <sub>2.5</sub>	-	10	100	250
SO <sub>x</sub>	2.75	40	100	250
NO <sub>x</sub>	2.75	40	100	250
VOC	2.75	40	100	250
CO	6.88	100	100	250
GHG (CO <sub>2</sub> e)	-	75,000/100,000		
GHG (mass)	-	-	100	250
HAP	0.5 or SMAL	10 individual/25 combined		

Screening Model Action Level (SMAL) available at: <http://www.dnr.mo.gov/env/apcp/docs/cp-hapsmaltbl6.pdf>

List of Named Sources can be found in 10 CSR 10-6.020(3)(B)

Installations in non-attainment have a major source level of 100 tpy or less, depending on the severity of non-attainment

## Construction/NSR Permits

- Required for construction of a new air pollution source, or modification of an existing source
  - Depending on the potential emissions (PTE) of the project, a permit may not be required
  - The type/level of construction permit is dependent upon PTE of project
- Timeframes – 90 days or 184 days
  - \$50/hr review fee charged for permit review
- Do not expire; however, construction must begin within 18 months or 24 months (dependent on permit type)

# Types of Air Construction Permits

- Prevention of Significant Deterioration (PSD)
  - Major review – requires air quality analysis (modeling), control technology review, and public notice
- Minor\* – requires air quality analysis
- De Minimis\* – lowest emission thresholds, can take limits to these levels to avoid PSD review
- Other – portable, temporary

\*Can take limits in these permits to minor or de minimis levels to avoid PSD review

# Applicability Determinations

(“No Permit Required” letters)

- Outline why a project does not require permit
- Often use exemptions in 10 CSR 10-6.061
  - Insignificant emission exemption levels 10 CSR 10-6.061(3)(A)3
    - these are compared to PTE for the entire project
- Remember – the existing facility or the project’s potential to emit has to be above de minimis for one pollutant (subject to 10 CSR 10-6.061) before we look at 10 CSR 10-6.061
- If the project does not need a permit, they don’t need to wait for determination letter to start construction



# Pre-Construction Waivers

- Allows a company to start construction prior to receiving a construction permit
- Requirements
  - Facility cannot have already started construction
  - The new project cannot be major
    - Will take into consideration controls
    - Will not take into consideration proposed limits

# Air Quality Analysis (computer model)

- Required for most PSD/major construction permits and some minor permits – depends on the type and level of emissions
- Hazardous Air Pollutants (HAP)
- National Ambient Air Quality Standards (NAAQS)
- Increment
  - PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, and/or NO<sub>x</sub>
- Class I Analysis Depending on Location

# Operating Permit Thresholds

Pollutant	De Minimis Levels (tpy)	Major Source Thresholds for Named Sources (tpy) – includes fugitives	Major Source Thresholds for Non-named Sources (tpy) – excludes fugitives
PM	25	100	100
PM <sub>10</sub>	15	100	100
PM <sub>2.5</sub>	10	100	100
SO <sub>x</sub>	40	100	100
NO <sub>x</sub>	40	100	100
VOC	40	100	100
CO	100	100	100
GHG (CO <sub>2</sub> e)	100,000		
GHG (mass)	-	100	100
HAP	10 individual/25 combined		

List of Named Sources can be found in 10 CSR 10-6.020(3)(B)

# Air Operating Permits

- Required after commencing operations
  - Type of operating permit depends on the PTE of the entire installation, may not need an operating permit
- Expires 5 years after the Issuance Date – permit shield
- Places all federal and state air regulations applicable to an installation in one document – tool for inspectors, facility, and citizens
- Establishes provisions for testing, monitoring, recordkeeping, and reporting to demonstrate compliance
- Entire installation

# Types of Air Operating Permits

- Part 70 – Installations with annual potential emissions greater than 100 tons of any criteria pollutant, greater than 10 individual/25 combined of HAP, or 100,000 tons of GHGs – public notice and EPA review required
- Intermediate – Part 70 sources that take voluntary limits to less than the Part 70 thresholds (synthetic minor sources) – public notice required
- Basic (state permit only) – Installations with potential emissions less than Intermediate thresholds – no public notice
- Other – Part 70 required by certain MACT/NSPS

# Operating Permit

- Applicable NSPS or MACT may trigger requirement to obtain an operating permit
- Permit can only be issued to installations that are in compliance with all applicable requirements.
- Site inspections are reviewed to determine compliance status and compliance history.
- Any Consent Decree's are incorporated into the operating permit.

# Air Permitting Information & Guidance

<http://www.dnr.mo.gov/env/apcp/permits.htm>

- Permits on Public Notice
- Issued Permits
- Search Pending Projects
- Search Completed Projects
- Air Construction Permit Guidance

# Permitting Resources

- EPA's AP-42  
<http://www.epa.gov/ttn/chief/ap42/index.html>
- EPA's Applicability Determination Index  
<http://cfpub.epa.gov/adi/>
- EPA's WebFIRE  
<http://www.epa.gov/ttn/chief/webfire/index.html>
- EPA's Air Toxics Website (MACT)  
<http://www.epa.gov/ttn/atw/index.html>
- Texas Webpage for NSPS and MACT  
[http://www.tceq.state.tx.us/permitting/air/nav/air\\_supportsys.html](http://www.tceq.state.tx.us/permitting/air/nav/air_supportsys.html)



# Contact Information

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Questions?