

# Important Permitting Issues



Air and Waste Management Association

November 9, 2005

Robert Hodanbosi

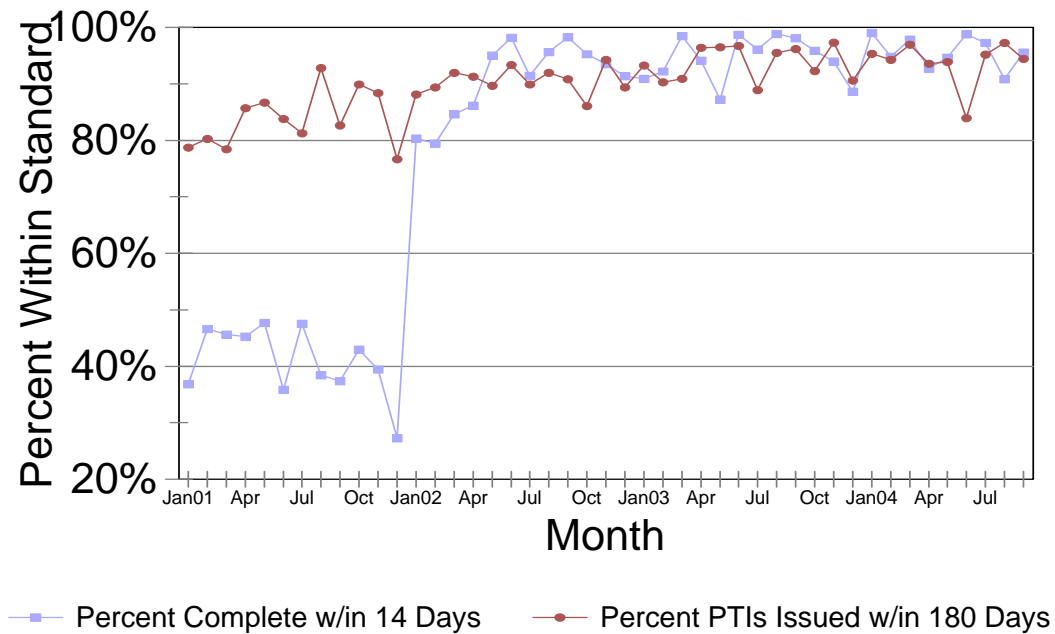


# Important Permitting Issues

- Permit Timeliness
- NSR Reform Decision
- General Permits
- Permits by Rule
- Title V Issuance and Renewal

# Permit To Install

## Completeness and 180-Day Processing

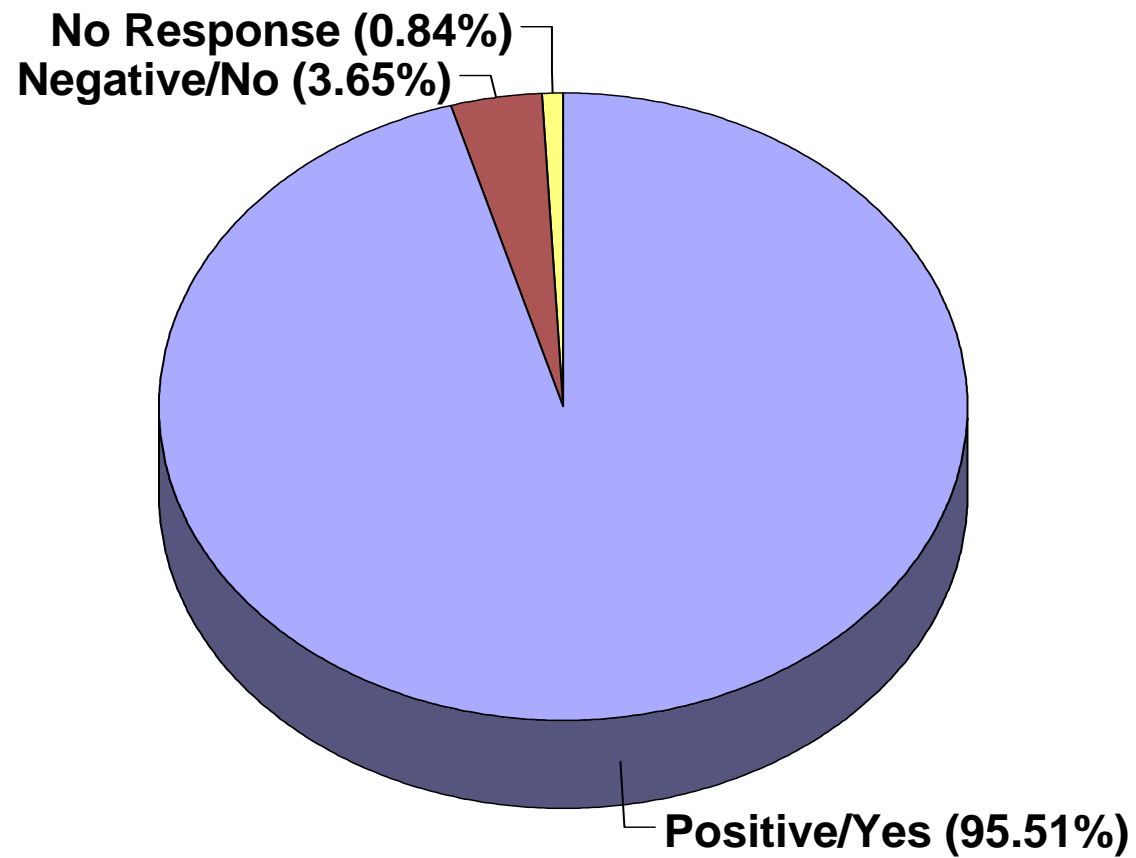




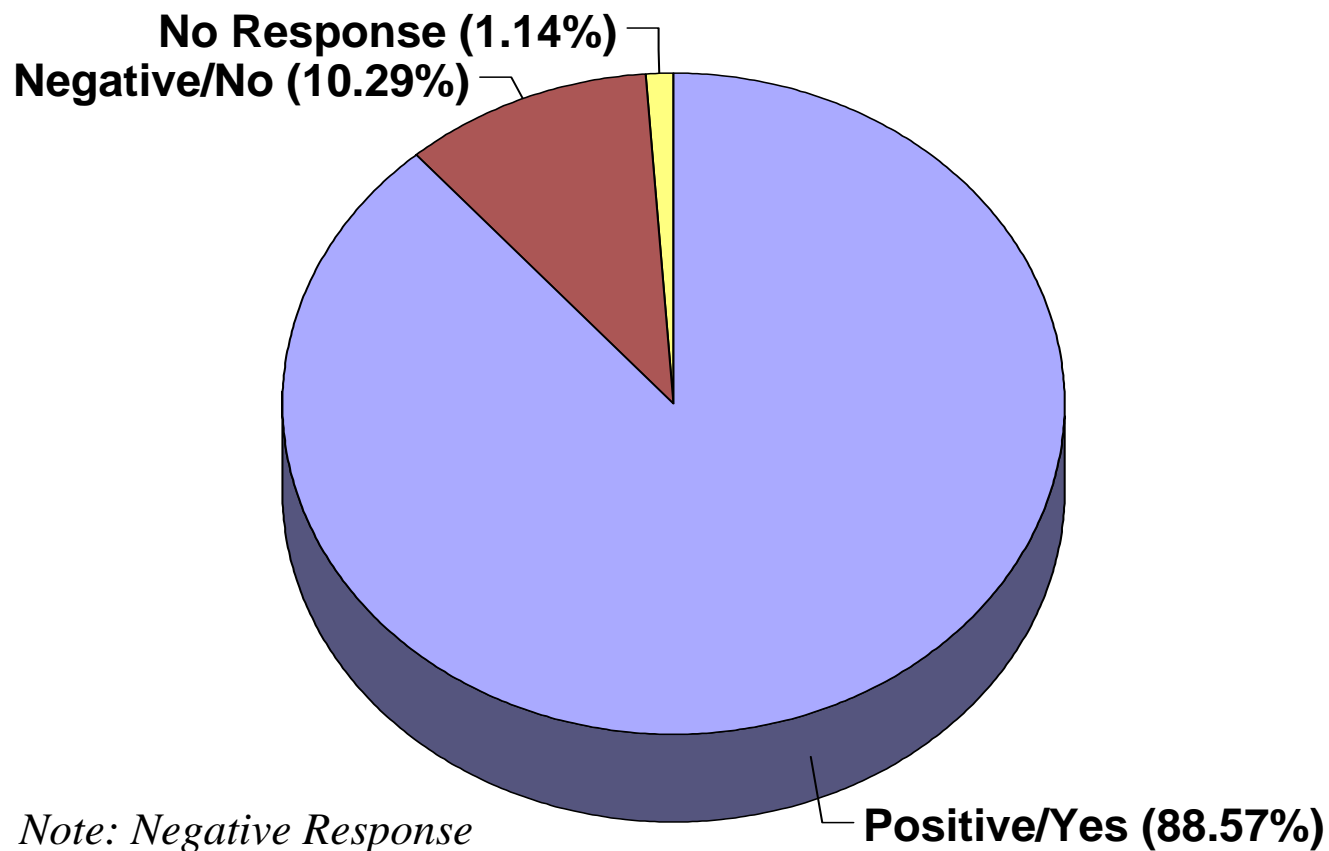
# PTI Response Survey

- Survey included with every PTI that is issued
- Surveys are reviewed/tabulated
- Received 358 responses in 2004 (over 900 PTIs issued)
- Encourage everyone to complete survey after PTI received – name not needed in reply

# General Satisfaction with Process

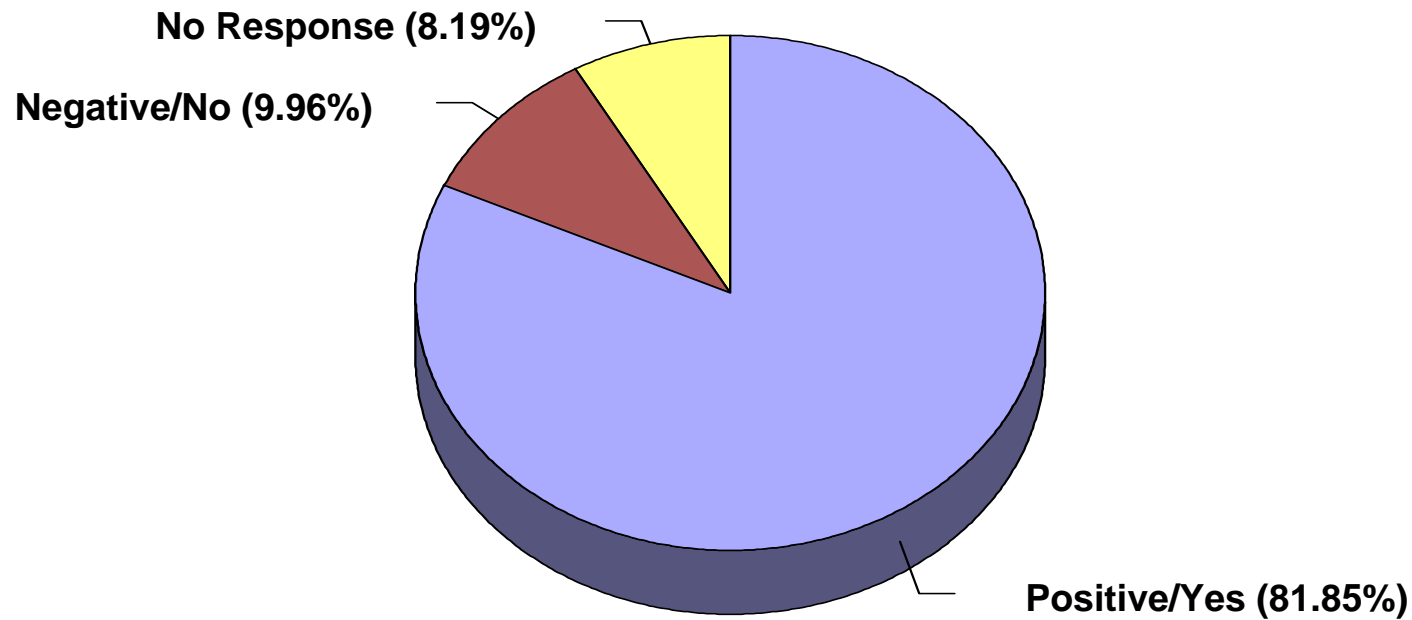


# Processing Time Met Expectations

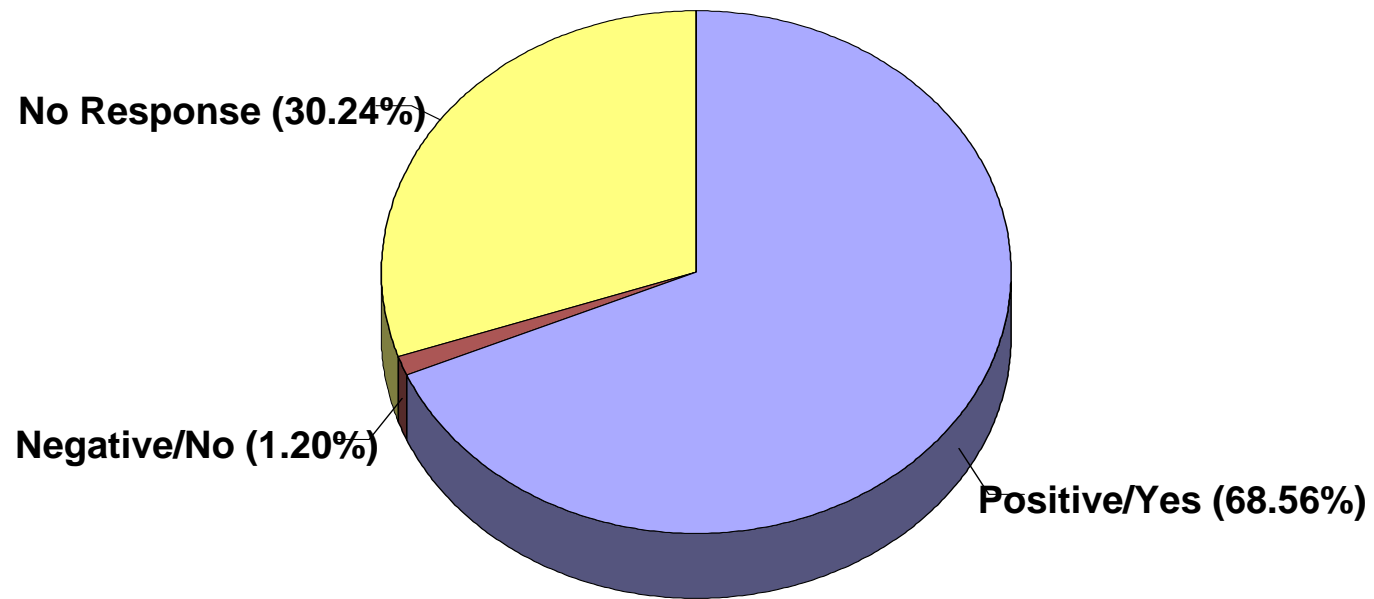


*Note: Negative Response  
Includes Instances Where the  
Agency Exceeded Expectations .*

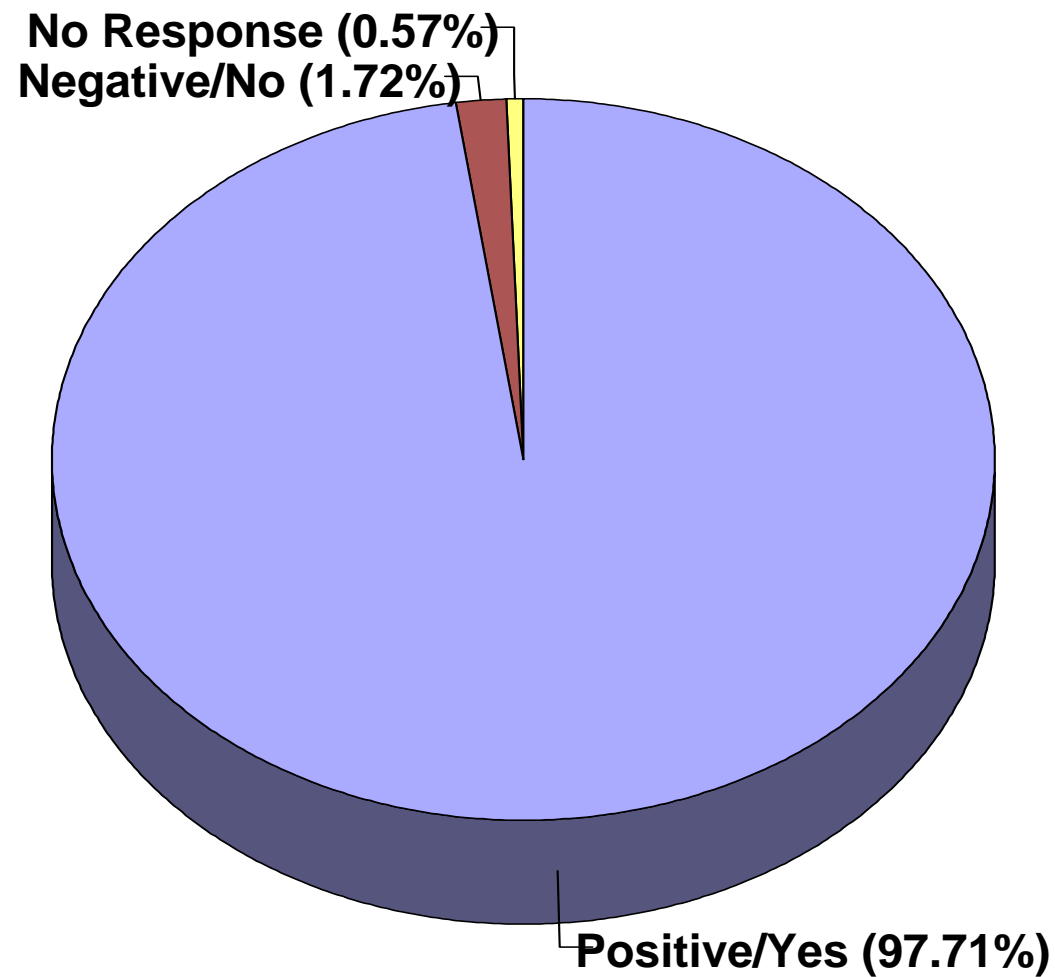
# Did the Applicant Contact the DO/LAA During Development of Application?



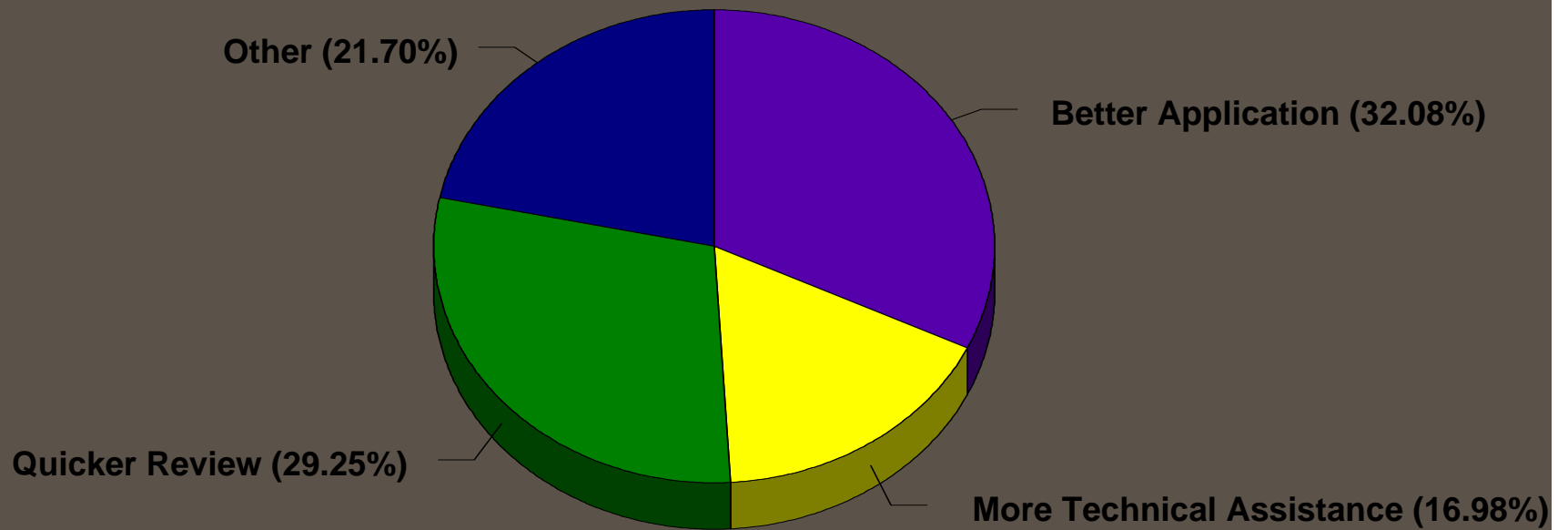
# Was the Permittee Satisfied With the DO/LAA Assistance



# Did the Permittee Understand the Permit Terms?



# Assistance in Getting Permits Quicker





# NSR Reform Decision

- On June 24, 2005, the D.C. Court of Appeals decided the case on the challenges to the New Source Review Reform rule.
- Many issues were litigated, not all decided – some were deemed to be not ripe



# NSR Reform Decision

- Potential to projected actual – okay
- Baseline calculation based on top 2 years out of 10 – okay
- Plantwide Applicability Limits – okay
- Clean Unit Exemption – vacated
- Pollution Control Project exempted – vacated



## NSR Reform Decision

- No need for recordkeeping when no reasonable possibility of exceeding threshold for PSD/NSR – remanded back to the agency due to not enough support for the concept. Note: The rule Ohio EPA promulgated did include the requirement that records be kept.



# NSR Reform Decision

- Does the rule violate the backsliding provisions? Cannot say particularly due to the changes that are going to be made due to decision



# NSR Reform Decision

- Ohio is first state to have rules proposed for federal approval
- In light of court decision, Ohio EPA has requested that US EPA move forward with approval of portions of the rule that were upheld by the court

### Model General Permit (MGP) Qualifying Criteria Document

**Source Description:** 40-45 mmBtu/hr maximum heat input natural gas and No. 2 oil fired boiler that is constructed, modified or reconstructed on or prior to June 9, 1989

**MGP Number:** MGP01401081104

A summary of the potential emissions expected from this source is as follows:

Size of Boiler Max. Heat Input (mmBtu/hr)	Model General Permit No.	Restricted Potential to Emit Summary (TPY)				
		PE	SO2	NOx	CO	OC
40-45	MGP01401081104	1.80	24.87	21.52	16.23	2.13

#### Qualifying Criteria:

Answer the following questions by checking the appropriate box for the choice that describes the boiler for which you are applying for a permit. Then review the qualifying criteria described after the list.

- Yes  No      1. Does the boiler combust only virgin fuel oil No. 2 and/or natural gas?
- Yes  No      2. Does the boiler have a maximum design heat input capacity within the following range: greater than or equal to 10 mmBtu/hr, but less than or equal to 15 mmBtu/hr?

## How do you get a GP?

Determine if you qualify and if you can accept the permit terms (see sample)



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**Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. State and Federally Enforceable Section**

**I. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
40 - 45 mmBtu/hr Natural Gas/No. 2 Fuel Oil Boiler	OAC rule 3745-31-05(A)(3)	Particulate emissions (PE) shall not exceed 0.014 lb/mmBtu and 1.80 tons per year (TPY).



## How do you get a GP?

Complete and sign the Qualifying Criteria document.  
Complete the application and any Emissions Activity Category (EAC) form(s).

Include a cover letter that states specifically which model general permit you are applying for.



## How do you get a GP?

Submit a hardcopy of all documents to the District Office or Local Air Agency .

Wait for the permit to get issued.

Main web page:

<http://www.epa.state.oh.us/dapc/genpermit/genpermits.html>



## Permit-by-Rule – What is it?

Alternative permitting process for common low-emitting sources

Rule contains all qualifying criteria and permit terms  
No permit application needed, no permit issued, no permit fees... just a notification needed.



## What are the PBR categories?

Emergency electrical generators;  
Resin injection/compression  
Molding equipment;  
Small crushing and screening  
plants;



## What are the PBR categories?

Soil-vapor extraction and soil-liquid extraction remediation activities;  
Auto body refinishing facilities;  
Gasoline dispensing facilities;  
Natural gas fired boilers and heaters; and  
Printing facilities.



## How do you get a PBR?

Check to see if a PBR is available for your source.

Check qualifying criteria and terms

Submit a PBR notification form

Check web page to see when the PBR is active.

[http://www.epa.state.oh.us/dapc/pbr/pbr\\_web.html](http://www.epa.state.oh.us/dapc/pbr/pbr_web.html)



## Information

Main web page:

<http://www.epa.state.oh.us/dapc/pbr/permitbyrule.html>

Fact Sheet

<http://www.epa.state.oh.us/dapc/pbr/PBRFactsheet.pdf>



# Status of Title V permits

- As of September 9, 2005 (from initial population only)
  - All issued draft
  - All issued final
    - Approximately 700 final
  - 201 other (permanent shutdowns, withdrawn permits, etc.)
  - Ohio is the first state in Region V to issue all of the initial Title V permits



# Renewal of Title V Permits

- Permit holders must file timely renewal to maintain permit shield
- Timely means receipt of signature page by Ohio EPA, six months prior to expiration.
- Electronic filing of STARShip on six month date prior to renewal means late application.
- Suggest electronic filing 6 months + 2 weeks prior to expiration.
- Allows for signature page to get delivered.



# Renewal of Title V Permits

- Ohio EPA will pursue enforcement for every late application.
- Penalty unlikely if only a few days late.
- Need Findings and Orders so that facility can operate legally until renewal.