

CHAPTER 5

ADMINISTRATIVE CHANGES AND PERMIT REVISIONS

Permit Revision Applications

Examples of permit revision applications submitted after the final Title V permit has been issued are listed in Table 5-6. The required content of the revision application will depend on the type of proposed permit change. Under Title V, permit revisions are categorized into four types:

- Administrative revisions;
- Minor revisions;
- De minimis significant revisions; and
- Significant revisions.

Each of these permit revision types and the required application content are described below. The processing of these permit revisions also differ by type and are described in this chapter. Administrative revisions have the shortest processing timeline, while significant revisions involve EPA review and public participation and have the longest processing timeline. Depending on which revision type fits the proposed permit change, appropriate forms, fees and information must be submitted.

Permit Revision Types

Administrative Revision

An administrative revision to an existing Title V permit can involve one or more of the permit changes described in Table 5-1.

Table 5-1: Administrative Permit Revision Criteria

To Qualify as an Administrative Revision, the Proposed Revision Must Meet <u>One or More</u> of the Following Criteria:	
√	Correct typographical errors
√	Record a change of facility ownership or information
√	Increase monitoring, recordkeeping or reporting frequency
√	Update the operating permit section of the facility permit to include equipment that has met requirements for preconstruction review, including public and EPA notices, and permit content (that is, upgrade P/C to P/O with either administrative or no changes)
√	Remove Permit to Construct terms or conditions which are no longer applicable
√	Revise annual allocation for RECLAIM facilities due to a trade, sale or purchase of RTCs, provided that New Source Review is not triggered pursuant to Rule 2005 - RECLAIM New Source Review
√	Remove equipment from the permit as long as the removal does not result in an emission increase
√	Move equipment within a facility provided that there is no change to permit conditions and no evaluation of regulatory requirements is required

Minor Revision

Minor permit revisions require more analysis than administrative permit revisions. Minor permit revisions are revisions that meet all of the criteria in Table 5-2.

Table 5-2: Minor Permit Revision Criteria

To Qualify as a Minor Permit Revision, a Proposed Revision Must Meet <u>All</u> of the Following Criteria:	
√	Does not require or change a case-by-case evaluation of a RACT or MACT emission limitation ¹³
√	Does not require any significant change in monitoring terms or conditions in the permit, e.g. change in method, type, frequency, etc.
√	Does not require the relaxation of any recordkeeping or reporting requirement, term or condition in the permit
√	Does not result in an increase in emissions of a pollutant subject to New Source Review or a HAP
√	Does not result in an installation of a new permit unit subject to a New Source Performance Standard (NSPS) pursuant to 40 CFR Part 60, or a National Emission Standard for Hazardous Air Pollutants (NESHAP) pursuant to 40 CFR Part 61 or 63
√	Does not result in a modification or reconstruction of an existing permit unit, resulting in new or additional NSPS requirements pursuant to 40 CFR Part 60, or new or additional NESHAP requirements pursuant to 40 CFR Part 61 or 63
√	Does not establish or change a permit condition that the facility has accepted to avoid an applicable requirement
√	Does not result in an emission increase of RECLAIM pollutants over the facility's starting allocation plus NTCs or higher allocation amount which has previously undergone a significant permit revision process (for RECLAIM facilities only)
√	Does not violate a regulatory requirement
Or, the Proposed Revision Must:	
√	Require the incorporation of an existing general permit and its associated requirements into another Title V permit
EXAMPLES	
√	Incorporation of equipment with existing state-registered permits (if all of the above criteria are met) into a Title V permit
√	Incorporation of an existing general permit into a Title V permit

¹³ A case-by-case evaluation of an emission limitation is the evaluation of reasonably available control technology (RACT) pursuant to Title I of the federal Clean Air Act or maximum achievable control technology (MACT) pursuant to 40 CFR Part 63, Subpart B, in accordance with Rule 3000 (b)(12).

Group Processing Of Minor Permit Revisions

The facility may request **group processing** for multiple minor permit revisions, meaning that the revisions will be processed simultaneously as a group. In order to obtain group processing, the applicant must submit the applications together as a group and specifically request group processing.

Group processing is only available for minor permit revisions. In order to qualify for group processing, the proposed minor revisions must meet the criteria in Table 5-3.

Table 5-3: Group Processing Of Minor Permit Revision Criteria

To Qualify for Group Processing, Permit Revisions Must Meet the Following Criteria:	
√	Each revision meets the criteria for a minor permit revision
√	The combined total emission increase from the proposed changes does not exceed five tons per year of any criteria pollutant (VOC, NOx, SOx, CO or PM-10)
√	All applications for which group processing is requested are submitted within 90 days of receipt of the first complete application

De Minimis Significant Revision

A de minimis significant permit revision is a permit revision that meets all of the criteria in Table 5-4. It is important to note that once the facility has exceeded the cumulative emission increase thresholds for de minimis significant revisions during a permit term (i.e., between renewals), the de minimis significant revision track is no longer available to them. Rather, the significant revision track must be used for all subsequent revisions that result in emission increases.

In order to preserve the emission threshold for future projects, the applicant may choose to apply for a significant permit revision even if the revision could qualify as a de minimis significant revision.

Table 5-4: De Minimis Significant Permit Revision Criteria

To Qualify as a De Minimis Significant Permit Revision, a Proposed Revision Must Meet the Following Criteria:															
√	The cumulative emission increases of non-RECLAIM pollutants or HAPs due to these permit revisions during the term of the permit (i.e., between renewals) do not exceed any of the following thresholds: ¹⁴														
	<table border="0"> <thead> <tr> <th style="text-align: left;">Air Contaminant</th> <th style="text-align: right;">Daily Maximum (pounds/day)</th> </tr> </thead> <tbody> <tr> <td>VOC</td> <td style="text-align: right;">30</td> </tr> <tr> <td>NOx</td> <td style="text-align: right;">40</td> </tr> <tr> <td>SOx</td> <td style="text-align: right;">60</td> </tr> <tr> <td>CO</td> <td style="text-align: right;">220</td> </tr> <tr> <td>PM-10</td> <td style="text-align: right;">30</td> </tr> <tr> <td>HAP</td> <td style="text-align: right;">30</td> </tr> </tbody> </table>	Air Contaminant	Daily Maximum (pounds/day)	VOC	30	NOx	40	SOx	60	CO	220	PM-10	30	HAP	30
Air Contaminant	Daily Maximum (pounds/day)														
VOC	30														
NOx	40														
SOx	60														
CO	220														
PM-10	30														
HAP	30														
√	Does not require any significant change in monitoring terms or conditions in the permit														
√	Does not require the relaxation of any recordkeeping or reporting requirement, term or condition in the permit														
√	Does not violate a regulatory requirement														
√	Does not require or change a case-by-case evaluation of RACT pursuant to Title I of the federal Clean Air Act, or MACT pursuant to 40 CFR Part 63, Subpart B														
√	Does not establish or change a permit condition that the facility has assumed to avoid an applicable requirement														
√	Is not an installation of a new permit unit subject to a NSPS pursuant to 40 CFR Part 60, or a NESHAP pursuant to 40 CFR Part 61 or 63														
√	Is not a modification or reconstruction of an existing permit unit, resulting in new or additional NSPS requirements pursuant to 40 CFR Part 60, or new or additional NESHAP requirements pursuant to 40 CFR Part 61 or 63														
EXAMPLES															
√	Functionally identical replacement														
√	Other new or modified equipment meeting the above criteria														

Note: The de minimis levels for HAP are not additive with VOC and PM10 if the HAP is a VOC or PM10. The 30 lb/day HAP threshold shall be superseded by any lower HAP threshold promulgated by EPA.

Significant Revision

A significant permit revision is any proposed permit change that does not meet the criteria for an administrative, minor or de minimis significant permit revision.

¹⁴ Internal netting within a facility pursuant to the most recent SIP approved New Source Review (NSR) program (Regulation XIII) is allowed to determine the cumulative emission increase. The May 10, 1996 version of Rule 1303 is the most-recent SIP-approved NSR applicability and analysis rule and it allows for internal netting of emissions.

Compared to other permit revision types, a significant permit revision requires the most analysis. Significant permit revisions are subject to EPA review procedures and public participation, including the opportunity for a public hearing, as described in Chapter 7. Table 5-5 provides criteria for and examples of significant permit revisions.

Table 5-5: Significant Permit Revision Criteria

A Significant Permit Revision Is Any Revision Which Does Not Meet the Criteria for an Administrative, Minor or De Minimis Significant Revision, and Includes:	
√	A relaxation of any monitoring, recordkeeping or reporting requirement or condition
√	An addition of equipment or modification to existing equipment or processes resulting in an emission increase of non-RECLAIM pollutants in excess of the following daily maximum emission thresholds:
Significant Emission Threshold Levels	
Air Contaminant	Daily Maximum (pound/day)
VOC	30
NOx	40
SOx	60
CO	220
PM-10	30
HAP	30
√	Cumulative emission increases of non-RECLAIM pollutants or HAPs from de minimis significant permit revisions during the term of the permit which exceed any significant emission threshold level ¹⁵
√	Any modification at a RECLAIM facility that results in an emission increase of RECLAIM pollutants over the facility's starting allocation plus NTCs
√	Request for a permit shield (when the request is made outside of an application for an initial permit or permit renewal)
√	Any modification that requires or changes a case-by-case evaluation of RACT pursuant to Title I of the federal Clean Air Act, or MACT pursuant to 40 CFR Part 63, Subpart B;
√	Any revision that results in a violation of regulatory requirements
√	Any revision that establishes or changes a permit condition that the facility assumes to avoid an applicable requirement
√	Any installation of new equipment subject to a NSPS pursuant to 40 CFR Part 60, or a NESHAP pursuant to 40 CFR Part 61 or 63
√	Any modification or reconstruction of existing equipment, resulting in an emission increase subject to new or additional NSPS requirements pursuant to 40 CFR Part 60, or to new or additional NESHAP requirements pursuant to 40 CFR Part 61 or 63

Note: The de minimis levels for HAP is not additive with VOC and PM10 if the HAP is a VOC or PM10. The 30 lb/day HAP threshold shall be superseded by any lower HAP threshold promulgated by EPA.

¹⁵ Internal netting within a facility pursuant to the most recent SIP approved New Source Review program (Regulation XIII) is allowed to determine the cumulative emission increase. The May 10, 1996 version of Rule 1303 is the most-recent SIP-approved NSR applicability and analysis rule and it allows for internal netting of emissions.

Examples Of Permit Revisions

Table 5-6 lists examples of permit revision types.

Table 5-6: Permit Revision Examples

Requested Permit Change	Permit Revision Type
Permit Changes Applicable to All Facilities	
Correct typographical errors	ADMINISTRATIVE
Change of ownership	ADMINISTRATIVE
Change the name, address or phone number of a contact person listed on the permit	ADMINISTRATIVE
Impose more frequent monitoring, reporting or recordkeeping	ADMINISTRATIVE
Change a Permit to Construct to a Permit to Operate with minor changes	ADMINISTRATIVE
Remove equipment (with no emission increase)	ADMINISTRATIVE
Add equipment under permit registration ¹⁶	MINOR
Functionally identical replacement	DE MINIMIS SIGNIFICANT
Add or modify equipment or change conditions such that the cumulative emission increase over the term of the permit:	
Does not exceed the significant emission thresholds	DE MINIMIS SIGNIFICANT
Exceeds the significant emission thresholds	SIGNIFICANT
Request a significant change in monitoring conditions	SIGNIFICANT
Request a permit shield	SIGNIFICANT
Relax any monitoring, recordkeeping or reporting requirement	SIGNIFICANT
Permit Changes Applicable To RECLAIM Facilities Only	
Revise a RECLAIM annual allocation as the result of a trade (provided RECLAIM NSR is not triggered)	ADMINISTRATIVE
Add or modify equipment such that the resulting facility emissions will exceed the facility's starting allocation plus NTCs	SIGNIFICANT

¹⁶ Provided that other criteria for minor permit revisions are met.

Required Forms to Revise a Title V Permit

Table 5-7 describes the required application content for the different types of permit revisions. Title V permit application forms are found in Appendix E. Fees associated with common Title V permitting actions are found in **Chapter 6 Fees**.

Table 5-7: Required Content Of Permit Revision Applications

	Admin. Revision	Minor Revision	Minor Revision, Group Processing	De Minimis Significant Revision	Significant Revision
Forms 400-A & 500-A2	√	√	√	√	√
Description of proposed change	√	√	√	√	√
Quantified emissions resulting from proposed change	N/A	√	√	√	√
Identification of all regulations triggered by proposed change	N/A	√	√	√	√
Certification by the responsible official that the proposed change is eligible for the selected revision type	√	√	√	√	√
Form 400-E-Series: Equipment Specific Forms ¹⁷ , Drawings and other supplemental information	N/A	√	√	√	√
Other required contents	N/A	N/A	See note	N/A	N/A
Other forms and information which may be required depending on the proposed change (see Appendix E for further information)	Form 500-B: List of Exempt Equipment Form 500-D: Permit Shield Request ¹⁸ Form 500-C2: Non-Compliant Operations Report and Compliance Plan Forms 500-F1, F2, F3, or F4 (Acid rain facilities)				

Note: Applications for group processing of minor permit revisions must also include:

- List of the applications, all submitted at the same time, for which the facility requests group processing;
- Determination that the combined total emissions of the grouped applications is less than five tons per year of VOC, NOx, SOx, CO and PM-10; and
- Certification by responsible official that the proposed revision meets the criteria for group processing, that the applicant has notified EPA of the proposed modification, and a request for group processing;
- Completed forms for AQMD to use to notify EPA

¹⁷ For affected emission units only.

¹⁸ May be included in significant permit revision only (if application is outside of an initial permit application or permit renewal).

Circumstances Allowing An Operational Change That Is Not Expressly Allowed In The Permit Without Obtaining A Permit Revision

Title V allows facility owners/operators to make certain operational changes at their facility that are not expressly allowed in the permit without a permit revision ***under very limited circumstances***. Rule 3005 (I) - *Permit Revisions*, addresses operational flexibility. For further information on operational flexibility, see Chapter 7.

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