

Air Permit Applications

Permit to Construct

Any new “Greenfield” stationary source must obtain a permit to construct except as excluded in Sections XII.D or E of *APC-S-2*. A True Minor stationary source is a source whose potential to emit air emissions is less than the thresholds listed below under the Title V Permit to Operate and is therefore not required to obtain a State Permit to Operate, but is required to obtain a permit to construct.

Modification Exclusion from Permit to Construct

A modification which falls into one of the following categories is subject to the requirements for a Permit to Construct:

1. a major modification;
2. a moderate modification
3. a modification involving medical waste incineration or hazardous waste incineration; or,
4. a modification meeting the definition of “constructing or reconstructing a major source of hazardous air pollutants” in Commission “Air Toxics Regulations”, APC-S-8, and 40 CFR Part 63, Subpart B and thereby requiring case-by-case Maximum Achievable Control Technology (MACT) determination.

*Note: Any other modifications are excluded from the requirement for permits to construct. This does not eliminate any requirement for modification of Title V permits or permits to operate.

PSD Permit to Construct

Any new “Greenfield” stationary source must obtain a PSD permit to construct if it either (1) has the potential to emit 250 tons per year or more of any air pollutant regulated under the Clean Air Act; or (2) is classified as one of the *28 industrial categories* listed in 40 CFR 52.21 and has the potential to emit 100 tons per year or more of any air pollutant regulated under the Clean Air Act.

Permit to Operate

Any new “Greenfield” stationary source required to obtain a Title V permit shall be issued a State Permit to Operate simultaneously with issuance of a Permit to Construct for a term of either (1) twelve months from the effective startup date of the source or (2) until the source obtains its Title V permit, whichever is earlier. Effective startup date is defined as the date upon certification of completion of construction. Certification of construction is defined as the date on which completion of construction or installation of an approved stationary source occurred. Stationary source is defined as each device or combination of devices at one physical location that emits a regulated air pollutant(s).

Title V Permit to Operate

Any stationary source that will have the potential to emit in excess of the following will meet the criteria for being classified as a Title V source:

- 100 tons per year or more of any air pollutant regulated under the Clean Air Act; or
- 25 tons per year of total Hazardous Air Pollutants (HAPs) regulated under the Clean Air Act;
- or
- 10 tons per year of any individual HAP regulated under the Clean Air Act.

*Note: Fugitive emissions should not be considered unless the facility is classified as one of the 28 individual categories listed in 40 CFR 52.21.

Synthetic Minor Operating Permit

Any new “Greenfield” or existing stationary source that wishes to accept federally enforceable limit(s) to prevent potential air emissions from exceeding the thresholds listed above under the Title V Permit to Operate.

Major sources of HAP emissions

Any new “Greenfield” or existing stationary source that meets the following criteria:

- 25 tons per year of total Hazardous Air Pollutants (HAPs) regulated under the Clean Air Act;
or
- 10 tons per year of any individual HAP regulated under the Clean Air Act;

will have to either comply with a MACT standard or undergo a MACT “case-by-case” analysis as required under Section 112 of the Clean Air Act.