

Memo

DRAFT

To: Title V Permit Writers and P&E Group

From: Michael W. Ahern Environmental Manager, DAPC/PIDM

CC: [Click **here** and type name]

Date: 2/26/2009

Re: Title V Renewal Application Review and Permit Development in STARS2

Executive summary

This document replaces the August 10, 2004 IOC presented to the P&E. This document is redesigned to account for procedural and technical changes due to Air Services/STARS2 and regulatory/federal guidance changes since 2004.

This document can be found on the Agency Answer Place, and at:

http://www.epa.state.oh.us/dapc/title_v/titlev.html

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Processing time frames

The processing time frame for combined requests (e.g., administrative permit amendment requests included in a significant permit modification request) follows the “longest” processing time frame. Time frames may be suspended pending New Source Review permit clean-up (e.g., establishing federally enforceable limits in a modified PTI to avoid MACT applicability).

See Table 1 for a summary of the various time frames:

Table 1

Initial	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)
Administrative Permit Amendment (APA)	Final permit issued within 60 days	OAC rule 3745-77-08(B)(1)(a)
Minor Permit Modification (MPM)	Final permit issued within 90 days	OAC rule 3745-77-08(C)(1)(e)
Significant Permit Modification (Sig. Mod)	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)
Reopening	Final permit within eighteen months of promulgation of the applicable requirement	OAC rule 3745-77-08(D)(1)(a)
Renewal	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)

Initial, renewal, significant modification, and reopening applications

The four types of applications identified above are processed very similarly in Air Services. Title V applicants will be taking a slightly different approach to application development in STARS2 (versus STARShip) in part because of the STARS2 project, court decisions, ERAC decisions, federal Title V program oversight activities, and federal guidance. The following is a summary of the application requirements in Air Services (from a content perspective) along with notes where things are different from pre-Air Services. Also note that applicants will likely also attach a marked up copy of the previously issued permit to clearly identify text changes to existing Title V permit language.

Electronic signature requirements and submit rights

Federal Cross Media Electronic Reporting Rule (CROMERR), and Similar state-level legislation allow use of electronic signatures (Personal Identification Numbers – PINs for short). See [Answer Place ID 1157](#) for more information on CROMERR and PIN-related activities in Air Services. As part of the Air Services service activation process, DAPC (Linda Lazich, permit issuance and emissions report unit) grants the initial access to facility data. Granting access involves making sure the initial person who has access to facility data in Air Services is an authorized representative (AR), or responsible official (RO) (see answer place ID 1200 for more detail). Once the initial person is granted access to the facility information, they can, in turn, manage access for other individuals to the facility data.

There are two roles in Air Services:

- Certify/Submit/Manage Access (CSMA) – this role includes ARs, ROs and individuals granted the role for purposes of managing access to the facility data (but not authorized by rule to submit data)
- Prepare/review – this role includes any other person the CSMA chooses to grant the role to. This role can prepare and review information in Air Services, but cannot submit information to Ohio EPA via Air Services.

See [Answer Place ID 1200](#) for more information on how these eBusiness Center/Air Services roles relate to the regulatory roles of “authorized representative” and “responsible official”.

In summary, the CSMA role sets the stage to ensure (as much as possible) that the individual who submits information to DAPC via Air Services does, in fact, meet the regulatory obligations for individuals authorized to submit information to DAPC. This is a higher degree of certainty than the hard copy receipt process used during use of STARShip.

Title V application layout in Air Services and associated changes to content requirements

A tabular summary of fields that need to be completed to meet the validation check is available as [Answer Place ID 1499](#).

Facility profile

Air Services is conceptually very similar to STARShip. The facility profile in Air Services is roughly equivalent to maintain entities in STARShip. Each depicts the operations and air flow of pollutants at the facility (i.e., each depicts each operation, its associated control equipment, and its associated egress points). In addition, Air Services better integrates emission calculations for emissions reporting purposes by identifying the source classification code (SCC) level information in the facility profile for each emissions unit. This is a difference from STARShip where the SCC information was established during emissions reporting steps. As a result, insignificant emissions unit profile data, including identifying one or more SCCs is needed prior to successfully validating the Title V application.

Application facility level summary

Reason for the application

This section should summarize the reason the application is being applied for. It should contain enough specificity for a third party to understand the basis for why the application was submitted, and highlight major aspects of the application (e.g., the fact that the application is a renewal application, incorporates "X" new emissions units, and that "Y" emissions unit is subject to CAM).

Statutory Agent

This information is required pursuant to Part 70 and likely needs to be filled out since the data did not always migrate from STARShip. The statutory agent can be found at the Secretary of State's web site under business filings:

http://www2.sos.state.oh.us/pls/portal/PORtal_BS.BS_QRY_BUS_INFORMATION1.SHOW_PARRMS

Applicable Requirements

Each application requires identification of all applicable requirements. This includes general requirements such as OAC Chapter 3745-15 malfunction reporting and nuisance rules. You will note that each applicable requirement added to the application is displayed as a "row". Below is an image of this section of the application.

Facility-wide Potential To Emit (PTE)

In Air Services, the facility-wide PTE is summed based on the individual PTE for each emissions unit. You will note two columns in the table for pollutant values. The first column "EU total" is the auto-summed value based on the calculated PTE, by emissions unit. The second column, "Facility PTE" allows the applicant to enter an adjusted PTE value. Why? There are various reasons that multiple emissions units may have a combined PTE (e.g., a synthetic minor-based stack limit) or a given emissions unit may have an inherent limit on the PTE (e.g., a batch operation). In these circumstances, facility-PTE should be adjusted.

Operations Description

The applicant is directed to provide a fairly detailed description of the operation in order for a third party to be able to understand what type of operation is going to be permitted. This is used in the Statement of Basis that accompanies the resulting permit action.

Clean Air Act Provisions

The applicant is required to identify applicability of these specific Clean Air Act requirements.

Air Contaminant Sources in the Application

This section identifies all the emissions units that the applicant selected as part of the subject permit application. Remember, for corrections or supplements to an "original" application, the applicant will only select those emissions units that they are focused on at the time. So for example, if an applicant submits a Renewal application with five emissions units and then we issue a permit for an additional emissions unit, the applicant will supplement the "original" application by submitting a correction/revision that includes just the new emissions unit. This application can then be associated with the in-process permit record and associated workflow in STARS2. Most applicants will choose in Air Services to copy the "original" permit application to a new record, deselect all the emissions units and then select the subject emissions unit in order to preserve the facility-level information associated with the supplement.

Facility-wide requirements

This section is designed to mimic a column/row summary of all applicable requirements that apply to the facility and/or facility-wide. Examples you should see include OAC Chapter 3745-15 malfunction and nuisance requirements. In addition, you may also see MACT requirements identified. The

applicant will complete the same type of information under this section for State and Federally Enforceable requirements as well as State-only requirements (if there are any).

Below is a screenshot of what the applicant sees as they add rows for each applicable requirement:

The screenshot shows a web browser window titled "Title V Applicable Requirements - Windows Internet Explorer". The address bar shows a URL from the Ohio EPA website. The main content area contains a form with the following fields and options:

- Requirement Basis: [Dropdown menu]
- Allowable Limit: [Text input field]
- Pollutant: [Dropdown menu with "Please select" text]
- Permit Cite: [Text input field]
- Monitoring Requirement: [Text input field]
- Permit Cite: [Text input field]
- Record Keeping Requirement: [Text input field]
- Permit Cite: [Text input field]
- Reporting Requirement: [Dropdown menu]
- Permit Cite: [Text input field]
- Testing Requirement: [Text input field]
- Permit Cite: [Text input field]
- In compliance? Yes No
- Other Compliance Obligations? Yes No
- Proposed Exemptions? Yes No
- Proposed Alternative Limits? Yes No
- Proposed Changes to Testing? Yes No

At the bottom of the form are "Save" and "Cancel" buttons.

Requirement basis

The basis for the requirement is the OAC, ORC, or a Federal MACT, NESHAP, or NSPS.

Allowable Limit

The allowable limit is identified in the next field. However, this field may be populated with "N/A" (e.g., when the malfunction rule is identified).

Pollutant

The pollutant field is a single select field and does not need to be selected if the cited underlying requirement is not specifically pollutant-based (e.g., the malfunction rule).

Rule Cite

This field is enabled in Air Services once a Basis for the requirement is selected (not shown above). The selectable list for this field changes based on whether the selected basis is federal or state.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, the field can be left blank.

NOTE: the following sections of the application required proposed approaches to each item during the initial round of Title V applications. However, as part of the STARS rebuild project, and based on federal interpretations over the years, this section has shifted to identifying what has already been established in rule or via permit. The applicant can still propose something other than what is established in a current rule or permit for consideration. Such proposals should be evaluated first and given due consideration relative the associated rule requirements. If the proposal is compliant with the underlying rule requirements, the proposal should be incorporated into the permit. If the proposal is not compliant with the underlying rule requirements, efforts should be made to work with the applicant and have them supplement the application based on discussions. If agreement cannot be met, you should proceed with gap-filling (or existing monitoring as established by rule or existing permit requirements).

Monitoring Requirement

This field will be populated with a very brief summary of any monitoring that is established (e.g., NOx CEMS, or VE readings)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based monitoring requirement associated with the applicable requirement.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that gap-filling may be required as you develop the Title V permit, but may not always be so at the facility-wide level (e.g., there is no monitoring requirement associated with nuisance provisions).

Record Keeping Requirement

This field will be populated with a very brief summary of any monitoring that is established (e.g., pressure drop readings, or periods where visible emissions are observed)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based record keeping requirement associated with the applicable requirement.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that gap-filling may be required as you develop the Title V permit.

Reporting Requirement

This field will be populated with a very brief summary of any reporting that is established (e.g., 30 days from event)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based reporting requirement associated with the applicable requirement. Reporting will be at a minimum, quarterly for emission limitation and control measure requirements, and semi-annually for all other permit requirements (e.g., failure to keep required records)

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that the default quarterly and semi-annual reporting will be required via the Standard Terms and Conditions in the Title V permit.

In compliance?

This section identifies if the applicant is in compliance with the applicable requirement (and associated MRR&T requirements) at the time of application. If they are not, an additional text box is provided for the applicant that identifies which requirement(s) they are not in compliance with and a brief description of the proposed approach to achieve compliance (e.g., citing Director's Orders). You will see the brief description of how they propose to come into compliance.

Other Compliance Obligations?

The applicant may be subject to "other" compliance obligations associated with the applicable requirement (and associated MRR&T requirements) at the time of application (e.g., federal consent decree requirements). You will see the brief description of the requirement, limitation (if applicable), and basis (e.g., federal orders).

Proposed Exemptions?

The applicant can identify instances where they believe they are exempt from part or all of an otherwise-identified applicable requirement. This should be evaluated and recognized in the Title V permit as an affirmative defense permit term.

Proposed Alternative Limits?

The applicant can propose alternative limits and associated MR&R in this section of the application. As noted above, this should be evaluated relative to rule requirements, and incorporated into the Title V permit if what is proposed meets the rule requirements and associated applicable law.

Proposed Changes to Testing?

As indicated earlier, the applicant can propose changes to testing requirements. Also similarly as noted above, this should be evaluated relative to rule and existing permit requirements, and incorporated into the Title V permit if what is proposed meets the existing requirements and associated applicable law. An example would be proposing a change to the coal sampling frequency for testing compliance with a sulfur content restriction.

Each Non-Insignificant Emissions Unit

Ohio EPA EU ID :

This section is populated from the facility profile based on Agency assignment.

Ohio EPA EU description :

This section is populated from the facility profile based on Agency assignment. It can be blank initially until you develop a DAPC description.

Company EU ID :

This section is populated from the facility profile based on applicant data entry. The description should be sufficient for you to identify the equipment in the field and in facility records.

Company EU Description :

This section is populated from the facility profile based on applicant data entry. The description should be sufficient for you to identify the equipment in the field and in facility records.

Normal Operating Schedule

As required by rule, the normal operating schedule will be completed by the applicant. This information can be claimed as trade secret.

Emissions Unit Potential to Emit (PTE)

This section will be entered by the applicant based on the best data available at the time taking into consideration inherent physical limitations or federally enforceable limits on the PTE. The basis (e.g., AP-42 emission factor, or stack test-based factor) will also be identified by the applicant. Some applicants may attach additional supporting calculations as an emissions unit-level attachment (e.g., a spreadsheet). Particularly if the applicant does not use the auto-calculated PTE based on the associated process level source classification codes. The PTE determination basis can be claimed as trade secret. The PTE value can be zero and the PTE determination basis can be left blank if the emissions unit does not emit a particular pollutant (e.g., lead for most operations).

Limitations on Source Operations

The applicant will identify any limitations on source operations, or work practice standards that affect emissions for any pollutant listed in the PTE table. This is a free-text field for the applicant to describe the various limitations for the various pollutants.

Compliance Monitoring Equipment/Enhanced Monitoring

This section applies to any controlled emissions unit that is subject to the CAM requirements. For more information if you encounter one of these operations, contact Andrew Hall. The applicant briefly describes in a free form text field, any compliance monitoring equipment activities or enhanced monitoring required by section 114(a)(3) of the Act associated with the emissions unit. You will need to evaluate this applicability and incorporate the appropriate requirements into the Title V permit.

Emissions Unit-Specific Requirements

This section is designed to mimic a column/row summary of all applicable requirements that apply to the subject emissions unit. Examples you should see include pollutant-specific requirements. In addition, you may also see MACT requirements identified (specific section of the MACT that applies to the subject operation). The applicant will complete the same type of information under this section for State and Federally Enforceable requirements as well as State-only requirements (if there are any).

Just like the facility-wide requirements, below is a screenshot of what the applicant sees as they add rows for each applicable requirement:

The screenshot shows a web browser window titled "Title V Applicable Requirements - Windows Internet Explorer". The address bar shows the URL: http://epatestapps.epa.state.oh.us/stars2/_ADFV_...jsf?_afPfm=18_t=fred8_vir=/applications/tvApplicableRegsInfo.jsp&loc=en8_minWidth=11008_minHeight=10008_rtrnid=0

The form contains the following fields and options:

- Requirement Basis:
- Allowable Limit:
- Pollutant:
- Permit Cite:
- Monitoring Requirement:
- Permit Cite:
- Record Keeping Requirement:
- Permit Cite:
- Reporting Requirement:
- Permit Cite:
- Testing Requirement:
- Permit Cite:
- In compliance? Yes No
- Other Compliance Obligations? Yes No
- Proposed Exemptions? Yes No
- Proposed Alternative Limits? Yes No
- Proposed Changes to Testing? Yes No

Buttons:

Requirement basis

The basis for the requirement is either the OAC, ORC, or a Federal MACT, NESHAP, or NSPS.

Allowable Limit

The allowable limit is identified in the next field. However, this field may be populated with "N/A" in certain instances.

Pollutant

The pollutant field is a single select field and does not need to be selected if the cited underlying requirement is not specifically pollutant-based (e.g., the malfunction rule).

Rule Cite

This field is enabled in Air Services once a Basis for the requirement is selected (not shown above). The selectable list for this field changes based on whether the selected basis is federal or state.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, the field can be left blank.

NOTE: the following sections of the application required proposed approaches to each item during the initial round of Title V applications. However, as part of the STARS rebuild project, and based on federal interpretations over the years, this section has shifted to identifying what has already been established in rule or via permit. The applicant can still propose for consideration something other than what is established in a current rule or permit. Such proposals should be evaluated first and given due consideration relative the associated rule requirements. If the proposal is compliant with the underlying rule requirements, the proposal should be incorporated into the permit. If the proposal is not compliant with the underlying rule requirements, efforts should be made to work with the applicant and have them supplement the application based on discussions. If agreement cannot be met, you should proceed with gap-filling (or existing monitoring as established by rule or existing permit requirements).

Monitoring Requirement

This field will be populated with a very brief summary of any monitoring that is established (e.g., NOx CEMS, or VE readings)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based monitoring requirement associated with the applicable requirement.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that gap-filling may be required as you develop the Title V permit, but may not always be so at the facility-wide level (e.g., there is no monitoring requirement associated with nuisance provisions).

Record Keeping Requirement

This field will be populated with a very brief summary of any monitoring that is established (e.g., pressure drop readings, or periods where visible emissions are observed)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based record keeping requirement associated with the applicable requirement.

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that gap-filling may be required as you develop the Title V permit.

Reporting Requirement

This field will be populated with a very brief summary of any reporting that is established (e.g., 30 days from event)

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based reporting requirement associated with the applicable requirement. Reporting will be at a minimum, quarterly for emission limitation and control measure requirements, and semi-annually for all other permit requirements (e.g., failure to keep required records)

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that the default quarterly and semi-annual reporting will be required via the Standard Terms and Conditions in the Title V permit.

Testing Requirement

This field will be populated with a very brief summary of any testing that is established (e.g., six months prior to expiration).

Rule Cite

This field is defaulted to N/A and can remain so unless there is a rule-based reporting requirement associated with the applicable requirement. Reporting will be at a minimum, quarterly for emission limitation and control measure requirements, and semi-annually for all other permit requirements (e.g., failure to keep required records)

Permit Cite

This field is populated with the text description of where the requirement can be found in the most recently issued permit at the time of application. If the requirement is rule-based only, or if there is no permit-based requirement, the field can be left blank. A blank field is a good indicator that the default quarterly and semi-annual reporting will be required via the Standard Terms and Conditions in the Title V permit.

In Compliance?

This section identifies if the applicant is in compliance with the applicable requirement (and associated MRR&T requirements) at the time of application. If they are not, an additional text box is provided for the applicant that identifies which requirement(s) they are not in compliance with and a brief description of the proposed approach to achieve compliance (e.g., citing Director's Orders). You will see the brief description of how they propose to come into compliance.

Other Compliance Obligations?

The applicant may be subject to "other" compliance obligations associated with the applicable requirement (and associated MRR&T requirements) at the time of application (e.g., federal consent decree requirements). You will see the brief description of the requirement, limitation (if applicable), and basis (e.g., federal orders).

Proposed Exemptions?

The applicant can identify instances where they believe they are exempt from part or all of an otherwise-identified applicable requirement. This should be evaluated and recognized in the Title V permit as an affirmative defense permit term.

Proposed Alternative Limits?

The applicant can propose alternative limits and associated MR&R in this section of the application. As noted above, this should be evaluated relative to rule requirements and incorporated into the Title V permit if what is proposed meets the rule requirements and associated applicable law.

Proposed Changes to Testing?

As indicated earlier, the applicant can propose changes to testing requirements. Also similarly as noted above, this should be evaluated relative to rule and existing permit requirements and incorporated into the Title V permit if what is proposed meets the existing requirements and

associated applicable law. An example would be proposing a change to the coal sampling frequency for testing compliance with a sulfur content restriction.

Each Insignificant Emissions Unit

The requirements for each insignificant emissions unit are different than they were under STARShip/STARS based on the redefined relationship to the facility profile, and due to federal action on our Title V program since 1995. As a result you will make note of the following:

Ohio EPA EU ID :

This section is populated from the facility profile based on Agency assignment.

Ohio EPA EU description :

This section is populated from the facility profile based on Agency assignment. It can be blank initially until you develop a DAPC description.

Company EU ID :

This section is populated from the facility profile based on applicant data entry. The description should be sufficient for you to identify the equipment in the field and in facility records.

Company EU Description :

This section is populated from the facility profile based on applicant data entry. The description should be sufficient for you to identify the equipment in the field and in facility records.

Basis for IEU status

The applicant will select one of the valid bases for IEU status. Note that if "ORC 3704.036 - Emissions units with potential to emit not more than five tons per year of regulated air pollutant..." is chosen as the basis for the IEU status, it is highly likely that the emissions unit is subject to one or more applicable requirements. This should be identified in the emissions unit PTE table on the right as a very brief summary or citation of the applicable requirement(s).

Emissions Unit Potential to Emit (PTE)

This section will be entered by the applicant based on the best data available at the time taking into consideration inherent physical limitations or federally enforceable limits on the PTE. The basis (e.g., AP-42 emission factor, or stack test-based factor) will also be identified by the applicant. Some applicants may attach additional supporting calculations as an emissions unit-level attachment (e.g., a spreadsheet). The PTE determination basis can be claimed as trade secret. The PTE value can be zero and the PTE determination basis can be left blank if the emissions unit does not emit a particular pollutant (e.g., lead for most operations). However, there must be at least one non-zero value for one of the required threshold pollutants. Calculations can be in the tenths of tons (i.e., up to two decimal places are acceptable)

This table also provides a free text field to briefly cite or describe the pollutant-specific applicable requirement(s) that apply to the emissions unit. This should be used as a check/basis for identifying the emissions as subject to state-federal requirements in the Title V permit in Part B. This field can also be used by the applicant to indicate that a "0.01" value is a placeholder to meet the QA check in the event that the emissions unit (e.g., a De minimis EU) does not, in fact not have a PTE for any of the threshold pollutants.

Attachments

Each non-permanently exempt or De Minimis IEU is required, as a result of a federal "Notice of Deficiency" back in 2002, to be identified with the appropriate Emission Activity Category form (or qualifying criteria document if the operation is a general permitted operation or permit by rule operation). Note that the QA checks do not result in an error if no EAC attachment is included.

The requirement to include an EAC form applies typically to IEUs that have a PTI or PTIO. However, there are some operations that are subject to applicable requirements that do not require a PTI or PTIO (e.g., a small use paint booth that uses less than 3 gal/day but is required to maintain records pursuant to OAC rule 3745-21-09), including emissions units subject to SIP/rule-based emissions limits that, for various reasons, are not subject to obtaining a PTI or PTIO. The requirement to submit EAC information is required for all emissions units subject to one or more

federally enforceable applicable requirements (limits established by rule and approved as part of the Ohio SIP are considered federally enforceable). This includes the vast majority of emissions units that are not subject to PTI or PTIO requirements but which are subject to federally approved rules through our SIP. There will be a very limited number of emissions units that are not required to have a PTI or PTIO but are subject to non-SIP approved State rules. These insignificant emissions units will not be required to have an EAC attached as part of the Title V renewal application

No EAC form is required if the operation is De minimis pursuant to OAC rule 3745-15-05 or is specifically exempt pursuant to exemptions identified in OAC rule 3745-31-03 and is not subject to other generally applicable requirements.

Additional Guidance

1. Are all of the BAT requirements for significant activities (significant emissions units) identified in the application?

The regulatory basis for all BAT requirements for significant emissions units must be identified in the renewal application. These requirements need to be identified as part of establishing the applicable requirements.

2. Are all emissions units and applicable requirements accurately identified and addressed in the renewal application?

Many facilities change, remove, or add operations during the permit cycle. The renewal Title V application should reflect the "current" status of operations. Of particular importance is the addition of requirements for emissions units that were added to the initial permit as Off-Permit changes during the previous permit cycle. These emissions units must be identified and addressed in the renewal application for the renewal application to be deemed complete.

Developing the Renewal Permit

1. Are all of the emissions units contained in the renewal application accurately reflected in the Title V renewal permit document?

It is particularly important in STARS2 to make sure all emissions units are included in the permit record. This includes all insignificant emissions units. The status of the emissions unit is set at final issuance. Not including an emissions unit in the permit record can affect the status of the emissions unit if it is left out of the permit record. Note that Answer Place ID 1259 video addresses creating groups for insignificant emissions units so that they can be properly addressed in the Title V permit.

2. Have all requirements associated with off-permit changes been added to the permit and the statement of basis (SOB)?

The majority of off-permit changes are new operations that are installed during the permit cycle and are incorporated into the Title V permit as off-permit changes. The terms and conditions from the PTI must be incorporated into the renewal permit in all appropriate places as well as be added to the SOB.

3. Are all BAT requirements located on the State-Federal enforceable side of the permit?

All renewal permits must identify any applicable BAT requirements as State-Federal enforceable requirements. Many early permits include the BAT requirements on the State-only side of the

permit in the old format. In such cases, the BAT terms must reflect that they are State-Federal enforceable requirements at renewal.

4. Are all state and federally enforceable requirements properly identified?

Existing permitted emissions units may become subject to new applicable requirements during the course of the permit. Although this may result in a required reopening of the permit, in some cases these requirements are added upon renewal. The Title V permit must incorporate all applicable requirements at the time of renewal.

5. Is the monitoring, recordkeeping and reporting sufficient for each applicable requirement?

What constitutes "adequate" monitoring, recordkeeping and reporting has changed as permitting authorities and USEPA have gained experience in writing/reviewing Title V permits. Additionally, federal court decisions and the results of Title V permit appeals have affected what constitutes "adequate" monitoring, recordkeeping and reporting. Finally, the applicant is required to identify all applicable requirements and submit how they will comply with those requirements as part of the Title V application (by citing NSR or rule-based requirements that apply to the operation, or by proposing an alternative if they choose). In some cases, the applicant may submit a compliance strategy that differs from what Ohio EPA identifies in Engineering Guide 65 or what is contained in the STARS terms and conditions library. It is important to review and consider what the applicant presents in their application to determine if it is as stringent as the equivalent compliance strategy identified through the STARS terms and conditions library. If this is the case, the approach identified by the applicant should be the approach incorporated into the Title V permit (although it may need to be tweaked through working with the applicant). If the proposed approach is not adequate, you should work with the applicant using the STARS terms and conditions library as your benchmark. Additional training and guidance will be provided concerning this issue. However, your first resource should be your permit review supervisor and the STARS Terms and Conditions library. Note that a 2008 federal District Court decision has upheld that permitting authorities have the authority to gap-fill if underlying monitoring is not sufficient to assure compliance with the associated applicable requirement(s). See

http://www.epa.state.oh.us/dapc/title_v/titlev.html/MonitoringDecision2008.pdf

6. Is the list of insignificant emissions units properly identified in the permit? Is the permit number (if a PTI or PTIO has been issued) included next to the emissions unit number for each insignificant activity listed?

DAPC anticipates fulfilling a commitment to identify each insignificant emissions unit subject to one or more applicable requirements along with the permit number in order to address public and USEPA concerns regarding the ability to track applicable requirements associated with insignificant activities. In addition, with the advent of Air Services, applicants are required to briefly identify what applicable requirements apply to the subject IEUs. The permit evolution of IEUs will be available to the public so that they can identify the "current" permit and review the requirements established in that permit.

7. Is the facility subject to 112(r) risk management plan requirements? Has the 112(r) permit term been added to Part B of the permit?

Central Office permit review staff must continue to identify Title V facilities that are required to file a 112(r) risk management plan. See the October 16, 2001 e-mail guidance from Tom Rigo and any subsequent additions to that guidance. Please use the referenced guidance to supplement Part B of the permit or make it clear to the Central Office contact when a facility is subject to 112(r) requirements so that the permit language can be properly reflected in Part B of the permit.

8. Is the facility subject to 40 CFR Part 72 Acid Rain requirements?

Central Office permit review staff must continue to identify Title V facilities that are subject to 40 CFR Part 72 (acid rain requirements). For those facilities, the provided term and condition must be placed in the State-Federal side of Part II of the permit. See the October 16, 2001 e-mail guidance from Tom Rigo. Please use the referenced guidance to supplement Part B of the permit or make it clear to the Central Office contact when a facility is subject to Acid Rain requirements so that the permit language can be properly reflected in Part B of the permit.

9. Is there a Statement of Basis (SOB)? If so, has it been updated to reflect the current-approved SOB form and any changes to the permit since prior issuance of the permit?

Early Title V permits were not accompanied by an SOB. STARS2 requires a SOB in order to move the permit workflow through each issuance stage. In addition, OEPA committed to creating an SOB upon renewal or updating the SOB for permits that were originally accompanied by an SOB. The structure of the SOB must be updated to reflect the most recent approved version of the form as provided in the "Document Generation" tool in STARS2. Note that you may be able to copy and paste from the current version of the form into the "current" version of the completed SOB for your permit.

10. Is there a citation for the origin of authority for each Part B and Part C term or condition?

The origin of authority must be provided with the specific state-federal enforceable terms and conditions that permit writers have created in Parts B and C of the Title V permit.

11. Is superseding language included in the baseline document (i.e., existing Title V permit) for any emissions unit? If so it must be revised.

Early Title V permits had "superseding" language to revise the monitoring, recordkeeping, or reporting established in older PTI's. This language must be revised in all renewal documents with the "streamlining" term that was worked out with U.S. EPA. Please note that any change in monitoring, recordkeeping, and reporting requirements needs to be equivalent or more stringent than requirements established in the PTI. If this is not the case, then the PTI will need to be modified and you will not be able to "streamline" the different monitoring, recordkeeping, and reporting requirements in the renewed permit. U.S. EPA will no longer accept the "superseding" term used in the earlier permits.

12. Are any of the emissions units subject to 40 CFR Part 64 Compliance Assurance Monitoring (CAM) requirements?

CAM monitoring, record keeping and reporting requirements must to be established in Title V permit for affected emissions units. Incorporation of CAM requirements is an evolving issue. Please see the final renewal document for the Akron Thermal Energy Corporation (facility ID 1677010757) as an early example of incorporating CAM in renewal permits. Also, please check the DAPC web page for the latest CAM/permit interface guidance

(http://www.epa.state.oh.us/dapc/title_v/titlev.html).

13. Have you reviewed/completed all of the questions/topics above as you review the renewal application? Have you sent a letter indicating the completeness or deficiencies identified in the renewal application?

The renewal application should be treated the same as a new application and should be reviewed for all of the elements that are reviewed for an initial application in addition to the items identified above. A letter indicating the completeness or enumerating the deficiencies in the renewal application must be sent to the permittee upon completion of your review. Remember,

supplements to Title V applications are tailored to the requested information (i.e., a supplement may only include one or a few emissions units that were subject to the request for additional information). Please make sure you associated the revised application record with the permit record in STARS2 so that the supplemental application will be identified in the final issued permit.

14. Have you associated multiple applications/supplemental updates to the permit workflow?

In STARS2, the applicant can submit multiple supplemental uploads to an “original” application. They can do this by different means, but the result can and usually will be that the supplemental submissions will be specific to one or a few emissions units. All applications associated with the resulting permit actions need to be associated with the permit workflow and permit record. The application numbers will be identified on the Authorization page of the permit so that it will be easy to identify the associated application information for any given permit action.