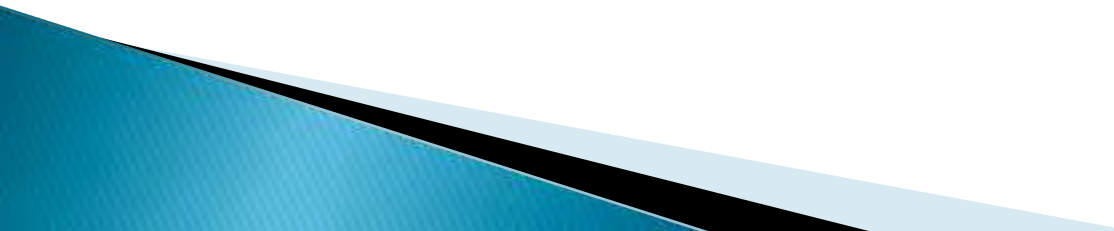


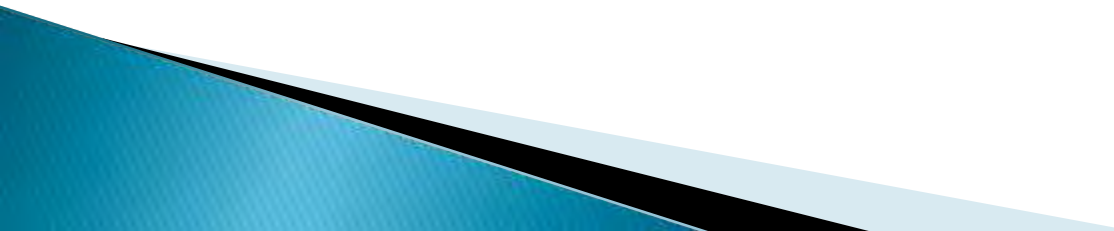
Air Permitting Strategies

Presented by
Cindy C. Thompson

Permitting Process

- ▶ Action that needs an air permit/ authorization
 - ▶ Determine the quickest way to get approval from Air Quality Division
 - ▶ Prepare a permitting request that facilitates agency review
- 

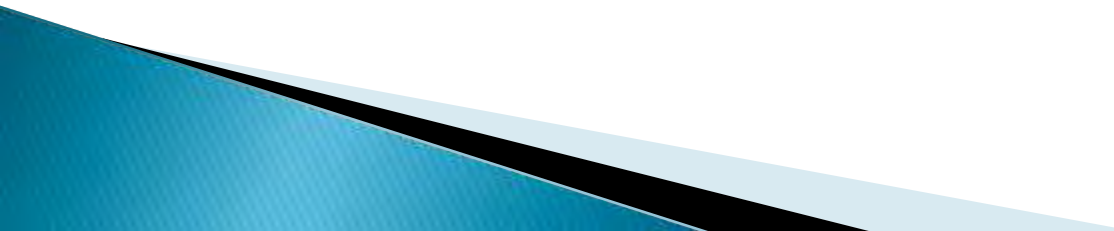
Permitting Actions Overview

- ▶ Miscellaneous permitting actions (10)
 - ▶ Case-by-Case Insignificant Activity
 - ▶ State/Minor Permits (4)
 - ▶ Regulatory Permits (6)
 - ▶ General Permits (3)
 - ▶ Major Permits (5)
- 

Permit Strategy

Select the simplest, quickest, and least expensive permit mechanism to authorize proposed project.

Miscellaneous

- ▶ Exemption
 - ▶ Exemption To Test
 - ▶ Variance
 - ▶ Letter of Response/Letter of No Objection
 - ▶ Administrative Amendment
 - ▶ Permit Rescission
 - ▶ Application Withdrawal
 - ▶ Change of Tank Service
 - ▶ Relocation of Portable Facility
 - ▶ Authorization to Construct and Operate
- 

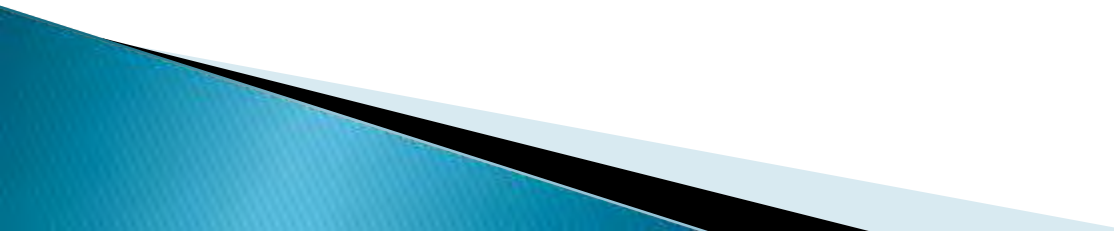
Miscellaneous Permit Action

EXEMPTION – LAC 33:III.501.B.4

- ▶ Non Major Sources
 - < 5 TPY Regulated Pollutant
 - < MER for all Toxic Air Pollutants
 - No Enforceable Conditions
- ▶ Tanks, Process Vents, Loading

Miscellaneous Permit Action

EXEMPTION TO TEST – LAC 33:III.523.B

- ▶ Temporary exemption (< 3 months)
 - ▶ Perform tests to determine effect of proposed modification
 - ▶ Modification may be operational or physical
 - ▶ New fuel mix, new batch formulation
- 

Miscellaneous Permit Action

VARIANCE – LAC 33:III.917

- ▶ Waiver for emissions greater than allowed by regulation or permit
- ▶ 1 year maximum
- ▶ Temporary Events
- ▶ Justification is key

LDEQ's least favorite

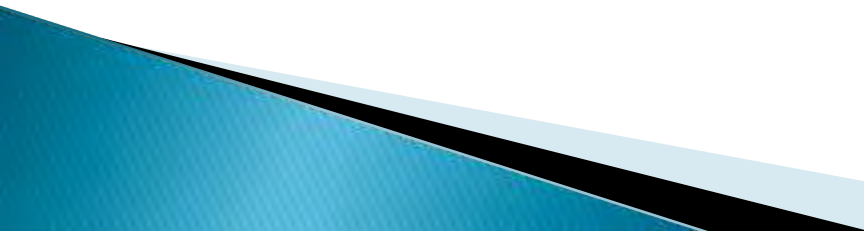
Miscellaneous Permit Action

VARIANCE – LAC 33:III.917

- ▶ Tank cleaning
- ▶ Stack testing delay
- ▶ Temporary emissions due to malfunction or control equipment
- ▶ Cannot be used for a permanent change to permit

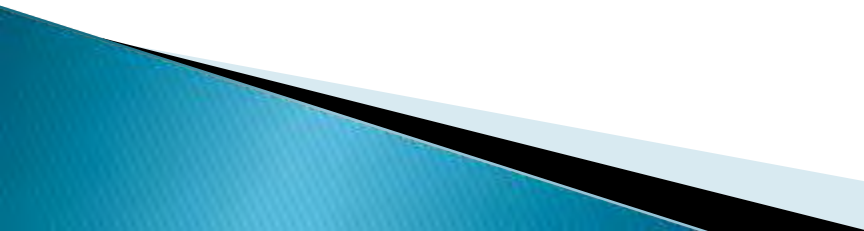
Miscellaneous Permit Action

LETTER OF RESPONSE/LETTER OF NO OBJECTION

- ▶ LDEQ clarification that action does not require a permit modification
 - ▶ Document that LDEQ approves of an action
 - ▶ Approve physical change or change in method of operation
 - ▶ Remove outdated specific requirements
- 

Miscellaneous Permit Action

ADMINISTRATIVE AMENDMENT – LAC 33:III.521

- ▶ Permit typos
 - ▶ Identifying information
 - ▶ Change of Ownership
 - ▶ Identify Terms and Conditions of MACT that has undergone public notice
 - ▶ Incorporate stack test results
 - ▶ State-only changes
- 

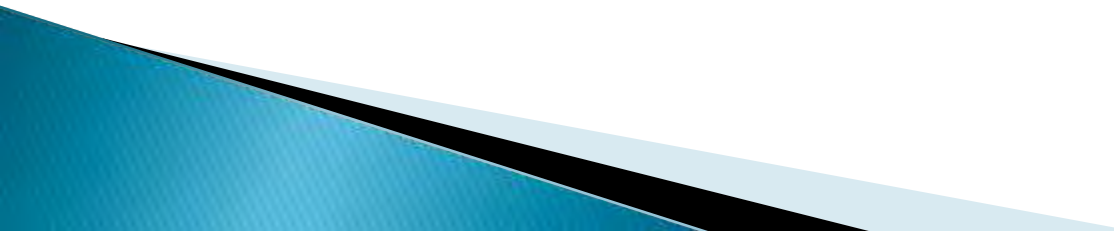
Miscellaneous Permit Action

PERMIT RECISION

- ▶ Terminate air permit
 - All emission sources have ceased operation
 - Facility never built
- ▶ Include specific date to stop Annual Maintenance Fees, Emission Inventory Requirement
- ▶ Do not use if facility sold to another company and continues to operate

Miscellaneous Permit Action

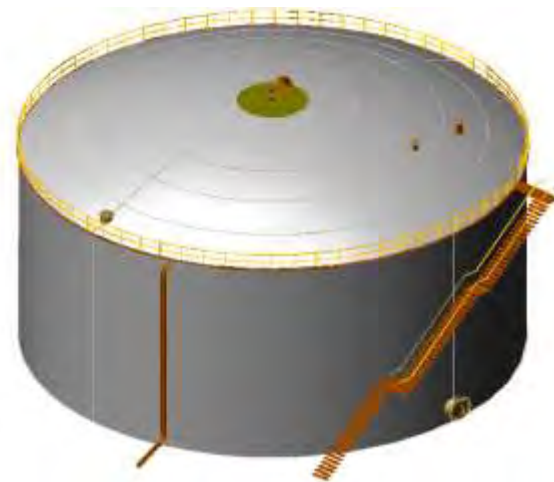
APPLICATION WITHDRAWAL

- ▶ Applicant decides not to proceed with activity
 - ▶ No refund of application fee if review is essentially complete
 - ▶ Refund up to 50% is possible
- 

Miscellaneous Permit Action

CHANGE OF TANK SERVICE

- ▶ Must not violate emission CAP limits
- ▶ Must not cause facility to become Major Source
- ▶ Only required if permit currently does not address service change



Miscellaneous Permit Action

AUTHORIZATION TO CONSTRUCT AND OPERATE

- ▶ Positive human health or environmental benefit
- ▶ Overall emission reduction and small emission increase (flare)
- ▶ No Federal regulation precludes activity
- ▶ May be State Only change
 - *Permit revision within 180 days after startup*



Case-by-Case Insignificant Activities Notification

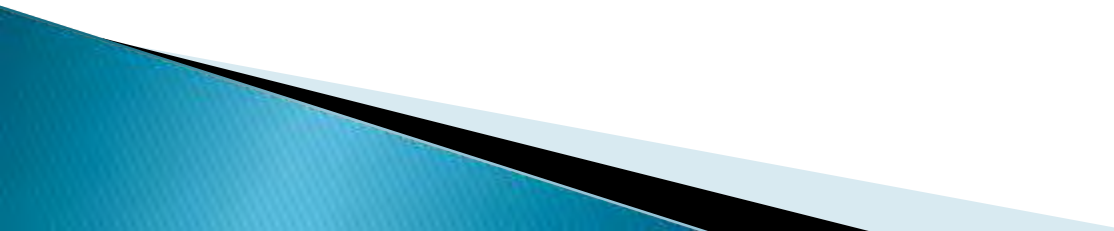
- ▶ PTE < 5 TPY of any regulated pollutant
- ▶ PTE < minimum emission rate listed in Table 51.1 , LAC 33:III Chapter 51
- ▶ Emission unit emits and has the PTE < de minimis rate established pursuant to section 112 (g) of the CAA for each HAP
- ▶ No enforceable permit conditions needed to ensure compliance

Case-by-Case Insignificant Activities Notification

- ▶ Facility already has a permit
- ▶ Add GC17 activity
- ▶ Use of emergency flare for unscheduled maintenance
- ▶ Storage tanks
- ▶ ***Attach to current permit and include in next permit application***



Permit Types

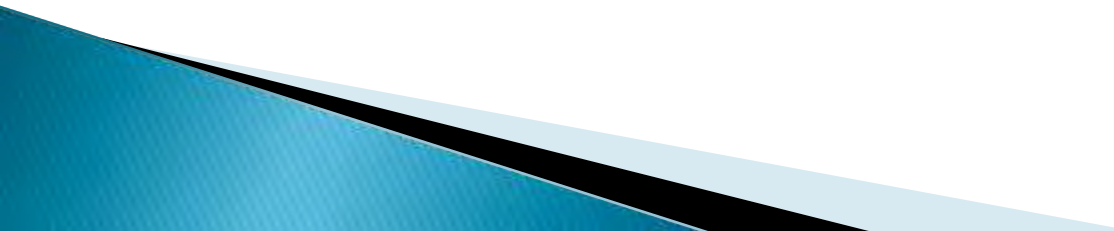
- ▶ Minor Source/State Permit
 - ▶ Standard Oil and Gas Air (SOGA) Permit
 - ▶ Synthetic Minor Source Permit
 - ▶ Minor Source General Permits
 - ▶ Regulatory Permits
 - ▶ Part 70 Regular Operating Permit
 - ▶ Part 70 General Operating Permit
- 

Major/Complex Permit Types

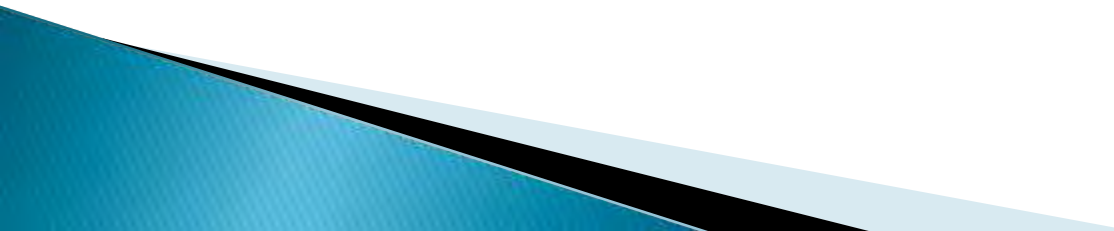
- ▶ Prevention of Significant Deterioration (PSD)
- ▶ Acid Rain (Title IV)
- ▶ Clean Air Interstate Rule (CAIR)
- ▶ Nonattainment New Source Review (NNSR)

*Not covered in presentation.
Consult with LDEQ.*

Minor Source/State Permit

- ▶ Not an Exemption or a Part 70 permit
 - ▶ Not a major source
 - ▶ Modification only require EIQ, calculations and Section 19 to reflect new or modified sources
 - ▶ LDEQ may require full application
 - ▶ Usually no Public Participation required
- 

Standard Oil and Gas Air Permit

- ▶ SIC Code 1311
 - ▶ Minor Source Oil and Gas Facilities
 - ▶ Initial SOGA Permits no longer issued
 - ▶ Minor modifications still allowed
 - ▶ LDEQ going through a process to convert SOGAs to MSOGs
- 

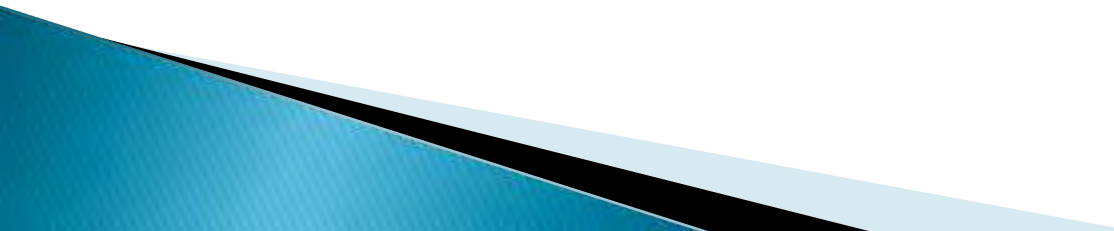
Minor Source General Permits

- ▶ Surface Coating and Fabrication (MSCF)
- ▶ Crude Oil and Natural Gas Production (MSOG)
 - SIC Codes 1311 and 1389
- ▶ Advantages – some modifications may begin without prior LDEQ approval (i.e. replacement in kind)
- ▶ No public review

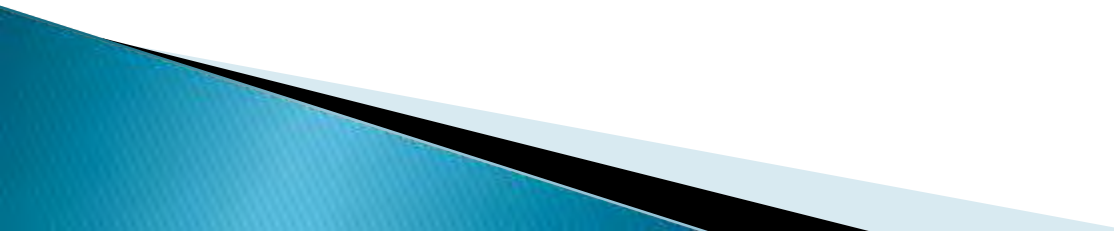
Applicability Questionnaire Required



Synthetic Minor Source Permit

- ▶ State Permit
 - ▶ Federally enforceable operating limit to avoid major source status
 - ▶ Additional monitoring, recordkeeping and reporting requirements
 - ▶ Bulk petroleum terminals – limit throughput
 - ▶ Compressor station – limit hours of operation
- 

Part 70 General Operating Permits

- ▶ Covers similar source (i.e. storage tanks)
 - ▶ Public review complete with Initial Permit issuance
 - ▶ Not limited to a specific industry category
- 

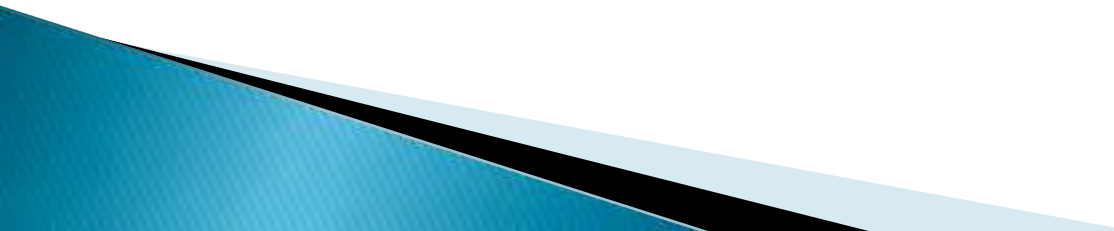
Regulatory Permits

- ▶ Oil and Gas Well Testing
- ▶ Release of Natural Gas from Pipelines and Associated Equipment
- ▶ Emergency Engines
- ▶ Portable Air Curtain Incinerator
- ▶ Concrete Manufacturing Facilities
- ▶ Rock, Concrete, and Asphalt Crushing Facilities

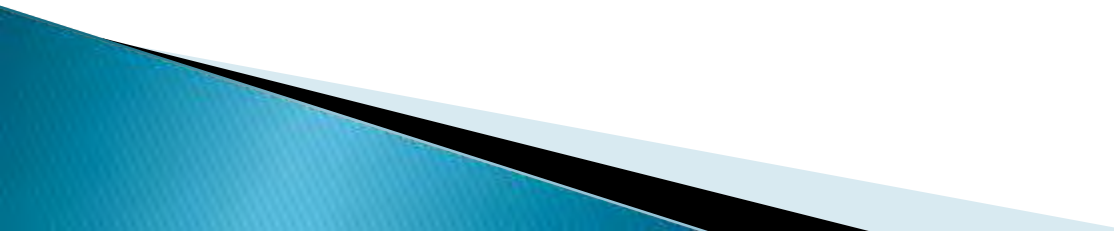
Regulatory Permit Advantages

- ▶ Advantages
 - No Public Participation
 - All terms and conditions clearly stated in permit
- ▶ Cannot be modified
- ▶ Codified in regulations

Expedite the Permit Request

- ▶ Request for Expedited Permit Processing form
 - ▶ Quick turnaround
 - ▶ Deadline must be realistic
 - ▶ Additional fee
- 

NOW WHAT??????

- ▶ You have selected the best permitting mechanism for your project
 - ▶ Ensure that permit request is reviewed and issued in a timely manner
- 

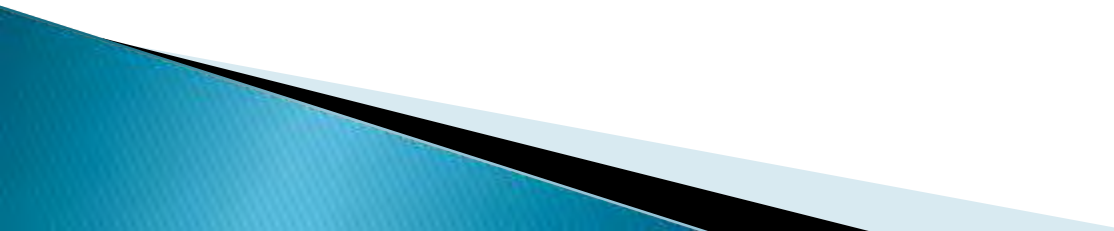
Application Preparation

- ▶ Use current air permit application forms
- ▶ Read instructions
- ▶ Don't ASSUME that current information is correct
- ▶ Base permit request on most current air permit

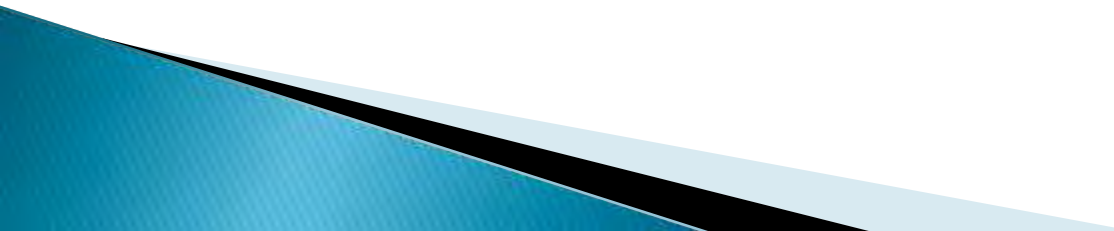
Application Preparation

- ▶ Update emission calculations basis as needed
- ▶ Address any new regulations since previous permit was issued (i.e. GACTs)
- ▶ Complete and accurate
- ▶ Address PM10/PM2.5 and Greenhouse Gases

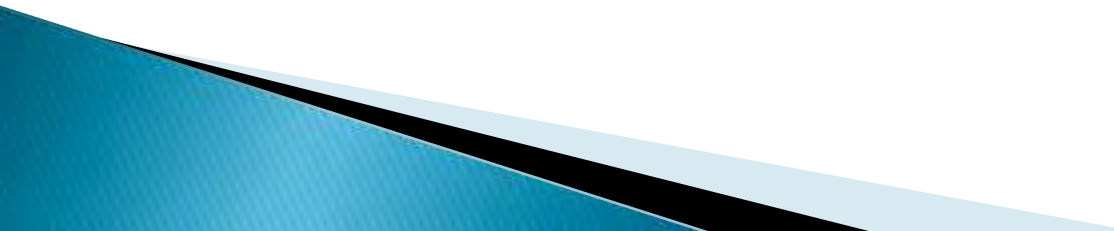
Agency Communications

- ▶ Permit writer may contact permit preparer with questions during review process
 - ▶ Be responsive
 - ▶ Follow-up with written documentation
 - ▶ Thoroughly review draft permit
- 

RESULTS???

- ▶ Get an accurate permit/authorization in a timely manner
 - ▶ Develop good relationship with permit writer– like money in the bank
 - ▶ Happy Clients and Bosses –project proceeds as scheduled
- 

Summary

- ▶ Spend time up front to select the best permitting mechanism for the project
 - ▶ Expedite as needed
 - ▶ Prepare complete and accurate submittal
 - ▶ Respond quickly and thoroughly to questions throughout review process
 - ▶ Results in a successful permitting project
- 

Questions?

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