

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.200 - MINOR SOURCE PERMIT REQUIREMENTS

TABLE OF CONTENTS

SECTION A - GENERAL.....	2
1. APPLICABILITY	2
SECTION B - DEFINITIONS	3
SECTION C - PERMIT APPLICATION.....	5
1. DUTY TO APPLY FOR A MINOR SOURCE PERMIT.....	5
2. COMPLETE APPLICATION	5
3. PERMIT APPLICATION SHIELD	5
4. DUTY TO SUPPLEMENT OR CORRECT APPLICATION	6
5. APPLICATION CONTENTS	6
SECTION D - PERMIT CONTENT.....	8
1. TERMS AND CONDITIONS.....	8
2. ACKNOWLEDGMENT OF RESPONSIBILITY FOR COMPLIANCE	10
SECTION E - PERMIT APPLICATION PROCESSING PROCEDURES.....	11
1. ACTION AND APPLICATION.....	11
2. PERMIT PROCESSING DEADLINES.....	11
3. PUBLIC PARTICIPATION	11
4. PERMIT TRANSFERS	13
SECTION F - REVISIONS TO AN EXISTING MINOR SOURCE PERMIT.....	14
1. SIGNIFICANT PERMIT REVISION	14
2. MINOR PERMIT REVISION.....	14
3. ADMINISTRATIVE AMENDMENT.....	15
4. CHANGES THAT CAN BE MADE WITH NOTICE	15
5. REOPENING FOR CAUSE.....	16
6. MAJOR MODIFICATIONS.....	16
SECTION G - PERMITS CONTAINING VOLUNTARILY ACCEPTED EMISSION LIMITATIONS	17
1. APPLICABILITY	17
2. COMPLIANCE REQUIREMENTS	17
3. PUBLIC PARTICIPATION	17
4. SOURCE CATEGORIES.....	17

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.200 - MINOR SOURCE PERMIT REQUIREMENTS

SECTION A - GENERAL

1. APPLICABILITY. PART 030.200 is applicable to any stationary source located in Washoe County that has the potential to emit (PTE) a Regulated Minor Source Pollutant equal to or greater than the Minor Source Permit Thresholds listed in the table below, but less than the major source thresholds listed in PARTS 030.300, 030.400, 030.500, and/or 030.510. PART 030.200 is also applicable to any source that takes a voluntarily accepted emission limitation to avoid obtaining a PART 70 operating permit.

REGULATED MINOR SOURCE POLLUTANT	MINOR SOURCE THRESHOLD PERMIT POTENTIAL TO EMIT (PTE), TPY
PM10	5
PM2.5	5
CO	5
VOC	5
NOx	5
SO2	5
Lead (Pb)	0.3
H2S	5
TOTAL REDUCED SULFUR (INCLUDING H2S)	5

SECTION B - DEFINITIONS

Unless the context otherwise requires, the terms used in PART 030.200 shall have the meaning given in this part; PARTS 030.000 through 030.510; Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

EXEMPT STATIONARY SOURCE means any stationary source with a potential to emit lower than the Minor Source Permit Thresholds listed in paragraph 030.200.A.1.

EXISTING MINOR SOURCE means any minor source that has been issued a minor source permit under PART 030.200 and is not a new minor source.

LIKE-KIND the replacement of existing components (emissions units, control equipment, etc.) with similar, equivalent, or comparable, new components (e.g. components that have the same throughput capacity, control efficiency or, utilization factor as the old component) and neither increases the potential to emit of the emissions unit nor triggers a new applicable requirement.

MINOR SOURCE or MINOR STATIONARY SOURCE means any source that is not a major stationary source for a particular pollutant. A major stationary source can emit more than one pollutant, so may be classified as major because of the level of emissions of one or more pollutants, but may also emit some regulated pollutants at minor source levels. A minor source may be either a natural minor source or a synthetic minor source (see definition—a synthetic minor source needs enforceable limitations to qualify as a minor source).

MINOR SOURCE PERMIT means a permit that authorizes the construction (Permit to Construct, PTC) or operation (Permit to Operate, PTO) of a minor source.

MINOR PERMIT REVISION means a permit revision that is not a SIGNIFICANT PERMIT REVISION.

MODIFICATION or MODIFY means a physical change in, or a change in the method of operation, of a minor source that increases the source's PTE of any pollutant identified in paragraph 030.200.A.1.

NEW MINOR SOURCE means any minor source for which no minor source permit has been issued or whose minor source permit has expired without an application for renewal having been submitted in a timely manner.

SIGNIFICANT means, for a minor new source, a source with a facility-wide PTE that exceeds thresholds specified in the table below. Means, for a modified source, an increase in the PTE of any of the following pollutants at a rate that would equal or exceed any of the following:

REGULATED MINOR SOURCE POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

SIGNIFICANT PERMIT REVISION means a permit revision allowing any of the revisions listed in SECTION 030.200.F.1.

VOLUNTARILY ACCEPTED EMISSION LIMITATION means those permit emission limitations or other standards proposed by a source to avoid being subject to New Source Review, having to obtain a PART 70 Operating Permit, becoming a major source of Hazardous Air Pollutants, Best System of Control (BSC), or other applicable requirements.

SECTION C - PERMIT APPLICATION

1. DUTY TO APPLY FOR A MINOR SOURCE PERMIT

- a. Except as provided in SECTION 030.200.F, no person shall commence construction of or make a modification to a minor source except in compliance with a minor source PTC that authorizes such construction or modification.
- b. Except as provided in SECTION 030.200.F, no person shall operate a minor source except in compliance with a minor source PTC or PTO that authorizes such operation.
- c. For the renewal of an existing minor source permit, a timely application shall be submitted to the Control Officer. An application for renewal shall be considered timely if it is deemed complete and submitted at least one hundred eighty (180) calendar days, but no more than two hundred seventy (270) calendar days, before the date of permit expiration.
- d. If the submittal of an application for renewal of an existing minor source permit is not timely, there is no permit application shield as provided in paragraph 030.200.C.3, and the source loses its authority to operate upon permit expiration until the renewal permit is issued.
- e. If the source fails to submit an application for renewal of an existing minor source PTO prior to permit expiration, the source loses its authority to operate upon permit expiration, the source will be treated as a new minor source, and the application will be subject to all of the requirements of paragraph 030.200.C.5.

2. COMPLETE APPLICATION

- a. To be deemed complete, an application must contain all information required under paragraph 030.200.C.5 and must be accompanied by payment of the applicable fee(s).
- b. Unless the Control Officer determines that an application is not administratively complete within thirty (30) calendar days of receipt, any application for a new, renewal, minor modification, or significant revision permit shall be deemed complete.
- c. During the technical review, the Control Officer may discover that information needed to complete the processing of the application is missing. Written correspondence will be provided to the permittee with specific details of what additional information is required. Upon notification of missing information, the timeline for application processing will cease until the necessary information is provided. The discovery of missing information may occur more than once during the processing of an application.
- d. At any time that additional information is requested, the number of days between and including the date that the request for information is sent and the date that the information received is considered sufficient, are not counted in determining the deadline for issuing or denying the permit. If, for example, a request for missing information is sent on day forty (40) of a one hundred eighty (180) day processing period (which would end on April 1) and the information is provided and determined sufficient on day sixty-one (61), then twenty-one (21) days (Day 61 – Day 40) are added to the original one hundred eighty (180) day date of April 1, making the new one hundred eighty (180) day ending date April 22.
- e. Failure to provide the additional information required by the Control Officer by the deadline in the written correspondence could result in denial of the application.

3. **PERMIT APPLICATION SHIELD.** If an existing minor source submits a timely and complete application for renewal of a minor source PTO, the source's continued operation after permit expiration and before issuance of the renewed permit is not a violation. The application shield shall cease to apply if, after a

completeness determination, the applicant fails to submit any additional information identified as needed to process the application by a deadline the Control Officer has specified in writing or the renewed permit is denied for any other reason.

4. DUTY TO SUPPLEMENT OR CORRECT APPLICATION. Any applicant who fails to submit any relevant facts or submits incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submission, submit such supplementary facts or corrected information promptly. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date the applicant files a complete application, but before issuance of the permit.
5. APPLICATION CONTENTS. An application for a minor source permit shall contain all the information necessary to be deemed a complete application. An application for a new minor source permit, renewal of an existing minor source permit, and any revision to a minor source permit shall include, as needed, the following information:
 - a. The company name and address (and the source name and address, if different).
 - b. The owner's and Responsible Official's name, email address, telephone number and the name(s) of plant site manager/contact with associated email addresses and telephone numbers.
 - c. A declaration signed by the Responsible Official under penalty of perjury stating that, the statements and information in the application are true, accurate, and complete. Signature of the declaration statement shall subject the Responsible Official to liability for perjury under NRS 199.145.
 - d. Identifying information that includes, but is not limited to:
 - (1) A description of the source's processes and products using the North American Industrial Classification System (NAICS).
 - (2) The following emissions-related information:
 - (a) The PTE of all regulated minor source air pollutants emitted from each emissions unit and activity, including fugitive emissions.
 - (b) Identification and description, including but not limited to manufacturer, model, rating and serial number, of each emissions unit in sufficient detail to establish the applicable requirements.
 - (c) The following information, to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, material usage rates, production rates, and operating schedules.
 - (d) Identification and description of air pollution control equipment and compliance monitoring devices or activities, including design specifications.
 - (e) Any limitations on source operation affecting emissions or on any work practice standards affecting emissions.
 - (f) Other information required by any applicable requirement or to determine applicability of an applicable requirement.
 - (g) A justification for any exemption sought from any otherwise applicable requirement.
 - (h) The calculations on which the information in paragraphs 030.200.C.5.(d)(2)(a) through (g) is based.
 - e. For a new or modified source, a schedule of construction, if applicable.
 - f. A list of emission limitations and other requirements applicable to the source.
 - g. A list of emissions units or activities claimed as exempt and/or insignificant under SECTION

030.020.B

- h. The following information may be required where the application proposes the following:
- (1) A new minor source that will have a PTE that is significant for any regulated minor source air pollutant shall include a demonstration of BSC for the affected pollutant and shall include the methodology by which BSC was determined and how compliance with BSC will be demonstrated, including material usage limits, performance testing, or continuous emissions monitoring, if applicable.
 - (2) A modification to an existing minor source that requires a *significant* permit revision pursuant to paragraph 030.200.F.1.e shall contain the following:
 - (a) A description and quantification of the increase in the PTE resulting from the modification.
 - (b) A proposed BSC for each affected pollutant, the methodology by which BSC was determined and how compliance with BSC is to be demonstrated, including material usage limits, performance testing, or continuous emissions monitoring, if applicable.
- i. A new minor source or revision to a minor source proposing a voluntarily accepted emission limitation shall include enough detail to demonstrate that the voluntarily accepted emission limitation is enforceable as a practical matter, and such detail shall include, at minimum, how the limitation affects each emissions unit and each air pollutant from that emissions unit.
- j. A *significant* permit revision or a renewal for a source that is not in compliance at the time the application is submitted, shall include a compliance plan to address the non-compliant issue(s). The plan shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any requirements that the source is not in compliance at the time of permit issuance. Any such plan shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.
- k. An application for a minor permit revision for a minor source shall contain the information necessary to demonstrate that the change qualifies as a minor permit revision pursuant to paragraph 030.200.F.2.
- l. Such other information or documentation requested by the Control Officer as necessary to determine compliance with all applicable requirements and standards.

SECTION D - PERMIT CONTENT

1. TERMS AND CONDITIONS. A minor source permit issued by the Control Officer shall include terms and conditions that contain all of the following, as applicable:
 - a. Identification of all applicable requirements.
 - b. A physical description of each emissions unit(s) and operating information consistent with the application information.
 - c. Emission limitations for any source of emissions or emissions unit that ensure all of the following:
 - (1) The National Ambient Air Quality Standards (NAAQS) will be attained or maintained.
 - (2) Compliance with the applicable requirements of these regulations and the Act.
 - d. Monitoring, testing, reporting, and recordkeeping requirements that ensure adequate information is provided to evaluate compliance with the permit terms and conditions including, at a minimum, all of the following:
 - (1) Applicable and appropriate monitoring and testing requirements, such as:
 - (a) Emissions monitoring and analysis procedures or test methods.
 - (b) Where an applicable regulation does not require periodic testing or monitoring (which may consist of record-keeping designed to serve as monitoring), periodic monitoring specifications sufficient to yield reliable data from the relevant time period(s) that are representative of the source's compliance with the permit. Such monitoring requirements may ensure that terms, test methods, units, averaging periods, and other statistical conventions are consistent with the applicable regulation.
 - (c) As necessary, requirements concerning the use, maintenance and, where appropriate, installation of monitoring equipment or methods.
 - (d) The Control Officer may require monitoring or testing to assure compliance with all applicable requirements. Any monitoring or testing shall be performed in accordance with paragraph 030.200.D.d.(2), any applicable requirement, or other methods approved by the Control Officer.
 - (2) With respect to recordkeeping, the permit may incorporate all applicable recordkeeping requirements, including the following:
 - (a) Records of required monitoring information that includes:
 - i. The date, place, as listed in the permit, and time of sampling or measurements.
 - ii. The date(s) analyses were performed.
 - iii. The person and/or company, if a third party, that performed the monitoring, sampling, measurements or analyses.
 - iv. The analytical techniques or methods used.
 - v. The results of such analyses.
 - vi. The operating conditions at the time of sampling or measurement.
 - vii. Calibration and maintenance of instrumentation and equipment.
 - viii. Raw data relating to calculation of emissions.

- (b) Retention of all records required to be kept under the conditions of the permit for a period of at least five (5) years from the creation of the record.
- (3) With respect to reporting, the permit shall incorporate all applicable reporting requirements.
- e. A requirement that any requested revision of an emission limitation, monitoring, testing, reporting, or recordkeeping requirement be made consistent with the permit revision requirements in SECTION 030.200.F.
- f. Emission and operational limitations and standards necessary to ensure:
 - (1) Compliance with any BSC determination, if one has been required.
 - (2) The source does not require a major source PTC or PART 70 Operating Permit.
 - (3) Compliance with all applicable requirements at the time of permit issuance.
 - (4) That any ambient air increment as prescribed by PART 030.400 is not exceeded.
 - (5) Compliance with a voluntarily accepted emission limitation.
- g. The permit shall specify and reference the origin of and authority for each term or condition.
- h. A permit term not to exceed five (5) years from the date of issuance.
- i. A severability clause to ensure the continued validity of permit requirements in the event of a challenge to any portion of the permit.
- j. A list of insignificant activities pursuant to SECTION 030.020.B
- k. A provision to ensure the source pays fees to the Control Officer consistent with the approved fee schedule.
- l. Terms and conditions that allow for changes by the source among reasonably anticipated operating scenarios identified in its application, as approved by the Control Officer. Such terms and conditions shall require the source:
 - (1) To record in a log at the permitted facility, while making a change from one operating scenario to another, the scenario under which the facility is operating.
 - (2) For each such alternative operating scenario, to comply with all applicable requirements and the requirements of PART 030.200.
- m. Any compliance plan required to be included in the application under paragraph 030.200.C.5.j.
- n. A condition stating that if the new or modified source cannot be constructed as authorized by the permit, the permittee shall provide a written notice to the Control Officer of any proposed revisions and obtain a revised permit prior to commencing construction. A source may be subject to enforcement action as a result of differences between the permitted and constructed source.
- o. A condition stating that the permit may be revised, revoked, reopened and reissued, or terminated for cause by the Control Officer. The filing of a request by the permittee for a permit revision, termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- p. A condition that specifies the permittee must comply with all conditions of the permit and that any permit noncompliance constitutes a violation of the regulations and is grounds for enforcement action; for permit termination, or revocation; or for denial of a permit renewal application.
- q. Inspection and entry requirements which require that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Control Officer or an authorized representative to enter the permittee's premises where a source is located or emissions related

activity is conducted and to:

- (1) Have access to and copy any records that must be kept under the conditions of the permit.
 - (2) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - (3) Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
 - (4) Document alleged violations using devices such as cameras or video equipment.
- r. A statement that issuance of the permit does not convey any property rights of any sort, or any exclusive privilege.
- s. A requirement that the permittee must furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Control Officer along with a claim of confidentiality pursuant to SECTION 020.000.D and NRS 445B.570.
- t. A requirement that any person who has been issued a permit pursuant to this section shall post such permit in compliance with the requirements of paragraph 030.020.A.(15).
- u. A requirement that the permit will not waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the Washoe County portion of the Nevada State Implementation Plan (SIP), or that are otherwise federally enforceable.
- v. A requirement that the permit shall not affect the responsibilities of the permittee to comply with the applicable portions of a control strategy in the SIP.
- w. A requirement that the permittee shall furnish the Control Officer written notification of:
- (1) The date that construction or reconstruction is commenced, postmarked no later than thirty (30) calendar days after such date.
 - (2) The anticipated date of initial start-up, postmarked not more than sixty (60) calendar days and not less than thirty (30) calendar days before such date.
 - (3) The actual date of initial start-up, postmarked within fifteen (15) calendar days after such date.
- x. The Control Officer may impose additional conditions necessary to ensure compliance with any applicable requirement.
2. **ACKNOWLEDGMENT OF RESPONSIBILITY FOR COMPLIANCE.** The permit shall contain a statement that the permittee's commencement of operation constitutes an acknowledgment that the permittee assumes the responsibility of ensuring that the source's emissions units and emission control equipment have been constructed and will be operated in compliance with all applicable requirements.

SECTION E - PERMIT APPLICATION PROCESSING PROCEDURES

1. ACTION AND APPLICATION

- a. A minor source permit to construct, permit to operate, and/or permit renewal may be issued only after the Control Officer has:
 - (1) Received the correct and complete application as prescribed by paragraph 030.200.C.2.
 - (2) Determined that the conditions of the permit provide for compliance with all applicable requirements.
 - (3) Determined that the source or emissions units will not interfere with attainment and maintenance of the NAAQS and has imposed emission limitations in accordance with paragraphs 030.200.D.1.c and D.1.f.
 - (4) Complied with the requirements for public participation under paragraph 030.200.E.3. as applicable.
 - (5) Determined that all required fees have been paid.
- b. Following the close of any public participation process prescribed by paragraph 030.200.E.3, the Control Officer shall make the determination to issue or deny the permit.
- c. The Control Officer shall deny a permit to construct, permit to operate, and/or permit renewal if the applicant fails to submit the correct application or to demonstrate that the source will be designed, controlled, and operated in a manner that meets all applicable requirements, or to demonstrate that the source will not interfere with attainment or maintenance of any NAAQS.
- d. If the Control Officer denies the permit to construct, permit to operate, and/or permit renewal, a notice of denial shall be served on the applicant by method providing evidence of receipt. The notice shall detail the grounds for denial and describe the applicant's right to appeal the denial under paragraph 020.000.C.2.a.
- e. If the Control Officer issues the permit or permit revision, the new or revised permit shall be provided to the applicant. The permit or revision becomes effective upon issuance unless stayed by the District Board of Health.

2. PERMIT PROCESSING DEADLINES. The Control Officer shall either issue or deny the permit within one hundred eighty (180) calendar days, commencing after the date on which the application is received. This issuance time frame is exclusive of the days when the Control Officer is awaiting the submittal of requested information, as specified in paragraph 030.200.C.2, and days required for public participation, as specified in paragraph 030.200.E.3.

3. PUBLIC PARTICIPATION. The Control Officer shall provide for public notice, comment, and an opportunity for a hearing in accordance with the following procedures:

a. Notice of Proposed Action.

- (1) After receipt of a complete application for any of the following proposed actions for minor source permits, a Notice of Proposed Action (NPA) shall be provided.

- (a) A new minor source with a potential to emit any pollutant that exceeds the following:

REGULATED MINOR SOURCE POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
Lead (Pb)	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), INCLUDING H ₂ S	5

- (b) A new minor source that will be located within one thousand (1,000) feet of the outer boundary of a school, hospital, or residential area.
- (c) A significant permit revision that is required because of a significant increase in an existing minor source's potential to emit.
- (d) A voluntarily accepted emissions limitation as provided in paragraph 030.200.G.4.

- (2) The Notice of Proposed Action on the application shall contain all of the following:

- (a) The name and address of the permittee or permit applicant and, if different, of the facility regulated by the permit.
- (b) The date the Control Officer received the complete application.
- (c) The location where documents relevant to the application, including the application, the proposed permit conditions, and determinations of BSC, if applicable, will be available.
- (d) The nature of the source involved in the permit action.
- (e) The pollutants to be emitted by the source and the projected quantities of those pollutants.
- (f) The name, address, and telephone number persons may contact for instructions on how to obtain additional information, such as a copy of the draft permit, technical support document, the application, relevant supporting materials, and other materials available to the Control Officer that are relevant to the permitting decision.
- (g) The location of the administrative record, the times at which the record will be open for public inspection, and a statement that all data submitted by the applicant (except confidential information, in accordance with NRS 445B.570 and SECTION 020.000.D) are available as part of the administrative record.
- (h) The Control Officer's preliminary determination whether the application for a permit should be approved or disapproved.
- (i) An opportunity for any person to submit written comments on the application for a permit and any relevant documents.
- (j) An opportunity for any person to request a public hearing, consistent with the requirements of paragraph 030.200.E.3.b below, at which oral and written comments on the application will be received, or notice of such a hearing if one has been scheduled.

- (3) The NPA and the draft permit shall be provided during the thirty (30) calendar day public comment period. All written comments must be received by the Control Officer before expiration of the public comment period.
 - (4) The Control Officer shall consider all written and oral comments, and all other documents on the administrative record, before taking final action on the permit.
 - (5) The Control Officer shall send a copy of the NPA to the applicant and to officials and agencies having jurisdiction over the location where the proposed construction would occur, including:
 - (a) The U.S. Environmental Protection Agency (EPA), if requested, except that the NPA shall be sent to EPA if the subject of the NPA is a voluntarily accepted emission limit pursuant to SECTION 030.200.G that an applicant requests to avoid having to obtain a PART 70 Operating Permit.
 - (b) Any other person who requests such notice.
- b. During the public comment period specified in SECTION 030.200.E.3.a.(3), any person may petition the Control Officer in writing for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, email address, and reason for requesting a hearing.
- (1) If a proper petition is filed and the Control Officer determines that there is a significant degree of public interest, the Control Officer shall hold a public hearing no sooner than thirty (30) calendar days, but no later than seventy (70) calendar days, after the date of the NPA. In determining if a significant degree of public interest exists, the Control Officer shall consider all relevant factors, including, but not limited to, the number of petitioners, the nature of their concerns as stated in their petitions, and the type and quantity of emissions emitted by the source and the proximity of the source to sensitive areas such as parks, schools, hospitals or residential areas.
 - (2) At least seven (7) calendar days prior to the public hearing, notice of the public hearing shall be given to the petitioner, to the applicant and to those listed in SECTION 030.200.E.3.a.(5) in the same manner as required for the NPA.
 - (3) If the petition for hearing is denied, the Control Officer shall notify the petitioner within thirty (30) calendar days of receipt of the petition.

4. PERMIT TRANSFERS

- a. A minor source permit issued under PART 030.200 may be transferred from the existing permittee to a new permittee if the applicable administrative amendment fee is paid and all the applicable requirements are met.
- b. A permit is not transferable, by operation of law or otherwise, from one location to another, or from one piece of equipment or process to another but may be transferred from one person to another upon approval of the Control Officer and payment of a transfer fee set by the District Board of Health.
- c. The new permit holder is entitled to use the permit until expiration at no further cost.

SECTION F - REVISIONS TO AN EXISTING MINOR SOURCE PERMIT

1. SIGNIFICANT PERMIT REVISION. The following changes at a minor source require a significant permit revision and are subject to the permit application requirements in SECTION 030.200.C and the public participation requirements in paragraph 030.200.E.3, if applicable:
 - a. Establishing or revising a voluntarily accepted emission limitation or standard, as described in SECTION 030.200.G.
 - b. A change in fuel not authorized by the permit, except for a switch from fuel oil or coal to natural gas or propane.
 - c. A change that relaxes monitoring, testing, recordkeeping, or reporting requirements, except when such change results from either:
 - (1) Equipment removal that results in a permanent decrease in actual emissions, if the source keeps on-site records of the change in a log that meets the requirements of SECTION 030.200.F.6 below and if the relaxed requirements in the permit apply solely to the equipment that was removed.
 - (2) Newly applicable requirements specified in 40 CFR PART 60, 61, or 63.
 - d. A change that will require any of the following:
 - (1) Except for a BSC determination required by SECTION 030.200.F.1.f, a case-by-case determination of an emission limitation or other standard.
 - (2) A source-specific determination of ambient impacts, or a visibility or increment analysis.
 - (3) A case-by-case determination of a monitoring, record-keeping, and reporting requirement.
 - e. Replacement of a piece of air pollution control equipment listed in the permit with one that the permittee cannot demonstrate will have the same or better pollutant removal efficiency. In determining the comparative removal efficiency of air pollution control equipment, the Control Officer shall rely upon relevant performance testing results, vendor performance guarantees, and emissions factors.
 - f. A new or modified sources that increases the source's potential to emit a regulated air pollutant, by an amount equal to or exceeding a significant increase. The modification shall apply BSC to each emissions unit to which the increase applies.
 - g. The Control Officer may deny the significant permit revision because the proposed revision does not comply with all applicable requirements.
2. MINOR PERMIT REVISION. If the proposed change at a minor source is not listed in SECTION 030.200.F.1, but is listed below in SECTIONS 030.200.F.2.a.(1) through (5), such change requires a minor permit revision and is subject to the permit application requirements in SECTION 030.200.C.
 - a. The following changes require a minor permit revision:
 - (1) The construction of a new emissions unit that is not a like-kind replacement.
 - (2) Increasing operating hours or rates of production above the permitted level, any other physical change or change in method of operation that will result in an increase in the source's PTE that is less than the significant levels listed in the definition of Significant found in SECTION 030.200.B.
 - (3) A change in fuel, if not authorized in the permit.

- (4) A change that results in emissions subject to any new or revised monitoring, recordkeeping, or reporting requirement that is not already in the permit if the revision proposes monitoring, recordkeeping, and/or reporting that provides the required quantification.
 - (5) Replacement of an item of air pollution control equipment listed in the permit with one that has the same or better efficiency, but that employs a different technology or substantially different design. The application for the minor permit revision must demonstrate the efficiency of the replacement air pollution control equipment is equivalent or better than the equipment being replaced.
 - (6) Conversion of Permit to Construct to a Permit to Operate
- b. The application shall specify how the change qualifies as a minor permit revision under paragraph 030.200.F.2 and propose language for the permit revision sought. No change listed in paragraph 030.200.F.2 shall proceed if the Control Officer objects or deems the application incomplete.
 - c. The Control Officer may deny the minor revision because:
 - (1) The change does not qualify as a minor permit revision because it is a significant permit revision.
 - (2) The change does not otherwise qualify as a minor permit revision under the criteria in paragraph 030.200.F.2.
 - (3) There is insufficient information to determine if it qualifies as a minor permit revision.
 - (4) The proposed revision does not comply with all applicable requirements.
3. ADMINISTRATIVE AMENDMENT. The following changes require a permit revision, are considered administrative, and may be initiated by either the source or the Control Officer. These changes are not subject to the revision processes in paragraphs 030.200.F.1 and F.2:
- a. Correcting typographical errors.
 - b. Changing the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source (except transfers of ownership, which are subject to the requirements of paragraph 030.000.C.2).
 - c. Correcting a permit condition, including but not limited to emission standards and compliance demonstration requirements, consistent with an existing requirement.
 - d. Incorporating newly applicable requirements due to an amendment to an existing rule or adoption of a new rule.
 - e. Incorporating alternative testing or compliance monitoring requirements that have received the Administrator's approval under 40 CFR PART 60, 61, or 63.
 - f. Incorporating newly applicable monitoring or testing requirements specified in 40 CFR PART 60, 61, or 63 that apply because of a change in applicability of those requirements to the source, including removal from the permit of monitoring or testing requirements that no longer apply as a result of the change.
 - g. Incorporating test methods or monitoring requirements specified in an applicable requirement that the source may use as an alternative to the testing or monitoring requirements in the permit.
4. CHANGES THAT CAN BE MADE WITH NOTICE. The following changes at a minor source may be made without a permit revision if the source provides prior written notice of the change, within the applicable timeframe for the change listed below, on a form specified by the Control Officer, unless the Control Officer objects within the applicable timeframe.

- a. Replacing an item of air pollution control equipment listed in the permit with an identical (i.e., same model, different serial number) item: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require verification of the efficiency of the new equipment by performance tests.
- b. Replacing an item of air pollution control equipment listed in the permit with one that is not identical, but is substantially similar and has the same or better pollutant removal efficiency: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require a verification of the efficiency of the new equipment by performance tests.
- c. A physical change, or a change in the method of operation, that does not increase the source's potential to emit: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer (includes a like-kind replacement of an emissions unit or the addition of an insignificant activity).
- d. A change that amounts to reconstruction of the source or an individual emissions unit, unless the reconstruction triggers a new applicable requirement: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. For purposes of this requirement, reconstruction of a source or an emissions unit shall be presumed if the fixed capital cost of the new component(s) exceeds fifty (50) percent of the fixed capital cost of a comparable entirely new source or emissions unit.
- e. Removal of one or more emissions unit(s) or activity that is part of an existing minor source permit. This change will not affect the source's potential to emit until it is incorporated into the permit through a permit renewal, permit revision, or the Control Officer action identified in paragraph 030.200.F.6.

5. REOPENING FOR CAUSE.

- a. A permit may be reopened and revised under any of the following circumstances:
 - (1) Additional requirements (including excess emissions requirements) become applicable to an affected source. Upon approval by the Control Officer, excess emissions offset plans shall be deemed to be incorporated into the permit.
 - (2) The Control Officer determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - (3) The Control Officer determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
 - (4) To incorporate changes filed pursuant to paragraphs 030.200.F.3 and F.4 above.
 - (5) Proceedings to reopen and issue a permit shall follow the same requirements as apply to any permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- b. Reopenings under paragraph 030.200.F.5 shall not be initiated before a notice of such intent is provided to the source by the Control Officer at least thirty (30) calendar days in advance of the date that the permit is to be reopened, except that the Control Officer may provide a shorter time period in the case of an emergency.

6. MAJOR MODIFICATIONS. Any modification at a minor source that results in an increase in PTE equal to or greater than the emissions of a major stationary source (as defined in PARTS 030.300 and 030.400) is subject to the applicable permit requirements in PART 030.510, as well as those in PARTS 030.300, 030.400, and/or 030.500.

SECTION G - PERMITS CONTAINING VOLUNTARILY ACCEPTED EMISSION LIMITATIONS

1. **APPLICABILITY.** A source may voluntarily propose in its application, and accept in its permit, emission limitations that are enforceable as a practical matter to avoid being subject to any of the following:
 - a. New Source Review under PARTS 030.300 or 030.400.
 - b. Having to obtain a PART 70 Operating Permit under PART 030.500.
 - c. Becoming a major Hazardous Air Pollutants (HAPs) source.
 - d. Becoming subject to BSC.
 - e. Meeting any other applicable requirements (excluding air quality fees).
2. **COMPLIANCE REQUIREMENTS.** A source that proposes a voluntarily accepted emission limitation shall comply with the requirements of paragraph 030.200.C.5.i.
3. **PUBLIC PARTICIPATION.** The public participation procedures set forth in paragraph 030.200.E.3 apply to sources proposing to establish an initial voluntarily accepted emission limitation as described in paragraph 030.200.G.1.a through c.
4. **SOURCE CATEGORIES.** A source that proposes a voluntarily accepted emission limitation to avoid becoming a major stationary source, including a major source of fugitive emissions of any such pollutant under PARTS 030.300 or 030.400 as described in paragraph 030.200.G.1.a, or becoming a new PART 70 source as described in paragraph 030.200.G.1.b, must determine if the proposed stationary source is a major source and is listed as belonging to one of the source categories.