

SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT
POLICIES AND PROCEDURES

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| Topic: | <u>Allowable Changes to Permits During the Reevaluation Process</u> | | |

I. Purpose:

This policy describes permit modifications that can be performed during the APCD reevaluation process. This policy also applies to Part 70 renewal permits that can be issued jointly with an APCD Reevaluation permit (provided a complete Part 70 application has been submitted). Certain case specific examples for Part 70 permits are pointed out below. Modifications other than those listed below can only be made by submitting a permit application to the APCD.

II. Background:

Section 42301(e) of the California Health and Safety Code (H&SC) states that upon renewal (reevaluation) a permit shall be reviewed to determine that the conditions are adequate to ensure compliance with, and the enforceability of, APCD rules and regulations applicable to the equipment for which the permit was issued which were in effect at the time the permit was issued or modified, or which have subsequently been adopted and made retroactively applicable to the existing equipment. APCD Rule 210.B.2 requires a triennial reevaluation of each permit.

III. Scope of Reevaluations:

There are several primary objectives for each permit reevaluation. These include:

1. Consolidation of existing permits at each permitted facility where appropriate;
2. Facility equipment verification (removed or modified items) and update of equipment lists;
3. Revising process descriptions;
4. Updating of emission factors and verification of emission limits;

Policies and Procedures Memoranda are intended to provide agency staff, applicants and the public guidance relative to standardized APCD procedures. These policies and procedures shall not be interpreted in conflict with APCD Rules and Regulations or administrative policies, and may be modified or updated periodically without advance notice.

5. Updating (analysis and conditions) for consistency with new and/or updated rules, and any permit modifications issued since the previous reevaluation;
6. Addition of updated standard administrative conditions and enhancement of existing monitoring/recordkeeping/reporting conditions to ensure compliance with APCD Rules and Regulations.

A permit must be revised to specify permit conditions which will ensure the facility is in compliance with all currently applicable rules and regulations. To accomplish this, the APCD reviews the project file, applicable source tests, and all reports submitted by the permittee. There are three generic types of permit modifications that can occur during the reevaluation process. Guidance on these follows.

IV. Allowable Administrative Modifications During Reevaluations:

1. Typographical: Correct any typographical (including emission and throughput limits), spelling, and/or punctuation irregularities. In addition, errors resulting from the actual printing of the permit documents may be corrected;
2. Business Name: Change in business name only, but not owner and/or operator;
3. Equipment Location: Change in equipment location within the existing stationary source boundaries except if a previous permit included the equipment as part of an AQIA or health risk assessment;
4. Equipment Removal: Upon written request of the permittee, removal from permit of any equipment not required by APCD Rules or other conditions in the permit to ensure compliance. Eliminate or modify any applicable permit condition, emission, and/or throughput limits for equipment removed;
5. Equipment Replacement: Correct the equipment list if an equivalent routine replacement has occurred (previously approved via the process outlined in P&P 6100.073);
6. Updating Historical Information:
 - a. Facility and stationary source PTE tables should be updated.
 - b. Facility and stationary source de-minimis tables should be updated.
 - c. The compliance history for the last three years should be listed and summarized.
 - d. Permit-exempt equipment tables and Part 70 "insignificant" equipment tables should be updated.

V. Allowable Permit Condition Modifications During Reevaluations:

1. Administrative Modification: Requirements affected by an administrative modification listed in (IV) above;
2. Computational Modification: Emission limits affected by computational modification listed in (VI) below;
3. Permit Compliance: Requirements to report throughput information, production rates, or other information for the purpose of determining actual emissions and permit compliance; specific attention should be paid to the monitoring, recordkeeping and reporting requirements. The permit engineer should evaluate each emission/operational limit to ascertain whether appropriate monitoring is in place and that requisite recordkeeping and reporting of the monitored parameters clearly follow.

For example, a permit for a boiler has emission, throughput, recordkeeping and reporting requirements. This permit would need to be evaluated for its monitoring aspects. In this case, a monitoring condition should be added that requires the use of a calibrated fuel use meter. The recordkeeping and reporting requirements should also be evaluated to align with the monitoring devices.

As a rule-of-thumb, the permit engineer should evaluate each emission/operational limit to ensure that enforceable monitoring, recordkeeping and reporting requirements are in place.

For Part 70 permits, any monitoring requirements that go beyond those required in a federally enforceable provision (i.e. SIP Rule, ATC permits, MACT, etc.), cannot be included in the federally enforceable section of the permit.

4. Rule Compliance: Requirements for information necessary to determine compliance with any APCD, state, or federal requirement. For instance, if there were uncertainty whether an oil storage tank triggered rule requirements based on TVP, a TVP testing and data submittal condition could be required. Likewise, for out-of-service, permitted equipment that may be subject to control if operated, information can be required to ensure the equipment remains non-operational.
5. Correction of Violation: Requirements to correct any ongoing violation of any APCD, state, or federal requirement or District Hearing Board order. Facility inspection reports should be reviewed carefully to identify any outstanding compliance issues that may need to be addressed in the permit reevaluation. For Part 70 permits, the permit may include a Compliance Plan per APCD Rule 1302.D.2.d.
6. Emission Determination: Emission limits derived from any of the following:
 - a. A prohibitory rule, or;
 - b. Information obtained from an original completed application, or;
 - c. The maximum design capacity of the equipment, or;

- d. Source testing.
- 7. Permittee Request: Conditions added or deleted upon written permittee request if there are no conflicts with APCD, state, or federal requirements as well as the APCD's policies for establishing enforceable permits (as documented in the small/medium source permit templates and the major source permit templates);
- 8. New Rules: Conditions added or deleted due to the adoption of a new District, state, or federal requirement.

VI. Allowable Computational Modifications During Reevaluations:

The following emission calculation modifications, and any subsequently necessary permit condition adjustments, are allowed during the reevaluation process:

- 1. Invalid or Obsolete Method: An alternative computational method may be substituted for that used during the original analysis if the original method is invalid or has been replaced with a technically superior methodology;
- 2. Mathematical Errors: Correction of any mathematical errors within an otherwise properly applied emission computation;
- 3. Emission Factor Revision: If documented reference data or emission factors are changed between original permit issuance and a subsequent reevaluation, the emissions should be recalculated using the original facility process/throughput information with the revised data or factors.