

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

**PART 70 PERMIT APPLICATION
FOR SIGNIFICANT MODIFICATION**

TABLE OF CONTENTS

- I. Introduction**
- II. Instructions**
 - A. Overview**
 - B. Federally Enforceable Requirements**
 - ☐ **Cover Page**
 - ☐ **Section 1 Certification Statements**
 - ☐ **Section 2 Facility Description Summary**
 - ☐ **Section 3A- Emissions Unit Descriptions**
 - ☐ **Section 3B- Citation and Description of Applicable Federally Enforceable Requirements**
 - ☐ **Section 4 Control Equipment**

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

I. Introduction - Significant Modifications to a Part 70 Permit

A Part 70 permittee may apply to the Department to make a significant modification to the federally enforceable provisions of their Part 70 Permit as provided in COMAR 26.11.03.17.

A significant permit modification is a Part 70 permit revision that does not qualify as an administrative permit amendment under COMAR 26.11.03.15 or as a minor modification under regulation COMAR 26.11.003.16. A significant change or relaxation in a monitoring requirement and a relaxation of a reporting requirement in a Part 70 permit is a significant modification.

Additional examples of significant modifications include the construction or modification of emissions units that are Title I modifications (subject to PSD and non-attainment major NSR) and adding conditions from a permit to construct that seek to establish or modify a federally enforceable permit term or condition for which there is no corresponding underlying applicable requirement of the Clean Air Act, but a permittee has assumed to avoid an applicable requirement to which the source would otherwise be subject (i.e. synthetic minor for NO_x or VOC RACT or to avoid major NSR).

The Department recommends that a permittee request a determination from the Department as to whether a proposed revision qualifies as a significant modification prior to completing an application. When an application is received and the Department upon review determines that the revision does not qualify as a significant modification, the Department will return the application and require the correct application to be completed.

If a change proposed in an application for a significant permit modification requires a permit to construct, a permittee may only make the change after the permit to construct has been issued by the Department. The permittee may begin operation after receipt of a complete application for a significant modification by the Department. If a proposed change in an application for a significant permit modification does not require a permit to construct, a permittee may make the change only after a revised Part 70 permit has been issued that includes the requirements that apply to the modification.

A significant modification to a Part 70 permit must be processed following the same requirements as an initial Part 70 permit. See COMAR 26.11.03.07,.08,.09 and .10. The revised permit must be made available to the general public and other interested parties for review and opportunity to provide written comments or request a public hearing. Affected states' air pollution control departments are provided an opportunity to review and comment on the permit. The Environmental Protection Agency (EPA) is provided a 45 day review period to comment on

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

proposed revised permits. After the 45 day EPA review, citizens are provided an opportunity to petition the EPA to object to the proposed permit. The comments are limited to those federally enforceable terms and conditions of the Part 70 permit that are affected by the significant modification.

An application is not required to be submitted in order to make a modification to State-only enforceable requirements. A letter requesting a revision is sufficient.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

II. Instructions: Part 70 Permit Application Form for Significant Modification

A. Overview

These instructions are provided to assist facilities in completing the Part 70 Permit Application for a significant modification

The Permittee should submit three copies of the application for a significant modification. One copy remains with the Department. One copy is placed in the docket in the local library for public review. The third copy is for the Environmental Protection Agency. The EPA is provided a 45 day period to review and comment on the proposed revised Part 70 permit before the Department issues the revised Part 70 permit that incorporates the proposed change.

If the application contains confidential information, the Permittee shall submit one application with the confidential information clearly marked. In addition, two copies of the application with the confidential information deleted shall be submitted. On the front of the application forms mark the copies as confidential or non-confidential.

If either the emissions from the installation of a new emissions unit or the increased emissions resulting from modification of an existing emissions unit are above major source thresholds (on a pollutant specific basis), the facility may be subject to "Compliance Assurance Monitoring" or CAM (40CFR part 64) requirements. CAM is intended to provide a reasonable assurance of compliance with applicable requirements under the Clean Air Act (CAA) for large units that rely on pollution control device equipment to achieve compliance. For facilities subject to CAM requirements, a permittee must submit a CAM plan as an attachment to the Part 70 permit application for a significant modification.

For an emissions unit to be subject to CAM, 40 CFR Part 64, the unit must: be located at a major source for which a Part 70 permit is required; be subject to an emission limitation or standard; use a control device to achieve compliance; have potential pre-control emissions of at least 100% of the major source amount, and must not otherwise be exempt from CAM. If a unit does not meet all of these requirements, the unit is not subject to CAM.

For additional guidance on the requirements of CAM and what is required as part of the CAM plan, the EPA has prepared a technical support document. It can be accessed at the following website: www.epa.gov/ttn/emc/cam.html. For clarification on the applicability of CAM for a significant modification, contact the Department at 410-537-3230 and ask for the Title V coordinator.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

B. Cover Page

1. Include the name and address of the owner or operator, including a telephone number and fax number.
2. Include the name and address of the facility, including the plant manager's name, telephone number, fax number, and an e-mail address.
3. Include a 24-hour emergency telephone number for air pollution matters.
4. Include the name and title of the person that will be the point of contact for permit issues along with the contact person's phone number and e-mail address.

Section 1. Certification of Truth, Accuracy, and Completeness

1. The responsible official for the facility must sign to the truth accuracy, and completeness of the information submitted in the application. The application will be considered incomplete without the signature of a responsible official.
2. Check off the box(s) that apply for the reason for the request for a minor modification.

Section 2. Significant Modification Summary

1. Describe the minor modification and explain its effect on the facility.
2. Check off the appropriate box for the projected facility wide change in emissions of air pollutants that will result from the proposed change. List the quantity of facility wide projected increases or decreases in emissions.

Section. 3A. Emissions Unit Descriptions

Make copies of the blank form as needed.

1. Indicate the emission unit number, assigned by the facility, that identifies this unit from all others within the facility. Include the projected date (month/year) for completion of the proposed change to the emissions.
2. Include any registration number (if applicable), assigned by MDE, that is associated with this emissions unit.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

3. Provide a detailed description of the emissions unit, including the emissions point(s) and their assigned number(s), associated with the unit. If the proposed change is a modification of an existing emissions unit, explain how the existing emissions unit is being modified.
4. Indicate any operating schedule limitations that are federally enforceable. Also, cite the references of the applicable federally enforceable requirements, (regulations, permit conditions, consent orders) which require the limitation.
5. Where applicable, specify type(s) of fuel, percent sulfur, and the annual usage of fuel. Be sure to specify the unit(s) of measure for the annual fuel usage.
6. Enter the actual emissions in tons from the emissions unit before the change and the projected emissions in tons after the proposed change.

Section 3B. Citation and Description of Applicable Federally Enforceable Requirements

This section must be completed for each applicable federally enforceable emissions standard/ limit or operational limitation for each emissions unit. Make copies of the blank form as needed.

For each emissions unit:

1. Indicate the assigned emissions unit number. Where some or all of the emission units at a facility are subject to the same applicable emissions standard or operational limitation and will use the same methodology of compliance demonstration, the applicant may choose to group the emission unit numbers (e.g., "EU1 - EU4" or "Facility-wide"). The grouped emissions units must share the identical standards/limitations and the identical method of compliance demonstration. In addition, if an emissions unit consists of emissions points that have different applicable standards/limits or operational limitations, a separate Section 3B must be submitted for each emissions point for each different standard/limitation.
2. In the "General Reference" space, cite the federally enforceable basis for the emissions standard/limit or operational limitation. This will be either a federal regulation, a state regulation that is included in Maryland's approved State Implementation Plan (SIP), a condition based on a Clean Air Act requirement and is found in a permit to construct, or a condition from a consent order that is part of Maryland's SIP.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

3. Briefly summarize the emissions standard/ limit or operational limitation, including any emission standard/limit or operational limitation. If there is more than standard/limitation associated with the emissions unit(s)/point(s), attach a separate form Section 3B for each standard/limitation.
4. For each federally enforceable emissions standard/limit or operational limitation, describe how each emissions unit (emissions point) is monitored and/or tested to demonstrate compliance and indicate any record keeping or reporting activities. Indicate the reference (federally enforceable basis) for the monitoring, record keeping, reporting, and testing requirements. If the basis is not a federal regulation, a state regulation that is included in Maryland's approved SIP, a federally enforceable permit to construct condition, or a condition in a consent order that is in Maryland's approved SIP, indicate the reference as "COMAR 26.11.03.06C, proposed periodic monitoring".

The applicant is required to propose periodic monitoring when the basis for a federally enforceable emissions standard/limit or operational limitation does not have associated testing, monitoring, record keeping or reporting requirements sufficient for the applicant to demonstrate compliance with the emissions standard/limit or operational limitation. Periodic monitoring is not required for emissions units subject to New Source Performance Standards under 40 CFR Part 60 that were promulgated after August 1990, or subject to any Maximum Achievable Control Technology (MACT) Standards promulgated under 40 CFR Part 63.

5. Indicate the frequency of submittal of monitoring reports and the compliance certification. Check off the reports that are required to be submitted. Every facility is required to submit a semi-annual monitoring report and an annual emissions certification. See COMAR 26.11.03.06C(7) and G(6). Many sources that require the use of continuous emissions monitors (CEMs) to demonstrate compliance with an emissions standard/limit are required to submit quarterly reports.

Section 4. Control Equipment

This form is to be used to describe, where applicable, each piece of control equipment associated with each emissions point. If more than one piece of equipment is used in series to control the emissions from an emissions point, complete a separate Section 4 form for each. Make copies of the blank form as needed.

1. Describe the type of control equipment.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
RENEWAL TITLE V APPLICATION CHECKLIST**

2. Indicate the associated emissions unit number.
3. Indicate the associated emissions point number.
4. List the pollutant(s) that is (are) being controlled and the applicable control efficiency for each pollutant.
5. Specify the capture efficiency of the equipment if it is less than 100%.