

MARYLAND DEPARTMENT OF THE ENVIRONMENT PART 70 PERMIT APPLICATION FOR RENEWAL

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I. Introduction

A. Renewal of a Part 70 Permit

A Part 70 Permit is issued by the Department for up to a 5 year period of time. The Permittee is required to submit an application to renew its Part 70 permit at least 6 months prior to the expiration date on the permit. Facilities are encouraged to submit applications before the required date to allow ample time for the Maryland Department of the Environment (MDE) to act on all applications.

The Department has prepared this application to be used for renewing Part 70 permits. The application is very similar to the initial application. The initial application requested flow diagrams, plot plans, and an Emissions Certification Report. For renewals, the Permittee is required to submit flow diagrams and plot plans when there has been a change from the documents submitted with the initial application. The most recent Emissions Certification Report is required to be included with the renewal application submittal along with the most recent Annual Compliance Certification Report.

As tools to aid in the completion of the renewal application, the Permittee may use the previous Title V application that was submitted to obtain the current Part 70 permit, and may transfer information from the current Part 70 permit. Section IV of the Part 70 permit corresponds to Section 3B of the application. The Permittee is required to add to the renewal application any new emissions units as well as any new requirements that may have become effective after issuance of the current Part 70 permit and have not been incorporated into the permit through a revision such as administrative amendments or minor or significant modifications. At this time, the Permittee may request to revise the periodic monitoring requirements. In the Part 70 permits, periodic monitoring requirements are those testing, monitoring, record keeping, and reporting requirements that were based on the Department's authority to create periodic monitoring under COMAR 26.11.03.06C.

In addition, the Permittee is required to submit information pertaining to State-only enforceable requirements with the renewal application. The Permittee should transfer requirements from the State-only enforceable section of the current Part 70 permit and add any additional requirements that may have been included in permits to construct that were issued after issuance of the Part 70 permit.

The Department will make a completeness determination within 60 days after receiving a Part 70 renewal permit application using the completeness checklist included in this application package. If a timely application is found to be complete, the facility receives an "application shield" as defined in COMAR 26.11.03.01D. If additional information is requested in order to process the application, the Department will establish reasonable deadlines for the facility to submit the required information. The facility will retain the "application shield" provided that it complies with these deadlines.

B. Emissions Units and Activities Exempted from the Permit Application

COMAR 26.11.03.02G requires a facility to submit a list of emissions units and activities located at the facility that are exempt from the Part 70 permit application due to size, production rate, and/or emission rate. The current Part 70 permit, Section V, has the list of insignificant units and activities that had previously been identified by the Permittee. Review and complete the checklist with the renewal application. Check-off those units and activities which appear in the current Part 70 permit and continue to operate and add any new units or activities that have been added since the

issuance of the current permit. The Department may request additional information regarding such activities. The “List of Exempted Units” will be attached to the application when the docket is prepared for the public participation process. The general public has the opportunity to review the list and request additional information. The “List of Exempted Units” will be included in the Part 70 permit, along with any applicable Clean Air Act requirements.

C. Emissions Units Subject to CAM

“Compliance Assurance Monitoring” or CAM (40 CFR Part 64) 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, the applicant must submit a CAM plan as an attachment to the Part 70 renewal application.

For an emissions unit to be subject to 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 precontrol 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.

D. Facilities Subject to State Permits to Operate

For a facility for which a State permit to operate is required, as provided in COMAR 26.11.02.13, a Part 70 permit for that facility also constitutes a State permit to operate for that source. A facility’s State permit to operate is superseded by the issuance of a Part 70 permit covering that facility. When submitting an application to renew the Part 70 permit, the Permittee shall submit information to renew the State-only section of the permit.

II. Instructions: Part 70 Operating Permit Application For Renewal

A. Overview

These instructions are provided to assist a Permittee in completing the Part 70 Permit Application for Renewal.

Note on General Organization of the Application Form

The applicant may be required to replicate certain portions of this Part 70 form (e.g. Sections 3A, 3B, 4, etc.) in order to describe each emissions unit or applicable requirement at the facility. Consequently, certain large or complex facilities may have an application with many pages. A numbering scheme for the completed application, especially multiple copies of sections of this form (e.g., 3A-1, 3A-2, etc.), is therefore requested. Pagination, even for smaller sources, will not only facilitate review and discussion of the application, but may prevent the inadvertent omission or loss of pages that could jeopardize a timely completeness determination.

Submit three copies of the application along with each attachment. One copy remains with the public docket at the Department's offices in Baltimore. A second copy is placed in a docket that is sent to the local public library near the facility during the public participation phase of the issuance process. A third copy is sent to the EPA upon request.

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

B. Federally-Enforceable Requirements

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, and fax number.
3. Include a 24-hour emergency telephone number for air pollution matters.
4. If there is more than one owner, operator, facility manager, or contact, attach their name(s) and address(es) along with their telephone number(s) and fax number(s).

Section 1. Certification Statements

Please read this page carefully. A responsible official must sign to the truth and accuracy of the four statements. The application will be considered incomplete without the signature of a responsible official.

Section 2. Facility Description Summary

Describe the major activities at the facility, including the applicable SIC code(s) and end product(s).

Indicate whether the facility is a major source based on actual emissions of air pollutants, or major based on potential emissions, or whether the source is a solid waste incineration unit required to obtain a Part 70 permit under §129(e) of the CAA. (For example, a hospital, medical, infectious waste incinerator, HMIWI, is required to obtain a Part 70 permit).

Flow diagrams indicating all emissions units, emission points, and control devices must be submitted if there has been a change from the one submitted with the initial Title V application. The facility must assign a specific number to each emissions unit and each emissions point. These assigned numbers must be indicated on the flow diagrams.

The Permittee shall submit a copy of the most recent Annual Emissions Certification Report that was submitted to the Department. In addition, the Permittee shall submit a copy of the most recent Annual Compliance Certification Report.

Section 3A. Emissions Unit Descriptions

This section must be completed for each non-exempt emissions unit within a facility including short-term activities. Make copies of the blank form as needed. The numbering of multiple copies (e.g., 3A-1, 3A-2, etc.) of this form as well as all pages of the completed application is strongly recommended not only to facilitate review and discussion of the application, but also to prevent the inadvertent omission or loss of pages that could jeopardize a timely completeness determination.

Using the current Part 70 permit as a reference document, there should be a Section 3A completed for each of the emissions units on the "Facility Inventory List" found in Section 1 of the permit. Add a Section 3A for each new emissions that has been added since the issuance of the current permit.

1. Indicate the emission unit number, assigned by the facility that identifies this unit from all others within the facility. Attach a separate form (Section 3A) for each emissions unit. Include the date (month/year) the installation of the emissions unit was completed.
2. Include any registration number (if applicable), assigned by MDE, that is associated with this emissions unit.
3. Provide a detailed description of the emissions unit, including the emissions point(s) and their assigned number(s), associated with the unit.
4. Indicate any operating schedule limitations that are federally enforceable. Also, cite the reference(s) of the applicable federally enforceable requirement(s), regulation(s), and/or permit condition(s) which requires 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. Check off whether the emissions unit is an actual major or potential major source. Enter the actual emissions from the emissions unit.
Note that emissions units that have actual or potential before control emissions above major source thresholds, and are subject to an emissions standard, and require the use of an air pollution control device to meet the emissions standard, are subject to the requirement to submit a CAM plan. Review the discussion of CAM plans.

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. As with form 3A, the numbering of multiple pages (e.g., 3B-1, 3B-2, etc.) of this form is strongly recommended to facilitate review and the application completeness determination.

Section 3B matches with the compliance tables found in Section IV of the current permit. If emissions units have been added since the issuance of the current permit, be sure to add a form (Section 3B) for these additional units. The Permittee may propose to revise the periodic monitoring in the current permit. Periodic monitoring are those testing, monitoring, record keeping, and reporting requirements that are based on the Department's authority to create these requirements under COMAR 26.11.03.06C.

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/limit or operational limitation with identical compliance demonstration provisions, the applicant may choose to indicate the range of emission unit numbers (e.g., "EU1 – EU4" or "Facility-wide") to which the requirement applies. Use Section IV of the current permit for a reference.
2. In the "General Reference" space, cite the basis for the federally enforceable emissions standard/limit or operational limitation; regulation, permit to construct condition, or condition in consent order.
3. Briefly summarize the emissions standard/limit or operational limitation. If there is more than one standard/limitation associated with the emissions unit(s)/point(s), attach a separate form Section 3B for each standard/limitation.
4. A permit shield for a specific emissions unit may be requested by indicating "Yes" on the Permit Shield Request line. A permit shield request may be included for multiple units, but the Permittee cannot request a blanket permit shield for the entire application.
5. 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 testing, monitoring, record keeping, and reporting 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".

With the renewal application, the Permittee may propose a revision to the periodic monitoring that is found in the current Part 70 permit.

6. 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 compliance certification. See COMAR 26.11.03.06C(7) and G(6). Facilities that use continuous emissions monitors (CEMs) to demonstrate compliance with emissions standards/limits are required to submit quarterly reports.

Section 3C. Obsolete, Extraneous, or Insignificant Permit Conditions

This form is used to list permit to construct conditions which should be considered to be obsolete, extraneous, or environmentally insignificant. For example, conditions relating to the construction activity during the building or modification of the source should be listed here. State-only enforceable permit to construct conditions should be listed on the forms provided in Part V.

Make copies of the blank form as needed. Pagination (e.g., 3C-1, 3C-2) is recommended.

1. Indicate the emissions unit number.
2. Indicate the permit to construct number.
3. Indicate the emissions point number.
4. Indicate the date the permit to construct was issued.
5. Identify the condition number as indicated on the permit to construct.
6. Briefly describe the permit condition and the reason why it is believed to be obsolete, extraneous, or insignificant.

If the Department determines that any condition listed in this section should be retained as a federally enforceable requirement, the facility will be required to recertify its application with respect to those permit to construct conditions.

Section 3D. Alternate Operating Scenarios

Briefly describe any alternate operating scenarios that apply to an emissions unit and assign a number to each scenario for identification purposes. For each scenario, provide the following information:

1. The emissions unit number; and
2. The operating parameters for the emissions unit (i.e. operating hours, materials and fuels consumed, etc.) and other information which describes how the operation of the unit will change under the scenario.

Section 3E. Citation to and Description of Applicable Federally Enforceable Requirements for an Alternate Operating Scenario

Make copies of the blank form as needed. Pagination (e.g., 3E-1, 3E-2) is recommended.

This section must be completed for any applicable federally enforceable requirement that is triggered by an alternate operating scenario that has been described in Section 3D. See the instructions for Section 3B for completing this form.

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. Pagination (e.g., 4-1, 4-2) is recommended.

1. Describe the type of control equipment.
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%.

Section 5. Summary Sheet of Potential Emissions

This form should only be used by facilities in order to:

- 1) *claim an exemption based on an emissions level cutoff in a standard that has been issued for the category to which the emissions unit potentially belong (i.e. MACT standard); and*
- 2) *resolve a dispute over whether a particular requirement is applicable or whether a source is major for a particular pollutant (i.e. NO_x RACT or VOC RACT).*

Make copies of the blank form as needed. Pagination (e.g. 5-1, 5-2) is recommended.

1. List each emissions unit by its number corresponding to those identified in Section 3.
2. For each emissions unit, quantify all applicable pollutants in tons per year.
3. In the last row of the table, quantify the fugitive emissions of each pollutant emitted from the entire facility.
4. Attach a copy of all calculations.

Section 6. An Explanation of Proposed Exemptions from Otherwise Applicable Federally Enforceable Requirements

Complete this section as indicated to describe and justify the exemption of an emission unit from a federally enforceable requirement, e.g., an exemption under the Early Reductions Program established in Section 112(i) of the Clean Air Act. This section can also be used to clarify that a given emissions unit is not subject to a particular requirement (e.g., a unit that is grandfathered or that has potential emissions below a major source threshold).

Make copies of the blank form as needed. Pagination (e.g., 6-1, 6-2) is recommended.

1. Identify the applicable requirement.
2. Briefly describe how the applicable requirement relates to the facility.
3. Specify the reasons for the proposed exemption or claim of non-applicability. If relevant, include (or refer to previously submitted) emissions calculations that demonstrate non-applicability.

Section 7. Compliance Schedule for Noncomplying Emissions Units

If an approved MDE administrative order or judicial consent decree is in effect, attach a copy of it and complete only block #1. For any other plan for compliance, complete blocks 1 through 3 as follows:

1. Identify each emissions unit, the requirement that is being violated, and the date on which the unit is expected to be in compliance;
2. Describe in detail the proposed plan to be used to achieve compliance; Indicate the schedule of remedial measures which includes an enforceable sequence of actions with milestone dates. Certified progress reports for noncomplying facilities shall be submitted at least quarterly.

C. Compliance Assured Monitoring (CAM) Plan

When applicable, the applicant must submit a CAM plan along with the Part 70 permit application. The application will not be considered complete if a required CAM plan is not submitted.

The monitoring design criteria for a CAM plan is described in 40 CFR Part 64.3. The CAM plan submittal requirements are specified in §64.4. The following outline summarizes the contents of a CAM plan.

- I. Background
 - A. Emissions unit identification
 - B. Applicable regulation, emissions limits, and monitoring requirements
 - C. Control technology description
- II. Monitoring Approach A.
 - General Criteria
 - 1. Performance indicator(s)
 - 2. Indicator range(s) or designated condition(s)
For Continuous Opacity Monitoring Systems(COMS), range(s) used to assure compliance with PM standards
 - B. Performance Criteria
 - 1. Data representativeness
 - 2. Verification of operational status (new or modified equipment)
 - 3. QA/QC practices
 - 4. Monitoring frequency and data collection procedures

For monitoring approaches using Continuous Emissions Monitoring Systems (CEMS), Continuous Opacity Monitoring Systems (COMS), and predictive emission monitoring systems (PEMS), performance criteria includes exceedance reporting required by regulation and exceedance period to be used for CAM.

- III. Justification
 - A. Monitoring approach and indicator
 - B. Indicator range(s)
 - 1. Compliance test data and indicator data supporting range, or
 - 2. Compliance test plan and schedule, or
 - 3. Rationale and documentation for indicating that the ranges can be established without the need for compliance test data for CEMS and PEMS: reference the most recent certification test for the monitor.

Guidance documents and examples of monitoring strategies from EPA can be found at the following website: www.epa.gov/ttn/emc/cam.html.

D. State-Only Enforceable Requirements

Cover Page

Provide the information as indicated.

Citation to and Description of Applicable State-Only Enforceable Requirements

For each emissions unit which has State-only requirements, regulations, and/or permit conditions subject to the Maryland regulations. Use the State-only section of the current permit to assist in completing this section. Be sure to add any new State-only enforceable requirement that may have become effective after issuance of the current Part 70 permit:

1. Indicate the assigned registration and emissions unit numbers.
2. In the “General Reference” space, cite the basis for the State-only enforceable requirement: regulation, permit condition, or consent order. If there is more than one associated with the emissions unit, attach a separate form (Section 1) for each.
3. Briefly summarize the requirement, including any emission limit.
4. For each State-only enforceable requirement, describe how each emissions point within the emissions unit is monitored and/or tested to demonstrate compliance and indicate any record keeping or reporting activities.