



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-2018-002270

GUIDELINES

TO: Permitting Staff

FROM: Marty Gray, Permitting Branch Manager

MG 4/30/18

DATE: April 30, 2018

SUBJECT: Enhanced Approval Order Process

Purpose

This guideline outlines the steps in the permitting process that must be followed so a modified Approval Order (AO) for an existing Title V source can be incorporated into a Title V permit using an enhanced process, thus eliminating the need for the Title V draft permit to have a separate 30-day public comment period.

Implementation

For the enhanced process to be effective for Title V purposes, the Approval Order must complete this substantially equivalent process.

- The Engineer Review must incorporate all of the following Title V elements, but only for the modified equipment/operation: NSPS, NESHAP, CAM, Monitoring, Recordkeeping, and Reporting.
- The Engineer Review cover letter must be signed by the **Title V responsible official** and the box checked to alert reviewers that the enhanced process is being used. The Engineer Review now becomes the Title V administrative amendment application.
- The Approval Order must go through the 30 day public comment period.
- The newspaper notice for the ITA must include the statement **"This AO is being processed as an enhanced AO, and the Title V permit will be administratively amended after the AO is issued."**
- The Title V engineer will be required to notify affected states.

After public comment ends and comments addressed, the AO is issued to the source. The source can begin construction but cannot begin operation of the modification until the Title V permit amendment is completed.

- The Title V permit engineer will send the AO to EPA with a letter initiating the EPA 45 day review period. At completion of the EPA review period (maximum 45 days) the Operating Permit will be administratively amended to include the new conditions.

Analysis

The approval order must be closely coordinated between the NSR and the Title V engineers.

The next time the AO is modified, the project engineer will remove the Title V required elements from the AO. The next time the Title V permit is modified, the Title V engineer will remove any construction requirements for the construction activities that are completed.

Should a source desire to begin operation of the equipment/process in the modified AO directly following the AO issuance, the AO should not follow the enhanced process. The Title V permit will still need to be modified as a major modification, but may be delayed in accordance with the Guideline "Title V Operating Permit Application Due Dates".

Authority

Pursuant to R307-415- 7e(1)(e),

This Guideline shall be audited every five years by the Permitting Branch Manager to determine the current status and relevance of the information.