



State of Utah

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GUIDELINES

TO: Permitting Staff

FROM: Marty Gray, Permitting Branch Manager 

DATE: April 30, 2018

SUBJECT: Title V Operating Permit Application Due Dates

Purpose

This guideline clarifies that a source may begin construction and operation of a modification following issuance of the NSR Approval Order (construction permit), and then have one year from commencing operation (or one year of the issuance date of the approval order for modifications not requiring a physical change) to submit their Title V permit application for a modification.

Implementation

The following scenarios explain the due dates for Title V Operating Permit applications:

#1 - New Greenfield Major Source:

Application due within one year of commencing operation.

#2 – Existing Minor Source Adding a New Emission Unit (which results in the source exceeding a Title V applicability threshold):

Application due within one year of commencing operation of the new emission unit.

#3 – Existing Minor Source Modifying Existing Emission Unit (which results in the source exceeding a Title V applicability threshold):

#3a – Source modifies an existing emission unit that does not require a physical change:

Application due within one year of the issuance date of the modified approval order.

#3b – Source modifies an existing emission unit requiring a physical change:

Application due within one year of commencing operation of the modified emission unit.

#4 – Source Has an Existing Operating Permit (adds a new emission unit by approval order issuance):

Application due within one year of commencing operation of the new emission unit.

#5 - Source Has an Existing Operating Permit (modifies an emission unit by approval order issuance):

#5a – Source modifies an existing emission unit that does not require a physical change:

Application due within one year of the issuance date of the modified approval order.

#5b - Source modifies an existing emission unit requiring a physical change:

Application due within one year of commencing operation of the modified emission unit.

Analysis and Authority

Applicability to the Title V Program, as written in R307-415-4, generally states that sources of air pollution that emit greater than 100 tons per year of any criteria pollutant, 10 tons per year of any single Hazardous Air Pollutant, 25 tons per year of combined Hazardous Air Pollutants, sources subject to 111 of the Act (Standards of Performance for New Stationary Sources), or sources subject to 112 of the Act (Hazardous Air Pollutants), are subject to the permitting requirements of R307-415 and are required to submit an application for an operating permit.

As defined in R307-415-3, a source becomes subject to the Title V permitting program when the sources potential to emit (PTE) exceeds the tons per year applicability threshold, and operation commences or is capable of commencing at the major PTE levels.

As per R307-415-5a(1)(b), a source who modifies an approval order to increase a limit on an existing piece of equipment, and that limit is currently included in their Title V permit, that source would be required to modify their Title V permit prior to exceeding the current permitted limit.

This Guideline shall be audited once every five years by the Operating Permit section manager to determine the current status and relevance of the information.