



State of Utah

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**DAQ-2018-006830**

## GUIDELINES

**TO:** Permitting Staff

**FROM:** Marty Gray, Permitting Branch Manager *MG*

**DATE:** June 30, 2018

**SUBJECT:** The Synthetic Minor Approval Order (AO) and Title V Permits

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### Purpose

This guideline clarifies how Title V sources may obtain synthetic minor status and drop out of the Title V major source permitting program.

### Analysis

In some cases, a Title V major source may obtain a synthetic minor AO per existing guidelines<sup>1</sup> and drop out of the Title V major source permitting program. The source should be in one of the following categories when this occurs: 1) a Title V application has not been required to be submitted yet, 2) a Title V application has been submitted but no Title V permit has been issued, or 3) a Title V permit has been issued.

### Implementation

- (1) New Title V major sources that have not been required to submit an application yet: These sources may drop out of the Title V major source permitting program by obtaining a synthetic minor AO.
- (2) Title V major sources that have been required to submit an application but have not yet been issued a Title V permit: These sources may drop out of the Title V major source permitting program with a request to withdraw their application after receiving a synthetic minor AO.
- (3) Title V major sources that have been issued a Title V permit: These sources may drop out of the Title V major source permitting program when the following conditions are met:
  - (a) The source submits an NOI with the necessary information to generate a synthetic minor AO.

- (b) The source makes a request for the Title V permit to be rescinded once the synthetic minor AO is issued. The request may be made as part of the NOI, or in a separate letter to the Director.
- (c) Language is placed in the Engineering Review, ITA, and/or AO stating: *As a result of this modification, (Source) will become a synthetic minor source with respect to the major source requirements of Title V of the Clean Air Act; the Title V Operating Permit may be rescinded after issuance of this AO.*
- (d) The Engineering review is sent to the Operating Permits section manager for review prior to the public comment period.
- (e) The Engineering Review, ITA, and AO are sent to EPA Region VIII for their records.
- (f) After the synthetic minor AO has been issued and a request received asking that the Operating Permit be rescinded, a 'T5 Rescind' activity will be created in TEMPO and the WAL completed. The critical task in the WAL is 'Rescind permit (set effective end date)'. The effective end date is determined by the mechanism used to make the source a synthetic minor.
  - 1) If the synthetic minor AO is for pollution control equipment or other equipment that makes the source synthetic minor, DAQ must receive notification that the equipment is installed and operational before the permit can be rescinded. The date that equipment is operational is the effective end date.
  - 2) If the synthetic minor AO places new limits on the source to restrict consumption, usage, etc. to achieve synthetic minor status, the permit can be rescinded upon issuance of the AO. The date of the issued AO is the effective end date.
- (g) Once the effective end date has been determined and entered in the WAL, two letters will be created in TEMPO, one addressed to EPA Region VIII and one addressed to the source. The letters will be signed by the Director with copies placed in the Title V Source File and copies sent to the Compliance Section and Inventory Section.

**Authority**

UAC R307-415-4(6)

<sup>1</sup>Guideline memo, Enforceability of Synthetic Minor Permit Terms, Marty Gray, Permitting Branch Manager, State of Utah, Division of Air Quality.

**This Guideline shall be audited every five years by the Operating Permit Section Manager to determine the current status and relevance of the information.**