



Air Permits – Timing and Review

East Michigan
Air & Waste Management Association Workshop

May 16, 2019
9:00 am – 11:30 am

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Proactive By Design.
Our Company Commitment



Permit Considerations - Overview

- Awareness of Permit Timeline
- Responding to Information Requests and Efficient Communication with the Permit Engineer
- Review of Draft Conditions
- Acceptance of Permit



I've Submitted a Permit Application... Now What?

There are timing considerations and review guidelines to be aware of as an applicant. Often obtaining an air permit is on a “critical path” for beginning a new project/installation.



AQD Permit Process Flow Timeline Tracking (8/04)



Project Name:			
OLT No.:			
PSM No.:			
PTI No.:			
Event/Activity with No PSM (max W/T)	Event Responsibility	Date Due	Day of Completion
Application Received by AQD	Applicant/AQD Clerical	-----	0
Application Screened and Provided to Unit Supervisor	Permit Screener		7
Unit Supervisor Assigns Permit Engineer and Returns Application to Permit Screener	Unit Supervisor		9
PTI No. Assigned, Letter to Applicant with PTI No., Engineer and other Necessary Info	Permit Screener		10
Technical Completeness Reviewed and Additional Info Requested from Applicant	Engineer		22
Engineer Completes Follow-Up Phone Call with Applicant	Engineer		24
Conference Call Conducted if Necessary	Engineer, AQD Permit Team, Applicant Permit Team		35
Additional Info Submitted by Applicant	Applicant		51
Look-See #0 - Formal Progress Check Complete	Engineer, AQD Permit Team, Applicant Permit Team		55
Preliminary Conditions Sent to Applicant for Concurrence	Engineer		76
Look-See #1 - Formal Progress Check Complete	Engineer, AQD Permit Team, Applicant Permit Team		80
Outstanding Issues Resolved	Engineer/Applicant		101
Evaluation Complete	Engineer		104
Draft Conditions Finalized, Provided to District Staff	Engineer		107
Received District Concurrence on Finalized Conditions	AQD District Staff/Engineer		112
Send Proposed Final Conditions to Applicant	Engineer		114
Applicant Completes their Review of Final Conditions	Applicant/Engineer		128
Look-See #2 Completed, Issue Permit (if no response from applicant and no public participation required)	Engineer, AQD Permit Team, Applicant Permit Team		132
Resolve Conditions with Applicant	Engineer/Applicant		139
Public Participation Documents Drafted and Provided to Section Chief	Engineer		146
Section Chief Completes Review	Section Chief		148
Beginning of Public Comment Period	Engineer/Dept. Analyst		154
End of Public Comment Period	Engineer/Dept. Analyst		187
Recommended Decision and Response to Public Comments	Engineer		208
Section Chief Completes Review	Section Chief		210
Final Permit Documents Completed by Secretary or Dept. Analyst	Secretary or Dept. Analyst		212
Permit Approval Date	Decision Maker		216
Overall Early/Late Status			





Value Your Communication with the Permit Engineer

- Permit Engineer generally initiates contact via phone call and/or email
- Permit contact can be a designated facility representative or a consultant, as indicated on your application form

Hello,

This e-mail is in reference to your Permit to Install (PTI) application for XYZ Manufacturing, Inc (PTI No. 12345-19). In order to complete my review I will need additional information (see below)...



Value Your Communication with the Permit Engineer

- Don't hesitate to contact your Permit Engineer to ask for permit status or to see if additional information is needed
- Be clear on what the milestones are for permit timing – for the AQD and for your project



Issuance of a Draft Permit -

“Attached for your review is a copy of the final DRAFT special conditions for the Permit to Install. We believe these conditions are necessary to assure that the facility (stationary source) operates in compliance with all of the Michigan Department of Environmental Quality (MDEQ) rules.

Rule 201(3), promulgated pursuant to Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, states, “*A permit to install may be approved subject to any condition, specified in writing, that is reasonably necessary to assure compliance with all applicable requirements.*”

Please respond in writing by XXX with any comments or concerns. If the draft conditions are acceptable, the AQD will proceed to issue the permit to install.”



Draft Permit - #1 Rule: Read. Your. Permit.

- Process Description
 - Accurate?
 - Avoid manufacturer names, specificities that may be unique or confidential to your business or product
- Emission Limitations
 - Did you get what you asked for?
 - Are any “new” limits acceptable (e.g., 12 TPY limit does not mandate a 1 TPM limit)
 - Units of Measure – pounds vs kilograms



Read. Your. Permit.

- Monitoring & Recordkeeping
 - Do you understand your obligations?
 - VE vs Method 9
 - Rolling 12-month totals
 - Can requirements be achieved?
 - Monitoring equipment limitations
 - Are supporting documents required?
 - “install, calibrate and maintain in accordance with manufacturer specifications”
 - Are provisions available for reducing monitoring frequency as a result of continuous compliance?



Read. Your. Permit.

- Emission Testing
 - Is emission testing required, and on what frequency
 - Is the condition written to allow for compliance to be based on test results rather than a static value? (e.g., you must operate at a temperature/pH/flow which results in "x" to demonstrate compliance)
- Miscellaneous
 - Verify UARs (underlying applicable requirements)
 - Is your FG-FACILITY group representative and flexible?
 - Other permit conditions (It's a real category!)
 - Title V Sources – Can you certify compliance



Practical Application – Example #1

The permittee shall maintain records of the following information for each emission unit for each calendar month using the methods outlined in the DEQ, AQD Rule 290; Permit to Install Exemption Record form (EQP 3558) or in a format that is acceptable to the AQD District Supervisor



Example #2

The permittee shall determine the VOC content, water content, and density of any coating as applied and as received, using federal Reference Test Method 24. Upon prior approval by the AQD District Supervisor, the permittee may determine the VOC content from manufacturer's formulation data.



Example #3

Pollutant	Limit	Time Period/ Operating Scenario	Equipment
1. NOx	19 tons/month	Calendar Month	FGPOWERHOUSE
2. NOx	99 tons/year	12-month rolling time period...	FGPOWERHOUSE
3. VOCs	19 tons/month	Calendar Month	FGPOWERHOUSE
4. VOCs	99 tons/year	12-month rolling time period..	FGPOWERHOUSE
5. Visible Emissions	20% Opacity	6-minute average...	FGPOWERHOUSE

VI. MONITORING/RECORDKEEPING

- 2. The permittee shall keep a separate record for each of the following for FGPOWERHOUSE:
 - a. Monthly calculation of NOx emission rate in tons per month for FGPOWERHOUSE.
 - b. Monthly calculation of NOx determining a 12-month rolling time period emission rate in tons per year

- 3. The permittee shall keep a separate record for each of the following for FGPOWERHOUSE:
 - a. Monthly calculation of CO emission rate in tons per month for FGPOWERHOUSE.
 - b. Monthly calculation of CO determining a 12-month rolling time period emission rate in tons per year



Example #4

The permittee shall monitor, in a satisfactory manner, the air flow or pressure differential between the enclosure and the adjacent area on a continuous basis to verify that air is entering the enclosure.

The air flow or pressure differential data recording shall consist of measurements made once per week for two consecutive months. After eight consecutive weekly readings of negative 0.01 inches or less, data recording can be reduced to once per month, unless a deviation is recorded. If a deviation is recorded, the permittee shall keep a record of the date, time, reason, and corrective action taken for the deviation. Measurements shall be recorded once per week after each deviation, for a minimum eight consecutive readings of negative 0.01 inches or less.



Example #5

IX. OTHER REQUIREMENT(S)

The permittee shall notify the Department if a change in land use occurs for the East or West adjoining properties classified as industrial, where this classification was relied upon to demonstrate compliance with Rule 225(1). The permittee shall submit the notification to the AQD District Supervisor, within 30 days of the actual land use change. Within 60 days of the land use change, the permittee shall submit to the AQD District Supervisor a plan for complying with the requirements of Rule 225(1). The plan shall require compliance with Rule 225(1) no later than one year after the due date of the plan submittal. **(R 336.1225(4))**



Acceptance of Permit

“This is to inform you that based upon your acceptance of the draft conditions, Permit to Install No. 1234-19 for XYZ Manufacturing, Inc has been approved effective May 16, 2019.

A paper copy of the approved permit and conditions should be mailed to you within the next few days. The permit will include a signed certificate page and a signed copy of the permit form dated May 16, 2019. For your reference in the interim, I have attached a PDF version of the final conditions.

XYZ Manufacturing, Inc. may start construction/operation under these conditions at any time”





In Summary

- **COMMUNICATE** - Respond to your permit engineer in a timely fashion and keep in contact
- **ASK** - If you aren't sure where in the process you're at, take the initiative to ask. Timing can be part of a critical path.
- **READYOUR PERMIT** - Draft permit review is important. The AQD wants to issue you a good permit but the responsibility is shared with the permit applicant
- **SUCCESS** - Appreciate that you have obtained an operationally flexible permit that accurately reflects your process!