



Department of Environmental Protection

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NOTICE: CHANGE IN AIR OPERATING PERMIT APPLICATION APROCESS

In January 2020, MassDEP and EEA-IT released a new version of the Air Quality Operating Permit Application Forms in ePLACE. This includes the Initial Operating Permit (AQ14), the Operating Permit Renewal (AQ12), Administrative Amendment (AQ10), Minor Modification (AQ11), and Significant Modification (AQ13). This document outlines two major changes that have been made to the forms and to the process for applying for an Air Quality Operating Permit, Amendment, Modification, or Renewal.

1. The “Authorization” for Existing Air Operating Permit Sources

In order to implement the new forms in ePLACE, MassDEP created an Approval Record (also called Authorization) for each of the existing Air Operating Permits. The information entered into the system includes the name and address of the facility, the names, address, phone number and email of the Facility Contact and the expiration date of the existing approval. By creating this record, Title V sources will have the opportunity to use ePLACE to complete modification forms as well as their next renewal application. The existing paper forms will no longer be used.

As previously stated, the Facility Contact will get a letter with a PIN number that will allow them to connect their account to the Approval/Authorization. When they do so, they will see their record under “My Records” on their Home page in ePLACE. To the right of each record there will be action links including “Amendment” and “Renew” or both.

- The “Amendment” link will take the person to a page that will ask if the person wants to complete an Administrative Amendment, Minor Modification or Significant Modification. The selection of the amendment type will bring up the appropriate form.
- The “Renewal” link will take a person to the Renewal Application form.

NOTE- VERY IMPORTANT- The First time a Minor Modification, Significant Modification or Renewal application is prepared, all of the data from the existing operating permit must be provided. If needed, MassDEP will provide the Company a Word Version of their existing Approval so that “Cut and Paste” can be used to complete the form.

The completion of the full form is a one-time effort. Once the form has been completed the first time, all subsequent applications will be preloaded with the form data.

The first time an application is completed the applicant will also need to supply information on the Permittee and Contributors. See item #2 below for a description of these roles and the new Contact Form in the application.

Only one amendment or modification action can be processed at a time. If an amendment or modification has been submitted, the "Amendment" link will not be available to the user until after the modification has been approved. If, in the interim, a second amendment is needed, please contact the regional office. The regional office can, on a limited basis, change the status of the application to "Request for Information" or Deficiency" which returns control of the permit record to the Submitter and allows for additional edits.

If those additional edits change the appropriate application type from an Administrative Amendment to a high level of modification, the initial application will need to be withdrawn and a new application prepared. To withdraw an application, send an email to the regional office contact for that application. Only MassDEP withdraw an application and need written permission to do so from the applicant.

Questions about creating an account and activating a PIN should be directed to the ePLACE Help desk at (844) 733-7522 between the hours of 7:30am and 5 pm Monday through Friday excepting Holidays.

2. Contact Form

The purpose of the page at the beginning of the form is to define formal roles for multiple Contacts (people) related to the application. Every person who is going to be listed as a Contact MUST have already established an account in ePLACE. Contacts must be assigned to the following specific roles; a given Contact person may be assigned multiple roles.

- **Preparer:** Contractor, consultant, or other person not employed by the facility owner or operator
- **Submitter:** This is the person who clicks the button to "Submit" the application and will control all future edits of the application as needed. The Submitter can be the Permittee, the Facility Contact or the Preparer, BUT this is the only person who will have the ability to EDIT the application post submittal (if the application is marked deficient or RFI by MassDEP). In most cases we would expect this to be the Preparer or an employee of the facility owner or operator actually preparing the application.
 - ✓ If the Submitter is the same as the Preparer then the Submitter must certify to the accuracy, completeness of the submittal in addition to the Permittee.
 - ✓ If the Submitter is the same as the Permittee, then the Permittee completes the one certification application (sub-form) BUT that also means the Permittee will be responsible for doing any edits required on the Application if an RFI or Deficiency is noted by MassDEP.

Choose your Submitter wisely.

- **Permittee:** This is the Responsible Official who is certifying and “accepting” the application. Please note the regulatory criteria for qualifying a person to act as Responsible Official under the Air Pollution Control Program. MassDEP may require separate verification that the Permittee meets the definition of Responsible Official as defined in 310 CMR 7.00, Appendix C(1) (for an Operating Permit facility) or 310 CMR 7.00, Definitions (for a non-Operating Permit facility).
 - ✓ If the Permittee is the same person as the “Submitter” then, there will only be one certification application (sub-form) where the Submitter will accept the application.
 - ✓ If the Permittee is not the same person as the Submitter, the Permittee will be notified when the application has been submitted. They need to log in to the system, review the application and certify on a separate certification application (sub-form).
- **Contributors:** Contributors are additional people the Submitter selects to work on the application. Each Contributor must have an account in e-PLACE.
- **Official Submittal:** This is the submission of Complete Application including Permittee’s Acceptance. For new Operating Permits the Permittee will get the fee payment link on their “My Records” page after they “accept” the submittal. The application review timeline does not start until the application has been paid.

Some Frequently Asked Questions:

What if the Permittee wants changes to the application after submittal but prior to Permittee certification?

- When the application is submitted the contents are locked. In order to reopen the application at the request of the Permittee, the Permittee should not Accept (i.e. Reject) the certification application (sub-form). This allows the Preparer/Submitter to edit and resubmit.
- If the Permittee has rejected, upon resubmittal of the application by the Preparer/Submitter, the Permittee will be notified and will receive a new certification application (sub-form) for their acceptance.

What Notifications are sent out?

- **Notification of Submission:** Upon submittal of Application, the system will generate a notice to the Permittee with an attached copy of the application (called the Proof of Record or POR). The notice will also contain instructions on how to log in and accept the application.
- **Submission Successful:** Once the Permittee has accepted the submittal, the system will generate a FINAL NOTIFICATION to both the Submitter and Permittee which includes POR of the complete application along with payment instructions.

What if the Submitter changes for the next application?

To implement the new forms, MassDEP is setting up contacts for each existing Title V Permit. The contacts are the facility contacts for each facility. These facility contacts will get a PIN letter and Instructions from MassDEP to allow them to link their account to the permit record in e-PLACE.

When the time comes to prepare a renewal or a modification application, the Facility Contact can either share the PIN with another person who will be the Submitter or choose to be the Submitter themselves. In either case, the Submitter will identify the Permittee (Responsible Official) and identify additional Contributors for the application. In some cases, the Submitter or Preparer will need to change the name of the Permittee or Contributors. This is done by deleting the person listed in that section, looking up the new person in ePLACE (they must have an account) and adding the new person to the record with their associated role or roles.

3. Transferring Control of the Authorization Record or a Permit Application Record (after submittal) to another person within the Facility/ Company.

Not to be confused with an Administrative Amendment that updates the Facility Owner or contacts, if an applicant needs to transfer control of an existing Authorization or submitted Application to a new contact, the Permittee must submit a request to MassDEP to make that transfer.

From January 2020 until sometime later in the spring of 2020, that request must be sent via email to stephen.lachance@mass.gov and must include a form to authorize the transfer. A template for this transfer form is below.

We expect a new form in ePLACE to facilitate records transfer by Spring 2020.

Please use the template below on your own company letterhead and provide the information requested.

Transfer of Record Authorization

Record ID# (please print): _____

Name of Person to whom record should be transferred (Please Print):

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Certification of Responsible Official:

In my role as a Responsible Official for the Permittee Company named below, I hereby authorize the record identified above to be transferred to the person named above.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Permittee Company Name (please print)

Signature

Date

**Source of Signatory Authority:** A signatory must be a Responsible Official for the Permittee Company and have authorization from a legal source in order to have signatory authority to sign this document on behalf of the Permittee Company. Please indicate the source of the signatory authority below (check box).

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| <p><b>If a Corporation or Non-Profit Corporation:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> President</li><li><input type="checkbox"/> Secretary</li><li><input type="checkbox"/> Treasurer</li><li><input type="checkbox"/> Vice President</li><li><input type="checkbox"/> Employee of the corporation (if authorized to bind the corporation)</li></ul> <p><b>If a Limited Liability Company:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Person Authorized to bind the company</li></ul> | <p><b>If a Partnership:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> General partner (if authorized to bind the company)</li></ul> <p><b>If Sole Proprietorship:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Proprietor</li></ul> <p><b>If Municipality or Public Agency:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Principal Executive Officer</li><li><input type="checkbox"/> Ranking Elected Official</li></ul> <p><b>If a Trust:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Trustee or other person authorized to bind the Trust</li></ul> |
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