



Air Operating Permit Supplemental Application Information

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



Air Operating Permit Supplemental Application Information

The Operating Permit Supplemental Information document is provided as guidance only upon issuance of your Operating Permit (OP). Should you require changes to your OP, this document directs you to the requirements and actions necessary to expedite the process. Additional information may be obtained by contacting the Regional Office that issued your OP.

1. Which Form to Use?

Operating Permit Application Activity Cover Sheet

- a. Used by all owners or operators of facilities holding Operating Permits when submitting OP Administrative Amendments, OP Minor Modifications, OP Significant Modifications, and/or OP Renewal applications.

Operating Permit Administrative Amendment (BWP AQ11)

Pursuant to 310 CMR 7.00:Appendix C(8)(a)1, if the proposed change is:

- a. A change in business name, division name, or facility name; mailing address; company stock designation; telephone number, or name of facility contact; or
- b. A transfer of ownership of the facility for which an Operating Permit is in effect, where the Department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the Department; or
- c. A change to monitoring, reporting, record keeping, or testing requirements that is more frequent than previously specified in the Operating Permit; or
- d. The Department, EPA, or Permittee determines that the Operating Permit contains typographical errors.

Operating Permit Minor Modification (BWP AQ10)

Pursuant to 310 CMR 7.00:Appendix C(8)(a)2, if the proposed change:

- a. Does not violate any applicable requirements;
- b. Does not involve a relaxation of existing monitoring, reporting, or record keeping requirements in the permit;
- c. Does not require a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
- d. Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the facility has assumed to avoid an applicable requirement to which the facility would otherwise be subject; and
- e. Is not a modification under any provision of 42 U.S.C. 7401, Title I.
- f. Would have otherwise been required pursuant to 310 CMR 7.02(4)(c)

Operating Permit Significant Modification (BWP AQ13)

Pursuant to 310 CMR 7.00:Appendix C(8)(a)3, if the proposed change does not qualify as a Minor OP modification or as an administrative amendment, or:

- a. Is a significant change to any monitoring, reporting or recordkeeping requirements as required by any operating permit.



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Operating Permit Renewal (BWP AQ12)

Pursuant to 310 CMR 7.00:Appendix C(4)(b), an OP Renewal is required for currently issued Operating Permits, 180 days prior to expiration. Pursuant to 310 CMR 7.00:Appendix C(1), a renewal may also be submitted if there are less than 2 years remaining in the OP and a Significant Modification Application is being submitted.

2. What Other Requirements Should be Considered When Submitting Applications for Operating Permits?

Unless subject to an earlier deadline under 40 CFR 64, an owner or operator of a source with emissions units subject to *Compliance Assurance Monitoring (CAM)* requirements will need to submit a CAM plan as part of the Operating Permit Renewal application or a significant modification based on the deadline date of April 20, 1998 as specified in 40 CFR 64.5.

In general, CAM applies to individual emission units with pre-controlled potential to emit at or above major source thresholds that rely on control devices to comply with applicable requirements.

Additional information regarding CAM may be found at EPA's World Wide Web Site at:
<http://www.epa.gov/ttn/emc/cam.html>.

3. What are the Application Fees?

- OP Administrative Amendment: No Application Fee
- OP Minor Modification: \$300.
- OP Significant Modification: No Application Fee
- OP Renewal: No Application Fee

Details regarding such may be found at 310 CMR 4.10(2)(j)(1).

4. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

Dept. of Environmental Protection
_____*Regional Office
Bureau of Waste Prevention

Reserve Copy Location:

Dept. of Environmental Protection
_____*Regional Office
Bureau of Waste Prevention

*Refer to your Operating Permit or <http://mass.gov/dep/about/region/findyour.htm> for the appropriate regional office.



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All completed application packages shall be submitted in duplicate (one primary copy, one reserve copy) to the appropriate regional office for review and approval. The primary copy must have original signatures. The reserve copy may be a photocopy.

Upon approval of the application, MassDEP stamps the reserve and returns it to you for your records. Additionally, you will receive either an updated OP or approved OP replacement pages. In this manner, MassDEP and the applicant have identical copies of the approved submittal and current Operating Permit.

You must use the appropriate form for the type of application you are submitting. These forms include OP Administrative Amendment (BWP AQ11), OP Minor Modification (BWP AQ10), OP Significant Modification (BWP AQ13), OP Renewal (BWP AQ12).

5. What are the Timelines?

- a. Administrative Amendment: Pursuant to 310 CMR 7.00:Appendix C(4)(b)3, a timely application is one that is submitted concurrent with initiation of the proposed change.
- b. Minor Modification: Pursuant to 310 CMR 7.00:Appendix C(4)(b)2, a timely application is one that is submitted concurrent with the planned modification.
- c. Significant Modification: Pursuant to 310 CMR 7.00:Appendix C(4)(b)1, a timely application is one that is submitted at least nine months prior to the planned modification. For significant modifications which have been reviewed and approved under 310 CMR 7.02, the construction or modification which has been reviewed and approved may commence, but the modified emission unit(s) may not operate, prior to final approval of the modification to the Operating Permit.
- d. Renewal: Pursuant to 310 CMR 7.00:Appendix C(4)(b)4, a timely application shall be submitted at least six months prior to the expiration of the existing Operating Permit.

6. How Long are These Permits in Effect?

Operating Permits shall be for a fixed term of five years in the case of affected sources, and for a term not to exceed five years in the case of all other facilities unless:

- a. otherwise stated in the Operating Permit;
- b. if modifications to the facility require that a new or modified Operating Permit be issued; or
- c. 310 CMR 7.00:Appendix C(3)(c) applies in that permits for solid waste incineration units combusting municipal waste subject to standards under 42 USC 7401, 129(e) shall be issued for a period not to exceed 12 years and reviewed by the department at least every five years.

7. How Can I Avoid the Most Common Mistakes Made in Applying for These Permits?

- a. Answer all questions on the form and indicate "N/A" (not applicable) where appropriate.
- b. Submit all supplementary information requested in the application.
- c. Submit two copies of the application to the regional office for review.
- d. Submit fee and yellow page of the MassDEP Transmittal Form (<http://mass.gov/dep/service/online/trasmfrm.shtml>) to:
Department of Environmental Protection
PO Box 4062
Boston MA 02211



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Business Compliance Division

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8. What are the Regulations That Apply to Operating Permits? Where Can I Get Copies?

These regulations include, but are not limited to:

- Air Pollution Control Regulations, 310 CMR 6.00-8.00
- Timely Action and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376

Unofficial copies of the Massachusetts Air Pollution Control Regulations may be reviewed at:

<http://www.mass.gov/dep/air/laws/regulati.htm>