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Introduction

MassDEP issues an approval of a Limited Plan Application (LPA) to limit increases in air contaminant emissions and protect public health, welfare and the environment. A plan application is required if you are proposing construction, substantial reconstruction, or alteration of a facility that has the potential to cause or contribute to a condition of air pollution. You must receive a written Air Quality Plan Approval from MassDEP before starting construction or installation of the emission unit(s) proposed in your plan application.

Regulations 310 CMR 7.02(1), 7.02(3), 7.02(4), 7.02(5), 7.02(6) and 7.02(8) provide the regulatory authority and the provisions you need to meet in order to obtain a written Plan Approval, as applicable, from MassDEP. The Legislature authorized these regulations in M.G.L. Chapter 111, Section 142 A - J. See the Plan Approval Overview & Applicability Tables for additional information. See: <http://www.mass.gov/eea/agencies/massdep/air/regulations/310-cmr-7-00-air-pollution-control-regulation.html>

Who must apply?

For specific information on when an application must be submitted for an Air Quality Plan Approval, see the Plan Approval Overview & Applicability Tables document on the MassDEP web site for additional information or refer to the regulations at 310 CMR 7.02(4) and 7.02(5). Please also see exemptions at 310 CMR 7.02(2), Permit-by-Rule categories at 310 CMR 7.03, and Environmental Results Program (ERP) compliance certifications in lieu of written Plan Approval at 310 CMR 7.26.

In general and absent consideration of Permit by Rule and Environmental Results program exceptions the following provides an overview of where an LPA would be required

Facilities Subject to Plan Approval Requirements

The tables below specify some of the more common types of emission units and facilities for which a written MassDEP Plan Approval is required. Please note that some plan applications may need to be accompanied by supplemental and/or pollution control device forms. See Page 10 for additional information.

Fuel Utilization Facilities			
Equipment/Facility Type	Fuel Type	Parameters	Approval Needed*
Fuel Utilization Facility	Distillate Fuel Oil	≥ 10 Million to < 30 Million Btu/Hour	LPA-FUEL¹
Fuel Utilization Facility	Natural Gas/Propane	≥ 10 Million to < 40 Million Btu/Hour	LPA-FUEL¹
Boiler	Used Oil	≥ 3 Million to < 10 Million Btu/Hour	LPA-FUEL¹

1. LPA-FUEL (AQ 01): Limited Plan Application for Fuel Utilization Emission Unit(s)*



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*Note: You may also need to submit one or more supplemental and/or pollution control device forms.

Process Emission Units		
Equipment Type	Emissions	Approval Needed*
Any Non-Combustion	≥ 1 Ton to <10 tons of an Air Contaminant in any Consecutive 12-Month Period	LPA-PROCESS

1. LPA-PROCESS (AQ 01): Limited Plan Application for Process Emission Unit(s)*

Pre-Application Consultation

You should contact the appropriate MassDEP Regional Office early in the process of preparing to apply for a Plan Approval. A pre-application conference can save you time, spare you frustration, and often results in faster processing by the agency. If you submit an application without scheduling such a meeting, MassDEP may require one, anyway, before it can determine whether your application is administratively complete. Find Your Region:

<http://www.mass.gov/eea/agencies/massdep/about/contacts/>

Instructions

The application is an online form that can be found at:

<https://permitting.state.ma.us/CitizenAccess>

You will need to create an account to access the form. Screen by screen instruction to assist you in completing the form is available at <http://mass.gov/dep/aq-lpaf> for an LPA Fuel and <http://mass.gov/dep/aq-lpap> for an LPA-Process. Also available is a detailed description of each data field in the application and what needs to be provided in each (content and format).

Please note that when completing the form online, every field with a red asterisk is required data. You will not be able to advance to the next page in the form or submit the form without entering something in each field of the form marked with a red asterisk.

The form allows the preparer to “Save and Resume Later” any form you start. It is recommended that the first person to open a form in the online system enter the first page of data and then click “Save and Resume”. This action will create a PIN that can be shared with another person (consultant, staff or signatory). Once another person activates the PIN in their account, they will be able to open the form and add information or approve it as the signatory. See <http://mass.gov/dep/aq-lpaf> or <http://mass.gov/dep/aq-lpap> for more instructions on activating a PIN and sharing a form.

The following provides general instruction on the forms by section.

Step 1. Facility Information

Provide general information such as facility name, facility owner, address, and EPA Identification number. You can search for your facility from a pre-loaded list. If you are proposing a new facility you can enter the information for the proposed facility and NOT select from the existing facility list.



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The form also requires you to enter information about the facility Owner and Contact . If you have previously completed an on-line application for the same facility or owner, you may be able to look up and select ownership information.

Finally, you are required to enter either the primary NAICS or SIC code for the facility.

Step 2. Application Information

There are a number of tables that need to be completed to provide the application information. Tables Common to BOTH the Fuel and Process LPA include the following:

- List of Existing Approvals
- Description of project : Including a list and description of the emission units
- Regulatory Information: Identification of other state or federal applicable regulatory requirements
- Energy Efficiency Survey

Tables specific to the LPA Fuel include:

- Details of proposed Project Equipment and Fuels
- Proposed Stack Details
- Proposed Best Available Control Technology (BACT) Emissions (see <http://www.mass.gov/eea/agencies/massdep/air/approvals/air-plan-approval-applications.html> for guidance on Top-Case BACT)
- Proposed Monitoring and Recordkeeping

Tables specific to the LPA Process include:

- Details of proposed Project Equipment and Fuels
- Proposed Pollution Controls
- Project Configuration (how Emission units relate to stacks and pollution controls)
- Proposed Stack Details
- Proposed Best Available Control Technology (BACT) Emissions (see <http://www.mass.gov/eea/agencies/massdep/air/approvals/air-plan-approval-applications.html> for guidance on Top-Case BACT)
- Proposed Monitoring and Recordkeeping

Again, see <http://mass.gov/dep/aq-lpaf> or <http://mass.gov/dep/aq-lpap> for a detailed description of each data field in the tables of the application and what needs to be provided in each (content and format).

Step 3. Documents

The system will ask that documents be attached to support the application. The documents could include such things as copies of Manufacture specifications, or a BACT analysis if top case is not proposed. Applicants are encouraged to attach more than the minimum documents identified by the system.

The document attachment process is very similar to attaching a document to an email. Start by clicking on the “Browse” button. This will bring up a pop-up box. Click on “Browse” again and you can search your computer for the document you want to attach. Once you have attached the document, you click “continue” which brings you back to the main screen.

On the main screen you will be asked to identify the attachment type (pick from a drop down list) and provide a brief description of the attachment.



Step 4. Special Fees

310 CMR 4.00 identifies certain circumstances where special fees are applied. Most applicants for an LPA will not be subject to special fees but if you are, the applicant should pick the applicable fee exemption type and provide supporting information on this page.

Step 5. Applicants and Contributors

This page is where the “Responsible Official” (hereafter called the signatory) for the application is identified. You will NOT enter a name (unless the person filling out the application is the signatory). First you will be asked to fill in the company name, pick the appropriate organization type (LLC, Corporation, Sole Proprietorship). This is called “Source of Signatory Authority. Then pick the appropriate title or position of the person who will be the signatory.

The Signatory or Responsible Official must create an account in ePLACE and access the application to submit it. No other person can submit the application. When the signatory logs into the application, their name as provided in their account information will show up in the box labelled “Applicant Information”

Step 6. Application Review and Submittal

The entire application is presented for final review in this step. You can reopen the application to edit it by clicking on the “Edit Application” button at the top or, if the information provided is complete and accurate you can proceed to submit the application.

At the bottom of the review page is the applicant certification statement. The applicant (signatory) must certify that the information contained on the form is true, accurate and complete by clicking a box of agreement.

The permit fee can be paid either online or by check through the mail. The Applicant is asked to select the method preferred. If the applicant chooses to pay the fee online, an electronic check or credit card payment is allowed. Both carry a nominal handling fee. The applicant will be sent to a payment page and asked to complete information specific to the credit card or electronic check.

If the applicant chooses to pay by mail then a check should be sent to the address provided below in the FAQ.

Once the applicant certifies, pays the application fee (or indicates that the fee will be paid by mail) and clicks the “Continue” button, the application is submitted. The applicant will receive email notice of a successful submittal and within five minutes the applicant will receive a printable copy of the application as submitted (minus attachments).

After Submittal

If you log into ePLACE and click on the “My Records” button, you will be able to view the status of your application through the review and approval process. The timeline for review will not start until the fee has been paid or a fee exemption (if requested) has been verified).

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If you are unable to file online, you can obtain a paper form by contacting your MassDEP Regional Office. Please return the completed form to the appropriate regional office, Attention BWP Regional Data Manager. If you need assistance in finding the appropriate region or its



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mailing address sees: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>. Should you have any questions about this regulation or your facility, please also contact the appropriate regional office.

## Frequently Asked Questions

### What is the purpose of a Plan Approval?

MassDEP issues an approval of a Limited Plan Application (LPA) or Comprehensive Plan Application (CPA) (a Plan Approval) to limit increases in air contaminant emissions and protect public health, welfare and the environment. A plan application is required if you are proposing construction, substantial reconstruction, or alteration of a facility that has the potential to cause or contribute to a condition of air pollution. You must receive a written Air Quality Plan Approval from MassDEP before starting construction or installation of the emission unit(s) proposed in your plan application.

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**Note:** You should contact the appropriate MassDEP Regional Office early in the process of preparing to apply for a Plan Approval. A pre-application conference can save you time, spare you frustration, and often results in faster processing by the agency. If you submit an application without scheduling such a meeting, MassDEP may require one, anyway, before it can determine whether your application is administratively complete. Find Your Region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>

### What other requirements should be considered when applying for a Plan Approval?

While the following may be rare for a project meeting the LPA thresholds, they should be considered.

- Carefully examine the Massachusetts Environmental Policy Act (MEPA) Regulations (301 CMR 11.00) to determine if your proposed project exceeds MEPA review thresholds. MassDEP cannot complete technical review of the plan application until the MEPA process has been concluded. Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate MassDEP program offices in Boston and the MEPA Coordinator in the appropriate Regional Office. Contact the MEPA Unit of the Executive Office of Energy & Environmental Affairs at 617-727-5830 for additional information.
- Must the proposed project be approved by the Energy Facilities Siting Board (EFSB) (M.G.L. Chapter 164, 980 CMR 1.00-11.00)?



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- Does the proposed project meet the criteria established in 310 CMR 7.02(6) Aggregating Emissions?
- Is the proposed project subject to New Source Performance Standards (40 CFR 60) or National Emission Standards for Hazardous Air Pollutants (40 CFR 61 and 63)?
- If the proposed project triggers Prevention of Significant Deterioration (PSD) review pursuant to federal regulations 40 CFR Part 52 section 52.21 implemented by MassDEP, we will work with you to identify and satisfy additional application and notification requirements.
- If the proposed project is required to be approved under 310 CMR 7.00: Appendix A, the facility will need to obtain offset emissions and demonstrate compliance with the Lowest Achievable Emission Rate (LAER) requirement.
- If your project requires a site assignment under M.G.L. Chapter 111, Section 150A, M.G.L. Chapter 111 Section 150B or M.G.L. Chapter 21D, MassDEP cannot issue a Plan Approval until you have obtained it.

**Note:** This list is intended to serve as a guide and may not necessarily include all additional requirements.

**What is the application fee?**

|                                 |       |
|---------------------------------|-------|
| Permit Code AQ 01               | \$645 |
| <b>Limited Plan Application</b> |       |
| LPA FUEL                        |       |
| LPA PROCESS                     |       |

**Where can I get a copy of the review timelines?**

The timelines are available at:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

**What is the annual compliance fee?**

The annual compliance assurance fee is dependent on the facility-wide potential emissions. Please consult 310 CMR 4.03 (Table 4.03) for more information. If you fail to pay the annual compliance fee, your Plan Approval could be suspended or revoked.

**How long does a Plan Approval remain in effect?**

A Plan Approval is in effect for the useful life of the approved emission unit(s) even if there is a change in ownership, or until the project approved by this action is substantially reconstructed or altered or if MassDEP determines that air contaminant emission reductions beyond those contained in the issued Plan Approval are necessary, at which time a new approval will be required.

**How can I avoid the most common mistakes made in applying for this Plan Approval?**

- Answer all questions on each required form or indicate "N/A" (not applicable) where appropriate.



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- Attach additional pages of technical information and additional tables, as needed with each required Form you submit.
- Submit a "sign off" from any other agency necessary prior to the submittal of an application, if applicable, as an attachment. For example, MEPA, the Massachusetts Historical Commission, MDPU, EFSB, etc.
- Submit the proper fee. You are encouraged to pay online. If paying by mail, send the check to the address below and be sure to write the Application ID number on the check.

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P. O. Box 4062  
Boston, MA 02211

**What are the regulations that apply to these Plan Approvals? Where can I get copies?**

These regulations include, but are not limited to:

- Air Pollution Control Regulations, 310 CMR 6.00 to 8.00.
- Timely Action & Fee Provisions, 310 CMR 4.00.
- Administrative Penalty Regulations, 310 CMR 5.00.

Copies of these regulations may be purchased from:

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

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