

Title V Petitions Workgroup  
Notes - September 22, 2011  
Room 713, DNR Central Office, 101 S. Webster St, Madison

Meeting opened at 9am

#### Status of Implementing Plans in Permits

- Discussion followed question on what more can be done to spread the word about the policy:
  - more outreach and in-reach (staff training or reminders) needed
  - two permit writers are taking different approaches in separate permits for same company; option or preference should be up to facility and permit writer educator on availability
- Questions:
  - Is DNR getting comments on permits written following new guidance? A: We can look into that.
  - If parameter range is included in the permit, what does it mean to operate outside the range? Especially in light of other evidence they are complying with limit (e.g., CEMS data)?
    - What needs to be reported? Violation? Excursion? And when?
    - Why include parameter range if there is other, more accurate monitoring?
  - Is there guidance on setting ranges? What's too broad?
    - ranges in permits should only reflect compliance
    - other triggers for checks on equipment should remain 'off-permit'
  - What can be done about redundancy in permits? WRT CAM and 439 monitoring, in particular.

#### PSD and Old Permits - Andy Stewart

- needs to be an internal process, will be presenting the policy at November meeting

Question: Thought one of the workgroup topics was going to address level of detail in response to comments? In addition to that, discuss supporting documentation in permit documents to help address comments.

Answer: We can discuss at later meetings; we should have time.

#### Old Limits/Application Information in Permit - Susan Lindem

- Historical requirements
  - How to communicate removal of old limits/conditions in a renewal (strikeout vs PD narrative vs both)? No current policy to indicate which method, but do we need one?
  - Simplified if monitoring 'created' through original Title V, and removed in later Title V renewal - no Title I issues - but do explain why old monitoring no longer required/needed
  - Can address removal of old requirements or units in preamble of permit
  - Questions:
    - How to protect against or avoid poorly written conditions in Title I (NSR) that can only be corrected through new Title I action? - Administrative fix in NR 406? Not available now, but could change rule.

- “Descriptive” application information (e.g., throughput, heat input) may/may not be applicable requirement related to emission limit
  - may only be used for applicability purposes
  - better description of need for information from application may be solution
  - IN, IL, IA - all refer to descriptive information with footnote or other note “this is for description purposes and is not enforceable” right in permit
  - need better description in PD of which rate used in emission limit calculations: maximum, rated capacity, etc.
- Issue of consistent and adequate implementation of these:
  - use of public forums (FET)
  - announce when new guidance added to web: within Air News or separate “updates” page on web, or both

#### Adequate Compliance Demonstration - Jonathan Wright

- Issue 1: Don’t include parameters in Title I, only reference need to develop parameters during testing. Title V then contains parameters; more easy to modify if turns out they’re not the most appropriate.
  - Revoking and replacing vs revising when changing Title I actions?
  - look at streamlined 406 option to allow ‘administrative’ revisions/fixes
  - what can we do now vs waiting for rule change
  - MN has example in their merged permit program
  - using approach #2 in “plans in permits” process works well here
  - guidance on testing requirements, to tie into including range in Title V permits
- Issue 2: Link range with emissions
  - source needs to help by providing some background on why their range is “best” for their device
  - add something in application forms requesting that supporting/justification information with Title V
  - do better job explaining in PDs - allowed EPA to deny petitions in Region 8 Xcel Energy petition
- Issue 3: Frequency of parameter monitoring
  - does 439.055 conflict with CAM?
  - frequency should match needs for proper operation of device
  - better explain in PD how combination of all compliance demonstration requirements work together to prove compliance, not relying on only range or other individual element
  - consider CAM override 439, and 439 is baseline for those areas CAM doesn’t apply

Going back to Adequate Response to Comments question:

- Andy demonstrated internal “comments library” on WARP
- question on whether that reflects well written permits, if no comments received on them (possibly)
  - another resource to showcase well written permits?

Next Steps:

- stakeholders comment on materials presented at the meeting
- Comments to Renee by October 7<sup>th</sup>
- next meeting October 12<sup>th</sup>, at DNR Science Operations - more detailed discussion on Old Limits\Application Information in Permit