



## WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

### DOCUMENT ID

AM-19-0039

### DOCUMENT TITLE

Fact Sheet for Type G Registration Permits

### PROGRAM/BUREAU

Air Management

### STATUTORY AUTHORITY OR LEGAL CITATION

Section 285.60, Wisconsin Statutes; Chapters NR 406 and NR 407, Wisconsin Administrative Code

### DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

October 28, 2019

### DATE FINALIZED

November 25, 2019

No comments were received during the comment period 28OCT2019 to 18NOV2019

### DNR CERTIFICATION

*I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.*

A handwritten signature in blue ink that reads "Paul E. Good".

November 20, 2019

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Signature

Date

## DNR GUIDANCE DISCLAIMER

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

# Air Program Fact Sheet Type G Registration Permits

July 2019

## What is a Registration Permit?

The Registration Permit is a standardized air pollution control permit which authorizes facilities with low actual emissions to operate. It is drafted, undergoes public comment, and is issued to cover a category of air pollution sources. Upon issuance, eligible facilities may apply for coverage under the permit. In most cases, a registration operation permit (ROP) is issued along with a companion Registration Construction Permit (RCP). When issued as a companion, the RCP is nearly identical to the ROP and ensures a smooth, legal transition from the department's traditional permit program to the Registration Permit Program. The remainder of this document refers to a Registration Operation Permit issued with a companion Registration Construction Permit as a ROP.

## What are the Type G Registration Permits (ROPGs)?

On February 28, 2019, the department issued two Registration Permits called the Type G ROP. These permits are available for facilities achieving superior environmental performance in Tier 2 of the Green Tier Program, or intending to enter Tier 2, that can limit their emissions to less than 80 percent of the major source thresholds of both criteria pollutants and hazardous air pollutants (HAPs).

The Type G ROPs or ROPGs are a set of permits, RCP-G01 and ROP-G02, for stationary sources with emissions that do not and will not exceed 80 percent of the major source threshold, except for lead emissions. Eligible facilities shall also be an existing Tier 2 participant of Green Tier or have the intent to enter Tier 2 within the time frame established in the permit.

Table 1: ROP G Eligibility Thresholds

Pollutant	Thresholds <sup>1</sup>	
Particulate matter less than 10 microns (PM <sub>10</sub> )	<80 tons per year	
Particulate matter less than 2.5 microns (PM <sub>2.5</sub> )	<80 tons per year	
Sulfur dioxide (SO <sub>2</sub> )	<80 tons per year	
Carbon monoxide (CO)	<80 tons per year	
Nitrogen oxides (NO <sub>x</sub> )	<80 tons per year	<40 tons per year <sup>2</sup>
Volatile organic compounds (VOCs)	<80 tons per year	<40 tons per year <sup>2</sup>
Lead	<0.5 tons per year	
Any single federally regulated HAP	<8 tons per year	
Total of all federally regulated HAPs combined	<20.0 tons per year	

NOTE: For a list of federally regulated HAPs: <http://www.epa.gov/ttn/atw/orig189.html>

<sup>1</sup> Major source thresholds vary according to the attainment status of the area in which the facility is located. If there is a change in the attainment status of the area where the facility is located for any pollutant, then the facility-wide emission limit for that pollutant will also change to less than 80% of the new major source threshold.

<sup>2</sup> Thresholds that apply to areas designated serious nonattainment for ozone



## What are the benefits of a Registration Permit?

- Flexibility to construct, modify, or replace equipment without obtaining a construction permit, as long as the facility continues to comply with all conditions of the ROP after the change.<sup>2</sup>
- Less frequent and less prescriptive monitoring and recordkeeping requirements.
- Swift DNR decisions on permit coverage—15 days or less.<sup>3</sup>
- Simplified permit application process.
- Lower administrative costs—no construction permits, renewals or revisions.<sup>4</sup>

## What are the differences between the Type G01 and Type G02 Registration Permits?

The primary difference between the Type G01 and Type G02 Registration Permits is that G01 is a standalone registration construction permit and G02 is an integrated registration construction and registration operation permit similar to other ROPs issued by DNR. For more information on all ROPs, go to the Registration tab on the Air Permit Options page: <http://dnr.wi.gov/topic/AirPermits/Options.html>.

Other differences between RCP-G01 and ROP-G02 include:

- **Eligibility**
  - RCP-G01 is available for any facility with intent to enter Tier 2 of Green Tier within the time frame established in the permit and can maintain air emissions below the permit limits.
  - ROP-G02 is available for facilities that are in Tier 2 of Green Tier and can maintain air emissions below the permit limits.
- **Permit coverage period**
  - RCP-G01 requires the facility to achieve Tier 2 of Green Tier within 18 months (extendable for up to 18 additional months upon request). If the facility fails to achieve Tier 2, the coverage under the RCP-G01 will be withdrawn and the facility will be responsible for applying for the appropriate type of construction and operation permit.
  - ROP-G02 authorizes the facility to continuously construct and operate as long as the facility meets the permit requirements and maintains good standing in Green Tier as a Tier 2 participant.

## What are unique aspects to the Type G Registration Permit (ROPG)?

- **Emission limits**
  - ROPG caps the air emissions below 80 percent of the major source thresholds of both criteria and HAPs.
- **Participation in Green Tier Program**
  - ROPG requires the facility to be an existing Green Tier, Tier 2 participant in good standing or to achieve Tier 2 within the time frame established in the permit.

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<sup>3</sup> Source-specific conditions included in Part Ib of the Type G Registration Permits (ROPGs) shall be revised through a source-specific construction permit review.

<sup>4</sup> Inclusion of source-specific conditions in Part Ib of ROPGs might require at least 6 additional weeks.

<sup>5</sup> The evaluation of a source-specific conditions to be included in Part Ib of the ROPGs requires a review fee.

- **Permit conditions**
  - ROPG allows facilities to include source-specific conditions in Part Ib of the permit. Those conditions must be established in a source-specific construction permit that undergoes traditional procedures including public notice and comment. The source-specific conditions are limited to:
    - Latest Available Control Techniques (LACT)
    - Use of source-specific control devices
    - Source-specific Best available control technology (BACT) or Lowest achievable emission rate (LAER) established under ch. NR 445, Wis. Adm. Code.
    - Retention of limits established to avoid major source construction permit review under chs. NR 405 and 408, Wis. Adm. Code.
    - Retention of BACT or LAER limitations established in previously issued major source construction permits under ss. NR 405.08 and NR 408.04, Wis. Adm. Code.
- **Air quality analysis requirements**
  - ROPG does not require an air quality analysis if the facility meets the stacks configuration established in the permit and the emission rates are less than the following thresholds:
    - PM<sub>10</sub> – 5 tons per year
    - SO<sub>2</sub> – 25 tons per year
    - NO<sub>x</sub> – 25 tons per year
    - CO – 50 tons per year.
  - If any stack does not meet the stack configuration required by ROPG, the facility shall conduct an air quality analysis when the emission rate of either PM<sub>10</sub>, SO<sub>2</sub>, or NO<sub>2</sub> exceeds 5 tons per year.
- **Other conditions:**
  - ROPG allows facilities the option of using collection efficiencies listed in the general section of the permit (Part Ia) or using source-specific collection efficiencies listed in the source-specific section (Part Ib) of the permit.
  - ROPG allows facilities subject to any New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants to obtain coverage, if the standard does not trigger the requirement to obtain a Part 70 permit.
  - ROPG requires the facility to meet reporting and auditing requirements under Green Tier.

### **Can a facility apply for ROPG and later transfer to another type of permit?**

Yes. Facilities planning to obtain Tier 2 of Green Tier but failing to achieve Tier 2 within the time frame established in RCP-G01, must apply for a source-specific permit. In that case, the facility should apply for a new source-specific construction permit that will cover all air emissions units at the facility and apply for a source-specific operation permit. Even when achieving Tier 2 under Green Tier, the facility may choose at any time to apply for another source-specific permit. Other types of ROPs, General Permits, and Permit Exemptions might also be available for these facilities.

## FOR MORE INFORMATION

- For information about the Green Tier Program, see <https://dnr.wi.gov/topic/GreenTier/>, or contact staff at (608) 267-9753 or by e-mail at [GreenTier@wisconsin.gov](mailto:GreenTier@wisconsin.gov).
- For more information on registration permits or to view the final version of the permits, go to the Registration tab on the Air Permit Options page: <http://dnr.wi.gov/topic/AirPermits/Options.html>.
- For additional information about registration permits, contact the Registration Permit Coordinator at (608) 273-5605, [DNRAMROPsAirPermit@wisconsin.gov](mailto:DNRAMROPsAirPermit@wisconsin.gov), or the Small Business Environmental Assistance Program at 855-889-3021, [DNRSmallBusiness@wisconsin.gov](mailto:DNRSmallBusiness@wisconsin.gov).

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