

CORRESPONDENCE/MEMORANDUM

DATE: April 9, 2018

TO: Air Permit Applicants

FROM: Kristin Hart - Permits & Stationary Source Modeling Section Chief

SUBJECT: Collaborative Permit Process - Submitting a Redline Strikeout Version of an Existing Permit as Part of an Application

Introduction:

When applying for an air permit, an applicant with an existing air permit may wish to include a “redline strikeout” version of an existing permit as part of the application. The purpose of this memo is to provide air permit applicants with guidance on how to access an editable-electronic copy of an existing permit and prepare a redline strikeout version for an application.

I. Supplementing an application with a redline strikeout version of an existing permit

Application requirements: In order to apply for an air permit, an applicant must provide the Department with certain forms and information. A redline strikeout version of an existing permit cannot be substituted for these required materials, but can be a useful supplement to them. In order for an application to be complete, the applicant must submit all required forms, signatures and information to the Department, as well as any applicable fees.

For further guidance on application requirements for different types of air permits, visit the air permits page of the Department of Natural Resources, which is located at <http://dnr.wi.gov/topic/AirPermits/>

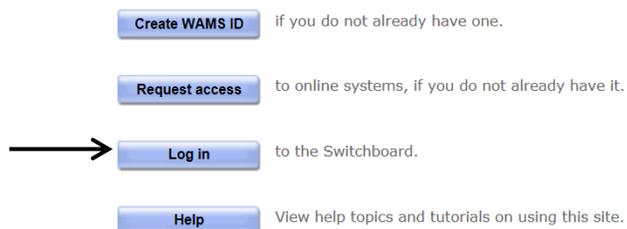
Redline strikeout application supplement: A redline strikeout version of an existing permit can be a useful supplement to a permit application. By tracking changes in an electronic copy of an existing permit, the applicant can clearly identify any changes they wish to propose. Guidelines for making appropriate redline strikeout edits permits are identified in further detail in Section III of this memo.

II. How to obtain an editable-electronic copy of an existing permit

In most cases a copy of an existing permit can be obtained as a Microsoft Word document through the DNR Switchboard, which is located at <http://dnr.wi.gov/topic/Switchboard/>. In order to access the Word document, an applicant must have received air permitting authority for the DNR Switchboard. If you have an air permitting authority for the Switchboard please follow the steps below. If you do not have an air permitting authority, please contact the Department’s emissions inventory contact for further assistance. Contact information is located at <http://dnr.wi.gov/topic/airemissions/>.

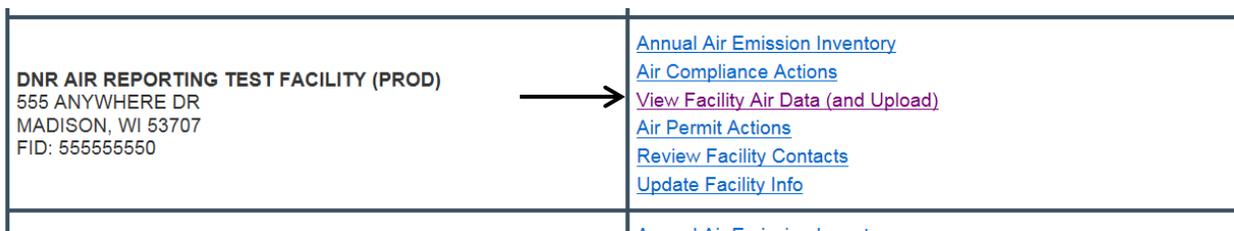
To obtain a word copy of the permit, log into the DNR Switchboard using your WAMS (Web Access Management System) ID.

DNR Switchboard - secure eBusiness portal



Welcome to the DNR Switchboard. The Switchboard is for people who need to securely login and access forms and reporting systems which are usually related to a specific company or municipality. If you already have a Web Access Management System (WAMS) ID and access, you may click on the "Log In" button above to begin. Otherwise, you will first need to create a WAMS user ID and/or request access to an on-line system.

Upon logging in, the individual will have the option to click on: “View Facility Air Data.”



This link will direct the user to the home page for the facility. The user can then select the tab labeled “Facility Permits and Applications” to access all the permitting actions and files that are associated with a specific permit, including the word (.docx) files for each permit. Download the word file to have an editable-electronic copy of the existing permit.

If the word file is not available for the permit in question, please get in touch with one of the persons listed under Contact information on the Air permits webpage located at <http://dnr.wi.gov/topic/AirPermits/>. Any one of these contacts can then make a word document available on the Switchboard for the facility to access.

III. Guidelines for editing existing permit conditions

When preparing a redline strikeout version of an existing permit, an applicant needs to consider carefully whether the changes proposed to existing conditions are approvable. The type of permit needed to change any particular condition will depend upon the purpose of the condition and the type of permit action that originally established it. Some requested changes can be done through a revision of the operation permit, while others might require a construction permit revision or even a new construction permit. All suggested revised permit language will undergo Department review, and the Department will respond with a request for an application if the change being requested requires a different type of permit application.

In order to assist applicants in preparing redline strikeout edits, the various types of permit conditions and the type of permit typically needed to revise them are described below. This information on conditions and revising conditions is only intended for guidance purposes, and permit applicants are advised not to rely on it as a substitute for a careful review of applicable law.

Types of permit conditions: Air permits are largely organized according to emission unit. The requirements for a particular unit or group of units are placed into a specific section of the permit with a separate table included in the section for each regulated air pollutant. Many air permits also include sections dedicated to facility-wide conditions.

Typically each permit table is divided into three columns for different types of requirements: one for limitations, one for compliance demonstrations, and one for recordkeeping and monitoring. The legal authority for each requirement is given at the end of the requirement in [brackets].

- Limitations – The Limitations column lists all applicable emission limitations that apply to the source, including case-by-case limitations such as Latest Available Control Techniques (LACT), Best Available Control Technology (BACT), or Lowest Achievable Emission Rate (LAER). It also lists any restrictions on hours of operation, raw material use, or production rate requested by the permittee to limit potential to emit.
- Compliance Demonstration - The Compliance Demonstration column contains limits on parameters or other mechanisms that must be monitored periodically to ensure compliance with the limitations. If testing is required, the requirement to test, as well as initial and periodic test schedules is stated here. The compliance

demonstration methods outlined in this column may be used to demonstrate compliance with the associated emission limit or work practice standard listed under the corresponding Limitations column.

- Reference Test Methods, Recordkeeping, and Monitoring Requirements - This column may list reference test methods for the pollutant, and will contain recordkeeping and reporting requirements, including any that are required by federal or state rules.

Possible permitting consequences of proposed changes:

Changing Construction Permit Conditions

Conditions that were established in or contained in a construction permit can only be changed through a new or revised construction permit. Generally, if the change results in an increase in emissions that is prohibited by a permit, a new construction permit must be issued to make the change. In other cases, the change may be able to be made through a construction permit revision.

Permit conditions containing a Prevention of Significant Deterioration (PSD) BACT requirement (labeled with s. NR 405.08, Wis. Adm. Code) or a Nonattainment New Source Review (NA NSR) LAER requirement (labeled with s. NR 408.04, Wis. Adm. Code) require a construction permit issued under either ch. NR 405 or 408 in order to be changed.

Permit conditions containing limitations previously requested by a facility to avoid construction permitting under chs. NR 405, 406 or 408 may be changed in certain circumstances but only if the proposed changes do not alter the status of earlier projects under the construction permitting programs. Such avoidance limits are often labeled with s. 285.65(7), Wis. Stats., code citation and footnoted to explain why the limit was requested and what applicable requirements are being avoided by the limitation. Any proposed changes to avoidance limits will require detailed review by the Department to determine if they are approvable.

Revising Conditions Directly from Federal or State Code

In most cases, the Department does not have the authority to change permit conditions that are taken verbatim from federal or state rules such as NESHAPs or NSPS requirements. Please check the current language in the federal and state rules before submitting suggested changes.

Revising Monitoring and Recordkeeping Requirements

Monitoring requirements must meet, at a minimum, the requirements of s. NR 439.055, Wis. Adm. Code, as specified in Part II of the permit. Recordkeeping is also required to meet applicable portions of ch. NR 439, Wis. Adm. Code. In addition, other federal and state rules often specify monitoring requirements. Revisions that are inconsistent with these rules and/or Part II of the permit are not allowed. Please review the authorities for existing monitoring and recordkeeping requirement before proposing any changes.