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## Title V Permit Preparation Manual - Carlos

Date: 12/28/2000  
Rev 1: 6/11/2003  
Rev 2: 12/1/2005  
Rev 3: 7/15/2010

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**Policy:** Guidelines for Preparing Air Pollution Title V Permits

Comment [c1]: Need table of contents for document

**Purpose:** To develop Terms and Conditions for Title V permits for major sources of air pollution regulated by the State of Ohio.

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**Scope:** The District Office or local air agency (DO/LAA) is designated as the resource responsible for preparing permit recommendations for major air pollution sources that have applied for Title V operating permits under Chapter 3745-77 of the Ohio Administrative Code (OAC).

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**Purpose and Use of this document:**

- This document is intended to be used by all permit staff involved in the Title V permitting process. The document starts at a broad level and delves in to the detail of the Title V permitting process and steps that must be taken to review Title V applications and develop Title V permits. This document is not intended to establish regulatory guidance.
- New staff will be trained on the requirements of this procedure during the first year of employment as appropriate in accordance with the progress of development.
- Contact the Manager of the DAPC Permit Issuance and Data Management Section of if you identify any broken links or outdated references while using this document.

Deleted: Upon completion of this manual in 2005, staff were trained on the requirements of this permit preparation procedure

### **What is Title V and who is subject to the requirements?**

"Title V" refers to Title V of the 1990 Clean Air Act Amendments. This portion of the Act established an operating permit program at the federal level for the first time. The program required, for the first time, that one comprehensive permit be issued to each major stationary source. One of the primary goals was to identify every "applicable requirement" that applied to every operation (emissions unit) located at the facility. Additionally, the Title V permit program required that the permits include requirements to "assure compliance" with the applicable requirements. The "assurance" is implemented through operational restrictions and/or control measures that are developed as the permit is developed. In addition a major part of this new permitting program was to shift responsibility from the regulator to the company when for showing whether a source is in compliance. So, in other words, before Title V, regulators had to assert and prove noncompliance. However, Title V facilities have to assert that they are in compliance and report instances of non/intermittent compliance. This was a really important development because this ongoing evaluation of compliance with the applicable and other permit requirements is tied to personal liability on the part of the responsible official (RO).

Comment [c2]: I would like to see Background section here for new folks describing what requires these permits and some history here.....very helpful for the full picture when you first begin...for instance It is required by the 1990 Clean Air Act The state rules are found in 3745-77 The documents are intended to be comprehensive facility wide documents that contain all applicable Federal and State requirements. What is the applicability? PTE greater than 100 TPY of criteria pollutant or PTE greater than PTE greater than 10 TPY of any HPA or PTE greater than 25 tons per year of any combined HAPs. Why not reference applicable EG s like #61, #58, #64, etc...

Use our already existing sources like reference were on US EPAs or our website more info can be found.

Mention what the deadline is/was for submittal of initial Title V and renewals and how long the renewal cycle is for Title Vs

Comment [mwa3]: See Renewal guidance to see if this partially fits the bill.

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As you review and develop Title V permits, you may note monitoring, recordkeeping, and reporting requirements that are more detailed than what you see in the corresponding PTIs (particularly for sources that were installed prior to the early 1990's and particularly for sources that pre-date the new source review program that would have been subject to very minimal State PTOs prior to Title V). The reason you will notice more robust monitoring, recordkeeping and reporting in the Title V permits is in order to make sure the company and RO has sufficient information to be able to evaluate/assert compliance.

For more information about the history of the Act and the Title V program in particular, go to <http://epa.gov/airquality/permits/permitupdate/index.html>

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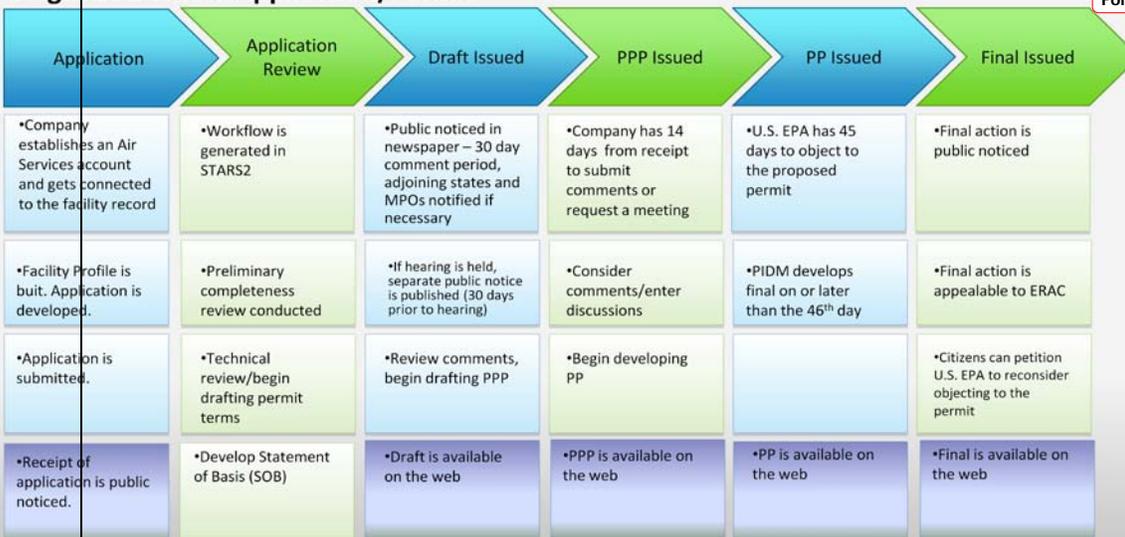
**Very high level overview of how a Title V facility gets permitted**

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**Stages of a Title V Application/Permit**



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**Processing time frames and stages**

The regulations require Ohio EPA to process applications within certain time frames as shown below.

Type of permit being processed	Regulatory time frame to issue a final permit/permit revision	Underlying rule basis
Initial	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)
Administrative Permit Amendment (APA)	Final permit issued within 60 days	OAC rule 3745-77-08(B)(1)(a)
Minor Permit Modification (MPM)	Final permit issued within 90 days	OAC rule 3745-77-08(C)(1)(e)
Significant Permit Modification (Sig. Mod)	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)
Reopening	Final permit within eighteen months of promulgation of the applicable requirement	OAC rule 3745-77-08(D)(1)(a)
Renewal	Final permit issued within 18 months of receipt of a complete application	OAC rule 3745-77-08(A)(6)
Off-permit change	Final permit issued as part of permitting for one of the other reasons identified	OAC rule 3745-77-07(l)

**Stages of the Title V Permit Process:**

- Draft Permit – allows for a 30-day public comment period. A public hearing can be requested at this time also which requires an additional 30-day public notice.
- Preliminary Proposed Permit – the facility has 14 days to request to have a PPP meeting to discuss any further changes that might be needed for the permit.
- Proposed Permit – allows USEPA 45 days to submit any further comments on the permit.
- Final Permit – permit gets issued Final shortly after resolving any items submitted by USEPA.

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\* Off-permit changes do not require an application, but they do require the responsible official to provide "contemporaneous notification" of the change. DAPC has implemented this via the "Request Administrative Permit Modification" option in Air Services.

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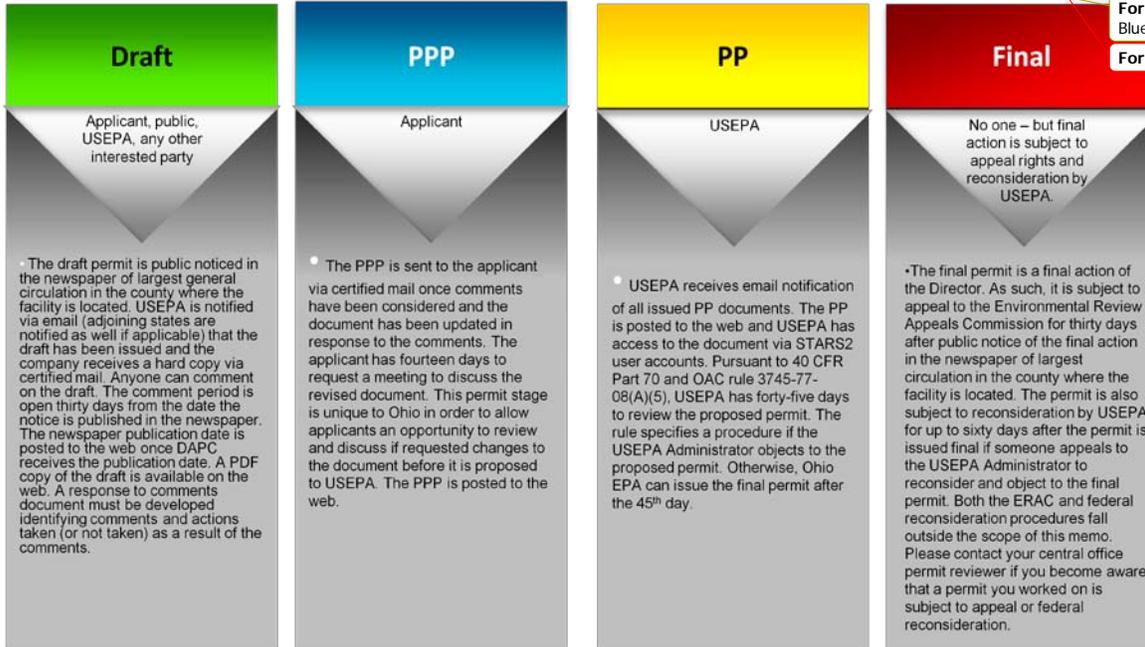
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**Who participates in the permitting process**

Participation changes as the permit progresses through each stage of permitting. The graphic below shows the stages, who can comment, how the participant becomes aware of the action, and generally what flows from the interaction.



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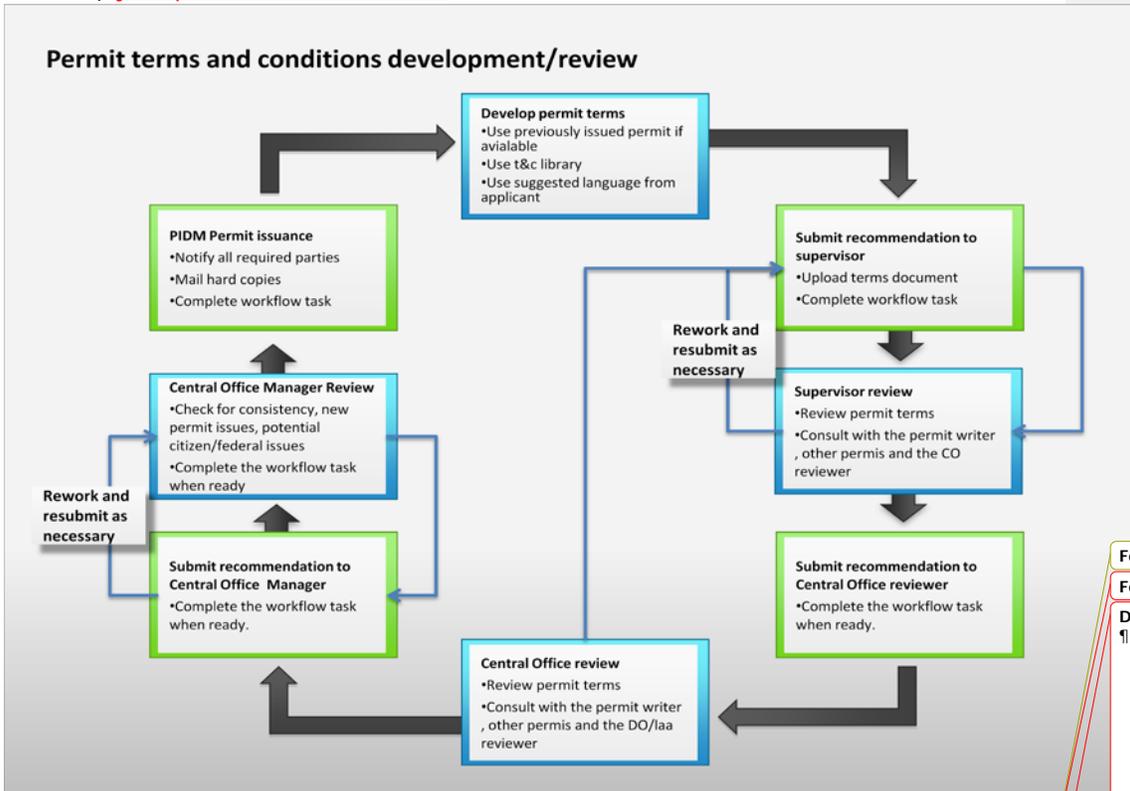
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**Overview of the business workflow for permitting a Title V facility**

Generally the workflow of the permit document follows a pattern from the permit writer, to the DO/laa reviewer, then to the Central Office permitting manager, and finally to PIDM to be issued. This pattern applies to all stages except the final permit where PIDM issues the final permit once U.S. EPA's 45 days to object passes and no other issues arise. The permit document can be "returned" to the previous stage in the development/review process to be reworked and resubmitted. Note that in STARS2 this can be accomplished directly via the workflow engine in the system (e.g., the CO permit reviewer can reassign the permit back to the permit writer directly, bypassing the DO/laa supervisor). As with any interactive collaboration, communication is key so please make extensive use of the notes feature in STARS2 as you update the workflow tasks.



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¶  
<#>Draft Permit – allows for a 30-day public comment period. A public hearing can be requested at this time also which requires an additional 30-day public notice.¶

¶  
<#>Preliminary Proposed Permit – the facility has 14 days to request to have a PPP meeting to discuss any further changes that might be needed for the permit.¶

¶  
<#>Proposed Permit – allows USEPA 45 days to submit any further comments on the permit.¶

¶  
<#>Final Permit – permit gets issued Final shortly after resolving any items submitted by USEPA.¶

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**Procedure:**

**Receipt of Application.**

1. Title V application received electronically by the Ohio Environmental Protection Agency (Ohio EPA), Division of Air Pollution Control Central Office (DAPC CO) through the e-Business Center – Air Services.
  - a. STARS2 Workflow created by DAPC CO.
  - b. Permit action listed on DO/LAA Chief of Engineering's STARS2 "To Do" list.
  - c. DO/LAA Chief of Engineering checks STARS2 "To Do" list daily.
2. The "responsible official" signature is handled through the acquisition of a PIN for use of the e-Business Center for the submittal of applications.
  - a. ↓
3. DO/LAA Chief of Engineering determines staff workload.
  - a. In general, Title V permit work is assigned to staff based on each Permit Writer's number of major and minor permits as well as their current and projected workload and their current skill level.
  - b. Facility assignments made by DO/LAA Chief of Engineering (in accordance with protocol (See Appendix A).
4. DO/LAA Chief of Engineering updates STARS2 Workflow.
  - a. Record staff person's name in Workflow-Task Profile with date the activity is assigned.
  - b. Assign tasks in Workflow to selected staff.

**Preliminary Completeness Review performed by DO/LAA Permit Writer.**

5. There are two completeness checks used to evaluate Title V applications. The first completeness check performed is called the "Preliminary Completeness Check", the second completeness check is called the "Technical Completeness Check." The completeness checks are important to the facility because they directly impact whether or not the facility maintains its Application Shield.
6. The Application Shield is described in OAC rule 3745-77-06. This rule, in combination with OAC rule 3745-77-04(A), basically states that as long as the

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Comment [c4]: I would like to see us back up here before talking about how to process an application and describe the parts of the application. Talk about the parts such as application facility level summary, non-insignificant EU and significant EU, EAC, calculations, and flow diagrams...Remember that EACs are required for those insignificant sources that may have requirements. What is an EAC form? Where are they located on our website? Are calculations required to be submitted? New staff have no idea what the parts of the application are or what EAC forms are.

Comment [mwa5]: Agreed – can be developed

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Comment [c6]: New people would have no idea what you are talking about with this comment....may need further info here to explain...

Comment [mwa7]: Can add a description

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Comment [c8]: Where is this public noticed?

Comment [mwa9]: We can describe the public notice process and why it happens

Comment [mwa10]: Not accurate. Receipt of application is automatically requested, but we don't enter the actual publication date – we only do this for draft permits.

Deleted: <#>Receipt of application is published as a public notice by DAPC CO (Loretta Foster)¶

¶ Date of public notice is entered in STARS2.

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Comment [c11]: This can probably be condense since every district assigns work loads differently...perhaps it could simply be stated that the application will be assigned to staff via their supervisor or whatever...

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Comment [M12]: Need to clarify the stringency of this review step (system ok? It's

Comment [c13]: The biggest question we get from our staff is where does preliminary review ...

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Title V facility submits a complete and timely Title V application, the facility may legally operate under the terms and conditions of its old permits to install and operate (or previously issued Title V permit for renewals) until the Title V permit is issued. If the Title V facility loses this Application Shield, it has no legal right to operate before the issuance of the Title V permit. As stated above, the rule requires that a timely and complete Title V application be submitted for the facility to receive the Application Shield. The preliminary and technical completeness checks are used to determine the completeness of the application for purposes of the Application Shield.

7. All application blanks must be completed (including EAC forms) by the applicant in order to complete the submittal of the application through the e-Business Center Air Services. Use application to ensure all necessary components are present to begin permit processing.
8. Compare the application to the preliminary completeness checklist (Appendix B).
9. Submittal of the application through Air Services essentially makes the application preliminary complete as it is necessary to pass validation in order to submit the application. However, be aware that the facility may have neglected to include some items such as new emissions units, EAC forms, etc.. If more than 60 days has passed since the date of application submittal, the application is automatically Preliminary Complete by rule.
10. OAC rule 3745-77-05(B)(1)- *The director shall promptly provide notice to the applicant for a Title V permit of whether the application is complete. Unless the director determines within sixty days after receipt of the application that the application is not complete, and issues a written notice of such determination as provided in paragraph (B)(2) of this rule, the application shall be deemed to be complete. A completeness determination is not required for modifications processed through minor permit modification procedures contained in rule 3745-77-08 of the Administrative Code.* In other words.....You have 60 days from the time we get the application to determine if it is preliminarily complete otherwise it is deemed to be complete and you must proceed with the processing of the application.
11. Send "Completeness" letter or "Return Application" letter to applicant as appropriate.
  - a. Use letter templates for Completeness or Return letters (Appendices C and D respectively). Letter templates are also available in STARS2.
  - b. Send letter to applicant within 60 days of application receipt.
12. Update STARS2 Workflow.

**Comment [c14]:** I couldn't find Appendix documents...which checklist are you using in this document?

**Comment [c15]:** I know this has been discussed in permit calls before...but we really need a definite answer here....so, are we to assume that they are preliminarily complete if they make it through STAR2 or not...personally, I think there can be A LOT missing from the application and still make it through the system....case in point, whole emissions units can be missing or they can scan blank documents and upload them as EAC forms..just my thoughts...either way, we need to make a decision state wide if they are automatically preliminarily complete if they make it through STAR2 and if they are then there really should be an automated processes for preliminarily completeness letters being generated verses having the staff go through this process.

**Comment [c16]:** More detail? Refer? What do we want staff to do? Include note in STARS2?

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Technical Review performed by [DO/LAA Permit Writer](#).

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### File review.

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- a. Review existing facility files as well as application materials including hard copy and STARS2 version (see [TechnicalCompleteness](#) checklist Appendix E)
  - (i) Gather files (may include confidential information or other attachments).
  - (ii) Review hard copy information.
  - (iii) Check completeness with active as well as archive file databases.
  - (iv) Review relevant files.
  - (v) Make notes and/or list questions to ask.

Comment [h17]: The file review should be done in conjunction with the application review to compare pertinent information.

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Comment [c18]: Which checklist is this? Not included in document

### Application review.

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- b. Print hard copy of the application, as needed, or review in STARS2. Confirm that all technical information has been received to allow for completion of permit.
  - (i) Review new application and existing file for comparison making notes, listing questions when conducting review.
  - (ii) Request missing information in writing from [company](#) (applicable throughout technical review or permit tasks). [Note that any time you are waiting for missing information \(either in response to an informal request or an amended application\), you should update the workflow to stop the processing clock. See the STARS2 help for information on how to place the workflow into the referral state.](#)
  - (iii) Whenever additional information is received, the [DO/LAA Permit Writer](#) should reassess if application is [adequate](#).
- c. Review non-insignificant and insignificant emissions [units as defined in OAC rule 3745-77-01\(gg\)](#).
  - (i) Identify major issues (e.g., stack test or information missing from the application).

Comment [h19]: Requested additional information should be submitted as an amended application through Air Services,

Comment [c20]: If we are waiting on info from facility we should mention that the Clock needs to stop in STARS2 and it should be referred.

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Comment [h21]: The clock needs to restart when adequate requested information is received.

Comment [c22]: Would like definition here of insignificant emissions unit here for new staff or reference as to where to find this info...we should include references to EG guides that apply such as #62 or Question/Answer sheets such as the Title V Insignificant Activities sheet

Comment [mwa23]: Ahern to add a reference to the upcoming revised engineering guide 62. Also, mention how those eus will be addressed or not in the permit. Take a look at the renewal document.

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- (ii) Review (most current) PTIs. If changes to the underlying permit needs to be modified or revoked (e.g., changing a permitted eu from PTI to PBR), pause working on the Title V application (for at least that subject eu) and get the underlying PTI modified, revoked, etc. Add to your list of information what you will request the applicant to update in the TV application whatever changes will be necessary as a result of the underlying NSR action.
- (iii) Check installation dates. The Title V application is a good chance to confirm that the correct NSR requirements have been applied to the subject emissions unit since NSR permitting and certain applicable requirements are triggered based on when a operation was installed (e.g., if you see an installation date post-1974, there should be a coresponding PTI for the operation unless it is specifically exempted in OAC rule 3745-31-03).
- (iv) If the Title V application includes fugitive sources that were originally uncontrolled, but are identified as controlled in the Title V application, make certain you sult Engineering Guide 75 concerning the proper application of OAC rules 3745-17-07, 3745-17-08, and 3745-17-11 to fugitive dust sources and/or process equipment to make sure the Title V application is accurate.
- (v) Pull PTI application file.
  - (A) Check PTI and look for related files (if applicable) to PTI (both insignificant and non-insignificant).
  - (B) Request and review emissions calculations and relevant information for questionable insignificant emissions units.
  - (C) Review EAC forms.
- d. Review for controls.
  - (i) List emissions limitations.
  - (ii) Review most recent stack test data. If the source is out of compliance at the time of the review, you may need to request the applicant to revise their application if they did not indicate they were not in full compliance (there is also an associated requirement in the application in this situation that the applicant include a statement as to how they will achieve compliance). This information will also be important when you go to develop the permit terms with respect to incorporating a compliance plan

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Comment [h24]: Are the rules in the PTI still applicable and current? Are applicable rules missing? Is there a recent exemption (ex. cold cleaners, PBRs....)

Comment [c25]: For what? These are the questions I get from new staff...they need more info for what they are checking for when asked to do this type of stuff

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Comment [h26]: Clarify what the permit writer should be looking for.

Comment [h27]: Clarify what a questionable insignificant unit is.

Comment [h28]: Check to see if EAC forms are the most recent and are completely filled out.

Comment [c29]: Why?

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and schedule and/or may affect the required frequency of testing dictated by the permit.

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(iii) Review most recent inspection report(s); check to determine the currency of a facility inspection.

Comment [c30]: What is current and what is not? What are you looking for in the inspection?

(iv) Look for "unknowns" and /or problem areas at facility.

Comment [c31]: Such as? Address in inspection section with examples?

(v) Check continuity of inspection report with Title V application.

Comment [I32]: Clarify

(vi) Check prior issued permits to make sure the application accurately reflects the applicable requirements, monitoring, record keeping, reporting and testing identified in the prior permit. You may also want to look at how the emissions unit is described to see if the operation has changed or been replaced between the underlying permit issuance and the Title V application.

Comment [c33]: For what?  
Deleted: PTOs

e. Feedback loop.

(i) Assess whether application is complete.

Comment [I34]: Replace the word adequate with complete.  
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(A) Determine if additional information is needed and request updated information. Document why an amended application is requested (can be accomplished as part of the correspondence to the applicant requesting the amended application).

(B) Establish whether the application needs to be returned to the applicant. Follow Title V Technical Incompleteness Procedures March 31, 2010 Guidance Document (Answer Place ID 2172)

Comment [I35]: Follow Title V Technical Incompleteness Procedures March 31, 2010 Guidance Document (Answer Place ID 2172)

Comment [I36]: Or an amended application needs to be submitted. Document why an amended application is requested.

(ii) Upon resubmittal of an amended application, the DO/LAA Permit Writer needs to check the following:

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(A) Compare corrections to original version;

Comment [I37]: Or amended application is received.

(B) Check for omissions from original version; and

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(C) Check for newly-discovered issues.

(iii) In the unlikely event that an application is officially returned as technically incomplete, any subsequent application should be reviewed as if it is the initial application (i.e., the review should follow the entire process and guidance contained in this document for all elements that are addressed in this document).

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Site visit.

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f. At some point during the development of a Title V permit for a facility, the DO/LAA Permit Writer must conduct a site visit of the facility.

Comment [I39]: Per contract, all TV facilities should be inspected annually and the Annual FCE can be used during the development of a TV permit.

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(i) Ideally, this site visit takes place after the review of the facility files and application.

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(ii) If the DO/LAA Permit Writer has visited the entire facility (as part of a previous site visit or facility inspection) a short time before the application receipt, this visit may suffice – if there is any question, the DO/LAA Permit Writer should schedule and conduct a site visit as part of their technical review.

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Comment [I40]: Why? Most questions can be answered with a phone call or reviewing the most recent Inspection Report.

g. The DO/LAA Permit Writer conducts site visit via a set appointment and including the following elements:

Comment [c41]: Do you mean an appt with the facility? At SEDO we typically do not notify the facility of our inspections unless there is a reason such as a gas compressor that is not manned or if we are meeting with a specific person to talk about a permit issue. If it is a compliance inspection, typically these are done unannounced.

(i) Ask questions;

(ii) Take notes;

(iii) View emissions unit in operation;

(iv) Check condition and operation of control equipment:

(A) Verify control equipment identified in application.

(v) Identify and view all emission points:

(A) Make a special point to review “stack” versus “fugitive” emissions points (this is a critical step for proper application of OAC rules 3745-17-07, -08 and -11).

Comment [mwa42]: The intent of the inspections associated with the TV app review/permit development is to become familiar with the operations and to provide an opportunity to discuss the application/upcoming permit development with the facility contact. If violations are found, they should not be ignored, but at least when this program first went into place, this was not intended as a compliance inspection.

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(vi) Review monitoring and record keeping programs:

Comment [mwa43]: This is geared toward making sure the company understands their MRR requirements and has systems in place to meet the permit requirements.

(A) Check some of the records; where possible, align the record keeping in the permit with recordkeeping currently maintained by the facility;

(B) Check continuous emission monitoring (CEM) system (if applicable – refer to Engineering Guide 52); and

(C) Check records for operation and maintenance (O&M) if applicable.

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h. The DO/LAA Permit Writer may wish to have a DO/LAA Enforcement Specialist attend the site visit, depending upon the circumstances.

(i) The DO/LAA Enforcement Specialist may be able to bring a different perspective to viewing the current operations and compliance at the facility.

**Contact CO Reviewer. †**

i. The DO/LAA Permit Writer and/or DO/LAA Permit Review Manager (PRM) and/or DO/LAA Chief of Engineering initiate contact with DAPC CO Reviewer via verbal or written communication (typically email) prior to the drafting of the permit.

j. After initial contact, all parties maintain contact with DAPC CO Reviewer as needed.\*

k. This communication establishes the working relationship that is critical to effective and timely permit issuance; discussions include deadlines, guidance, and resource suggestions.

l. Two levels of due dates – Central Office's and DO/LAA's.

m. The DO/LAA Permit Writer should direct questions to the DO/LAA PRM; if DO/LAA PRM is unable to address, he/she will coordinate contact with DAPC CO Reviewer.

n. Information/guidance typically provided via written or verbal communication.

13. Review "similar" Title V permits for consistency.\*  
STOPPED REVIEW 9/15/2010

a. Initiated by the DO/LAA Permit Writer.

(i) Used to determine how much language in the permit needs to be changed.

b. The Title V list of permits on the DAPC web site is a possible tool, as well as searching for Title V facilities in STARS2.

14. OAC rule 3745-77-05(B)(2)- *If, during the processing of an application before or after it has been determined or deemed to be complete, the director determines that additional information is necessary in order to evaluate or take final action on the application, the director may request that information in writing from the*

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Comment [144]: Why and when? We contact CO reviewer early in the permit application process only if there are major issues; CAM, modeling, PSD....

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Comment [c45]: I would use caution here like I mentioned in my comment in our PowerPoint.

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† Task can be conducted in one or more sections

**Title V Permit Preparation Manual - Carlos**

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*applicant. Any such request shall identify the information requested with reasonable specificity, provide a basis for the request, and shall provide a reasonable time period, not less Than fifteen days, for the applicant's submission of the requested information. In other words.....if you find it to be technically incomplete you should request the information in writing (with a formal letter) and you have to request the information to be given to us no less than 15 days.*

15. *OAC rule 3745-77-05(B)(2)- If, during the processing of an application before or after it has been determined or deemed to be complete, the director determines that additional information is necessary in order to evaluate or take final action on the application, the director may request that information in writing from the applicant. Any such request shall identify the information requested with reasonable specificity, provide a basis for the request, and shall provide a reasonable time period, not less than fifteen days, for the applicant's submission of the requested information. In other words.....if you find it to be technically incomplete you should request the information in writing (with a formal letter) and you have to request the information to be given to us no less than 15 days.*
16. *OAC rule 3745-77-05(B)(3)- If an applicant fails to make a good faith and timely response to a request for additional information under this rule with regard to an application that the director believes to be incomplete, the director shall offer to meet with the applicant within seven days after issuance of a letter for failure to submit the requested information. If the meeting or meeting offer fails to obtain a complete application form the applicant, the director, without prior hearing, shall make a final determination that the application is not complete. Any such determination shall not become effective until twenty days after notice of the determination is sent to the applicant by certified mail. An incompleteness determination by the director may be appealed in accordance with section 3745.04 of the Revised Code, except that if the notice of appeal is timely filed and is accompanied by an application for stay, the stay shall become effective upon filing and shall continue until such time as the environmental board of review rules on the merits of the stay. In other words...if they don't give you the requested information, you have to request to meet with them (work this out with your supervisor) within 7 days of sending them a failure to submit the requested information.....and if that doesn't work.....we can make a determination that the application is not complete.*
17. Try and take the time to look over the ENTIRE application, and make list of questions, then ask for the information from the facility via a certified, formal agency letter with a requested time frame.
18. Make sure to "stop the clock" in STARS2 whenever requesting information from the facility. Restart the clock when the requested information is received.
19. The requested application information should be received in STARS2 via a

**Title V Permit Preparation Manual - Carlos**

permit application amendment/revision.

20. See Appendix E for the Technical Completeness check list.

21. See Appendix F for instructions on making a Technical Incompleteness determination.

**Permit Preparation performed by DO/LAA Permit Writer.**

22. Prepare a listing of pollutants\* using the following resources:

- a. Title V application;
- b. AP-40;
- c. AP-42;
- d. RACM manual and Engineering Guide 75 (both are posted on Ohio EPA's DAPC web site);
- e. Internet;
- f. TLV booklet;
- g. Experienced colleagues;
- h. Fee reports;
- i. Stack test information;
- j. Previous permits;
- k. Similar issued permits (i.e. permits issued for "sister" facilities with the same facility name located in different parts of the State as well as permits issued for other facilities with the same types of emissions units);
- l. Process flow diagrams;
- m. Raw materials review; and
- n. AWMA Air Pollution Engineering Manual (successor to AP-40).

**Develop a listing of applicable rules for each emissions unit\* using the following resources:**

- o. DO/LAA applicable rule index (see Appendix K);
- p. Previous permits (i.e. PTO's, PTIs, Title V, etc.);
- q. Internet;
- r. Similar issued permits (i.e., permits issued for "sister" facilities with the same facility name located in different parts of the State as well as permits issued for other facilities with the same types of emissions units);
- s. Permit application;
- t. Inspection reports;

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Comment [c46]: Somewhere in document we need to discuss the process of the facility submitting an Amended application and how you line those up together in STARS2 or at least reference where that procedure description can be found. I get a lot of questions about this from staff.

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Comment [mwa47]: Why? You are not establishing any limits via the TV permit.

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- u. Review installation/modification dates in application to determine if PTI is necessary; and
- v. Applicable federal rules for each pollutant (e.g. MACT, if HAPS are listed as a pollutant).

**Determine applicable limits for each State and federal rule.\***

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- w. If there is a PTI, then use the PTI limits, but verify through a review of currently applicable rules (use previous list of resources to be used in determining applicable rules).
  - (i) Accurately reference PTIs in permit citing the PTI number and issuance date under the 31-05(A)(3) rule cite in the b)(1) table of the permit.
- x. If there is no PTI, then use the limits from the previous PTO, which should be verified through rule review.
- y. Review issued PTIs for similar facilities.
- z. Incorporate PTO Terms and Conditions.
- aa. Compare current State/federal regulations to PTI limits and check the current validity of any emission factors relied upon to establish PTI limits.
- bb. If a new State regulation is more stringent than a PTI limitation, or when emission factors change, DO/LAA may need to process a modification of the PTI concurrently with the processing of the Title V permit.
- cc. Compare all limits for the same pollutant to determine whether the limits are less stringent or equivalent to each other in order to include appropriate "less stringent than" or "equivalent to" wording in the permit.
  - (i) Types of pollutants emitted (criteria pollutants/HAPS).
  - (ii) Maximum capacity of the emissions unit.
  - (iii) If needed, determine the process weight rate and uncontrolled mass rate of emissions (UMRE) for OAC 3745-17-11 determination and document in permit Terms and Conditions whether Table 1 or Figure II is more stringent.
  - (iv) Identify release point(s) (stack or fugitive).
  - (v) Identify PTI "streamlining" language as needed.

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**Review "similar" issued Title V permits for consistency.\***

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- dd. Determine how much (if any) language in the permit needs to be changed.
- ee. Permit writer uses existing data from STARS2 to assist in reviewing similar Title V permits for consistency.
- ff. The Title V list of permits on the DAPC web site is a possible tool, as well as searching for Title V facilities in STARS2.
- gg. DAPC CO can be contacted and utilized as an additional resource or tool.

**The DO/LAA Permit Writer and DO/LAA PRM evaluate the need for pre-draft strategy. This might not be needed since we can now group identical EUs in STARS2.**

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hh. The DO/LAA Permit Writer and DO/LAA PRM determine if enough emissions units to be included in the permit are similar to pursue a pre-draft strategy.

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- (i) If there are several similar emissions units, Terms and Conditions may be prepared for a sample emissions unit and submitted for review under a pre-draft strategy.
- (ii) When prepared, the sample Terms and Conditions prepared under a pre-draft strategy will be sent to DAPC CO Reviewer through STARS2 for review.
- (iii) If necessary, it might be helpful to put together a table identifying all of the emissions units and associated emission limits with the total facility emissions identified.

**The Term and Conditions document must be generated in STARS2.**

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- ii. Prior to generating the terms and conditions document, make sure that the list of emissions units on the "Permits" tab includes all active emissions units at the facility for both insignificant and non-insignificant emissions units. The insignificant emissions units will have the small gears. If the list is not accurate it will need to be adjusted and might require the facility to resubmit their application and also update their facility profile. When the term and condition document is generated, all of the insignificant emissions units should be grouped together in Part C (see Answer Place 1259 and Appendix J). Copy the list of insignificant emissions units and paste in Part B, then delete the grouped insignificant terms from Part C. The insignificant units will need to be split into two groups as needed: **De Minimis and no applicable requirements are State only**; and all other insignificant units are

**Comment [mwa48]:** De minimis and PT1 exempt eus do not need to be included in applications or permits as of February 2010 when the applicability rule changed.

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State/Federal. For the insignificant units that are State/Federal, the facility must include an EAC form for these units.

- jj. Any previously identified "z" units must be changed to the correct identification (e.g., B001, K001, P001, etc.) in STARS2.
- kk. If there are identical emissions units (i.e., identical type of unit, identical emission limits, identical terms and conditions) then these units can be grouped in STARS2 prior to generating the terms and conditions document. When grouped, the term and condition document will have just one set of terms for the list of grouped units. The established terms will apply to each emissions unit separately. To group emissions units in STARS2, do the following:
  - (i) open the permit detail page;
  - (ii) click on "create EU group" at the bottom of the page;
  - (iii) name the EU group;
  - (iv) move over applicable EUs from "available EUs" to "current EUs"; and
  - (v) save changes.
- ll. In order to generate the terms and conditions document, go the Permits tab in STARS2 for the Title V permit action that is needed. On the menu on the left side of the screen, click on "Terms and Conditions". In the "Working Copies" section, click on the "edit" button and then click on the "generate" button. The term and condition document will be generated and populated with the facility name, facility number, and a new permit number will be automatically assigned. After the document has been generated click on the "save" button to save the skeleton document in STARS2 (it will later be deleted by the PRM). Open the skeleton document and then choose "Save As" and save the document at L:\Data\Facilities.
- mm. Note that for renewal permits, it might be necessary to convert the previous legacy Title V permit from HTML to Word. If this is needed, follow the instructions in Appendix G. Insert the converted terms into the saved terms and conditions document at L:\Data\Facilities.
- nn. For Title V renewal permits, make sure the correct superceded permit is chosen (i.e., the permit number for the previously issued Title V permit) under each emissions unit.

**Title V Permit Preparation Manual - Carlos**

The **DO/LAA** Permit Writer researches permit Terms and Conditions.

- oo. Optional, the **DO/LAA** Permit Writer can also begin to prepare the **Statement of Basis** at this time or wait until the complete permit recommendation is done. The SOB document must be generated in STARS2 and then save the document to **L:\Data\Facilities**.
- pp. Research Terms and Conditions for non-insignificant emissions units (see recently issued Title V permits for examples).
- qq. Permit writer must use Word to develop Terms and Conditions for submittal of the permit recommendation. The permit template should be generated through STARS2 as noted above and then saved to L:\Data\Facilities.
- rr. Review the following sources of information to identify terms that need to be included in the permit:
  - (i) Accurately reference the PTI number(s) and issuance date for BOTH non-insignificant and insignificant unit(s);
  - (ii) Incorporate the terms from the PTI(s) into Title V permit Terms and Conditions;
  - (iii) Review issued Title V permits from similar sources – use as appropriate (with modifications where needed);
  - (iv) Check Library of Terms and Conditions (<http://www.epa.state.oh.us/dapc/terms/termsintro.aspx>) – use as appropriate;
  - (v) Identify possible Terms and Conditions from inspection report and/or site visit;
  - (vi) The **DO/LAA** Permit Writer checks with CO for up-to-date information on previous permits prior to writing current Title V permit;
  - (vii) Ascertain whether emission testing has been performed for the emissions unit (or an identical emissions unit) to verify compliance with applicable limit(s):
    - (A) Determine if the testing was witnessed by Agency personnel;
    - (B) Determine if acceptable test methods were employed; and

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Comment [mwa49]: Reference AP ID 2260 – add what the SOB is to either this document or the AP topic.

Comment [mwa50]: I know most offices have a similar repository for this and other in-process documents. I suggest that the document be uploaded to STARS2. Doing so affords CO the ability to take a look if requested without having to email the doc, allows others in your office to open a copy without having to know the file name, saves storage space on your lan, and makes it one less thing to remember to upload when you are ready to submit the recommendation. You can over-write the file by subsequent uploads at any time.

Comment [mwa51]: You also need to check to see if the company has proposed any terms. If so, you should use, or use as the basis of the term, what they have submitted if it meets the underlying rule requirements.

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(C) Determine if the stack test demonstrated compliance with the allowable emission limits;

(viii) Check recent fee emission reports:

(A) Use actual TPY emission rates and hours of operation to estimate short term pollutant emissions rates to determine whether source is likely to be in compliance with emission limits; and

(B) Where possible, emission estimation methodology in fee emissions report (FER) should match compliance method in permit;

(ix) For each allowable emission rate or control requirement, determine if an adequate demonstration of compliance has been provided (must be clear, accurate, and current);

(x) Determine what type of monitoring, record keeping, and reporting program is necessary for the permit;

(xi) Define any necessary operational restrictions (by PTI, rule, etc.);

(xii) Determine the frequency of emission testing (required by PTI, Engineering Guide #16, etc.); and

(xiii) Identify alternative operating scenarios – if requested by facility, this should have been included in the application.

**Assemble State/federal Terms and Conditions after rules and emission limitations have been determined.**

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ss. Part B Facility-Wide Terms and Conditions.

(i) This section of the permit provides for the placement of requirements that apply to the entire facility or to several emissions units at the facility.

(ii) MACT, synthetic minor limits for HAPs, and insignificant emission units requirements are usually included in Part B.

**Part C Emissions Unit Terms and Conditions.**

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(iii) Used to identify each individual emission unit's specific requirements.

(iv) Main Header [section 1].

(A) Operations, Property, and/or Equipment.

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- (i) Clearly describe the equipment and processes that comprise the emissions unit and the associated control equipment.
- (B) Section a)(1) is used to identify terms that are State-only enforceable (e.g. air toxics, OAC rules that are not part of the federally approved SIP).
- (C) Applicable Rules/Requirements [section b)(1)].
  - (i) List the applicable rules identified above.
- (D) Applicable Emission Limitations/Control Measures [section b)(1)].
  - (i) List the applicable emission limitations/control measures identified above.
- (v) Additional Terms and Conditions [section b)(2)].
  - (A) This section contains overflow from section b)(1) and provides the following:
    - (i) Clarification of emission limits/control measures;
    - (ii) Synthetic minor and any rolling, 12-month average summations of emissions;
    - (iii) Definitions of control requirements or control measures; and
    - (iv) Negative declarations and/or rule exemptions that apply to the specific emissions unit may be included in this section.
- (vi) Operational Restrictions [section c)].
  - (A) Specific operational restrictions necessary to ensure ongoing compliance with the applicable requirements/control measures including any operational restrictions necessary to satisfy OAC chapter 3745-77 "gap-filling" requirements.
- (vii) Monitoring and Record keeping [section d)].
  - (A) Monitoring required for each operational restriction, control measure and emission limit as needed (unless otherwise specified in the permit T & C's).

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- (B) Permit needs to include sufficient M/Rk/Rp to demonstrate compliance with applicable emissions limits and operating restrictions. A 2008 federal District Court decision upheld right to gap-fill if underlying monitoring is not sufficient to assure compliance
- (C) Monitoring results are required to be recorded and maintained.
  - (i) Must specify frequency of monitoring.
  - (ii) Use Library of Terms appropriate language.
  - (iii) Specify monitoring devices (e.g., pressure gauge, temperature monitor, CEMs, etc.).
  - (iv) Refer to Engineering Guide #52 for CEM systems.
- (viii) Reporting Section [section e)].
  - (A) Specify what record keeping results need to be reported.
  - (B) Specify the frequency of reports (e.g., quarterly deviation-based, annual, "after the event," others).
  - (C) As appropriate, include requirements to submit reports of deviations from operational restrictions and/or emission limitations.
- (ix) Testing [section f)].
  - (A) List each applicable emission limitation from section b)(1) and provide a method for determining compliance for each.
  - (B) Explain how the emission rate is calculated or why no emission testing is required in this section.
  - (C) Use Engineering Guide #16 to determine frequency for stack testing.
  - (D) Review past permits, stack test results, and inspection reports.
  - (E) Review stack tests required by applicable rule(s).
  - (F) Note that compliance may be based solely on monitoring, record keeping and reporting in some cases.

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- (G) Note that compliance may be based on emission factor(s) rather than testing in some cases.
- (H) The selected compliance method should be representative of current operation and reflect worst-case conditions.
- (I) The selected compliance method MUST be consistent with regulatory requirements.
- (J) Testing methodologies include:
  - (i) Emissions tests;
  - (ii) Material balance calculations;
  - (iii) AP-42 emission factor calculations;
  - (iv) Method 24 analyses;
  - (v) CEM data (refer to Engineering Guide 52);
  - (vi) Record keeping program; and
  - (vii) VE readings/VE checks among other methodologies.
- (K) If stack testing will be required, need to add the Library term in section f)(2) that specifies when the test should be done and what test methods will be used for each pollutant to be tested.
- (x) Miscellaneous [section g)].
  - (A) Items that do not fit under any of the above categories. For example, identifying dates of installation; providing potential to emit calculations; clarifying why an emissions unit was permitted a certain way that might not be evident otherwise.

### **Identify State Terms and Conditions.**

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- (xi) In section a)(1), identify the specific terms that are enforceable under state law only. Examples of state only requirements are:
  - (A) Air toxic modeling requirements, if applicable.

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(B) Any requirements resulting from OAC rules that are not part of Ohio's federally approved SIP (check USEPA Region V web site for current SIP approval).

23. For all terms in the permit both in Part B and Part C, need to identify the authority for each term. See recently issued Title V permits for examples.

Comment [c52]: Our staff has been asking for guidance about this. When you look at recent issued permits, these authority citations are all over the board....Some people are using the citations provided in the Terms and Conditions library and others are using other citations,,,,even the format is varying...Any guidance or examples we can give?????

24. Include Section 112(r) Risk Management Plan Requirements (if needed) Central Office permit review staff must continue to identify Title V facilities that are required to file a 112(r) risk management plan. Notify Central Office contact when a facility is subject to 112(r) requirements so that the permit language can be properly reflected in Part B of the permit. (CHECK FLAG IN STARS2) Available Guidance: October 16, 2001 e-mail guidance from Tom Rigo.

Comment [mwa53]: Use how the terms are cited in the standard terms section of the permit as a guidepost.

25. Include Acid Rain Requirements (if needed) Central Office permit review staff must continue to identify Title V facilities that subject to 40CFR Part 72 (acid rain requirements). Notify Central Office contact when a facility is subject to acid rain requirements so that the permit language can be properly reflected in Part B of the permit. (CHECK FLAG IN STARS2) Available Guidance: October 16, 2001 e-mail guidance from Tom Rigo.

**Quality Indicators for Terms and Conditions.**

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- a. Terms and conditions developed for Title V permits should be:
  - (i) Accurate and comprehensive (from a regulatory standpoint);
  - (ii) Clearly written and understandable (put yourself in the place of the facility environmental contact or other reasonably competent technical person -- are compliance obligations clearly spelled out?);
  - (iii) Enforceable – terms should be relevant to what is being permitted, if a term is requesting information that has no connection to controlling emissions then the term most likely is not needed – must be practically enforceable by our inspectors;
  - (iv) Grammatically correct; and
  - (v) Reflective of a high level of quality and appear to be a professional-looking document.
- b. Upon completion of the Draft permit recommendation, the **DO/LAA** Permit Writer reviews the Draft permit recommendation against the listed criteria to ensure that quality Terms and Conditions have been written.

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26. If not already done, prepare or update the Statement of Basis (SOB) document using the Ohio EPA guidance (Appendix M), or the most recent/updated guidance. The SOB document must be generated in STARS2 and saved at L:\Data\Facilities. The SOB document can be prepared during the assembly of the permit recommendation.

27. CAM Plan Review.

Comment [mwa54]: Reference CAM guidance AP ID

- a. Determine if a Compliance Assurance Monitoring (CAM) plan is required for one or more emissions units at the facility using CAM guidance (Appendix L).
- b. If a CAM plan is required, provide a discussion of the CAM plan as part of the Draft Title V permit recommendation.
- c. Contact DAPC CO Reviewer to discuss progress, schedule, technical issues, etc. associated with the review of the submitted CAM plan.
- d. In cases where a CAM plan is required but has not been submitted, the DO/LAA Permit Writer shall contact the facility contact to obtain a CAM plan. This might require the need to resubmit the Title V application.
- e. Additional CAM guidance from U.S. EPA can be found at:  
<http://www.epa.gov/ttn/emc/cam.html>

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28. For Title V Permit Renewals, the DO/LAA Permit Writer shall follow the current Ohio EPA guidance concerning the preparation of Title V permit renewals (Appendix P).

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- a. Upon submittal of the permit renewal recommendation to Central Office, DO/LAA PRM will attach a copy of the completed checklist in STARS2.
- b. The DO/LAA Permit Writer and DO/LAA PRM shall contact DAPC CO Reviewer to discuss technical issues, progress, schedule, etc. for permit renewals.
- c. Note that the old legacy permits were in a different format that contained two sections for the individual emissions units terms: State/Federal and State Only. The new STARS2 format contains only one section for the emissions unit terms. In this section, it will be necessary to include terms that were previously in the State Only section and identify them accordingly in term a)(1).

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29. Whenever possible, the DO/LAA Permit Writer will allow "breathing space" after the first draft of Terms and Conditions before submitting the permit recommendation for review.

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a. This time (typically from 2 to 7 days) allows a cooling off period before the DO/LAA Permit Writer conducts a final review of the entire permit recommendation.

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b. Print out hard copy of entire permit recommendation.

c. Review the entire permit recommendation, making corrections or seeking guidance from DO/LAA PRM or DAPC CO where appropriate.

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30. The DO/LAA Permit Writer updates the Workflow in STARS2 and assigns the permit recommendation to DO/LAA PRM.

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**DO/LAA Supervisory Review performed by DO/LAA PRM.**

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**Pre-Draft Strategy Review. With the grouping of similar EUs allowed in STARS2, the Pre-Draft Strategy might not be needed. However, it's possible that some units might be similar but not identical which requires separate terms.**

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a. If submittal of a pre-draft strategy is determined to be a practicable approach, evaluate pre-draft strategy (i.e., preliminary draft Terms and Conditions for sample emissions units) prepared by the DO/LAA Permit Writer.

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(i) Follow the standard review tasks outlined in this section to evaluate pre-draft strategy.

(ii) The DO/LAA PRM updates the Workflow in STARS2 and assigns the pre-draft strategy to DAPC CO Reviewer.

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31. The DO/LAA Permit Writer gives permit package to the DO/LAA PRM; package includes:

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a. Printed copy of permit application or note that the application is in STARS2;

b. Printed copy of permit Terms and Conditions;

c. SOB Document;

d. Renewal checklist for renewal permits;

e. Main Title V permit facility file; and

f. Any pertinent supporting information that was used to prepare the permit recommendation.

**Conduct initial review of hard copy of permit recommendation; this review focuses**

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on permit structure.

- g. Assure that correct spelling, grammar, punctuation and format has been used (see Appendices J and K).

**Review Terms and Conditions for each emission unit ensuring that:**

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- h. All emissions units are addressed;
- i. All pollutants are identified;
- j. Any recommended PTI modifications are initiated;
- k. All correct rules are cited;
- l. Any emissions units identified as being insignificant units are, in fact, "insignificant" and divided into two separate permit terms:
  - (i) Insignificant emissions units that are subject to federally approved SIP limits and/or have an issued PTI are both State and federally enforceable (note, facility must submit an EAC form for this type of insignificant emissions unit); and
  - (ii) Insignificant emissions units that are either de minimis or not subject to any applicable air pollution control requirements are State only enforceable (note, this term should be identified in section B.1 as State only).

32. Review additional elements in the Terms and Conditions for each emissions unit.

- a. Review application for emissions unit installation and/or modification dates.
- b. Review application for control equipment combinations (which/where); verify that control equipment listed in application is included in permit (and vice-versa).
- c. Ensure that emissions unit descriptions match rules, requirements, operational restrictions and additional Terms and Conditions (e.g., coating line – VOC, grinding operation – PM, etc.).
- d. Review list of federal and OAC rules to determine which apply.
- e. Check each pollutant emitted by each emissions unit along with applicable emission limits for each pollutant.

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- f. Check emissions unit descriptions in application with permit write-up.
- g. Determine if any alternative operating scenarios are possible - these should be identified in the application.
- h. Certify that all PTIs and PTI modifications have been issued as appropriate.

### **Review permit Terms and Conditions.**

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- i. Continue check of each allowable emissions limitation or other requirement for follow-through in Terms and Conditions: ‡
  - (i) Operational restrictions;
  - (ii) Monitoring;
  - (iii) Record keeping;
  - (iv) Reporting; and
  - (v) Testing:
    - (A) Check to see if emissions testing is required. When was the last test performed? Borderline compliance? Refer to Engineering Guide 16 to determine frequency.
- j. Continue to ensure that the correct and most up-to-date Terms and Conditions are in the permit.
- k. Identify PTI "streamlining language" as necessary. This is used when language in the Title V permit is modified from what was in the PTI.
- l. Ensure that all terms in the permit for both Part B and Part C have the proper "authority for term" cited.
- m. Apply technical experience in reviewing each permit.
  - (i) Continue to check permit content.
    - (A) Ensure that the permit makes sense for each emissions unit (e.g., applying VOC rules for coating lines).

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‡ "Follow-through" means ensuring that for each emission limit in the permit, there are associated operational restrictions, monitoring, record keeping, reporting and testing requirements as appropriate

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- (ii) Continue to ensure that there is proper parametric monitoring included for each emission unit.
  - (A) The permit is a building process where each successive section of the permit builds on the previous section of the permit (e.g., monitoring/record keeping builds on operational restrictions).

**Check each term and condition for consistency.**

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- (iii) Continue to check sections of permit making sure that the Terms and Conditions used are up-to-date:
  - (A) Additional terms;
  - (B) Operational restrictions;
  - (C) Monitoring;
  - (D) Record keeping;
  - (E) Reporting
  - (F) Testing; and
  - (G) Miscellaneous requirements.

(iv) Review similar permits that have been issued including the following:

- (A) DO/LAA file of some standard terms that have been supplied by DAPC Central Office in the past;
- (B) STARS2 Terms and Conditions;
- (C) DO/LAA PRM and DO/LAA Permit Writer knowledge and experience of terms from past work efforts; and
- (D) If needed, DO/LAA can request updated Terms and Conditions from DAPC Central Office Reviewer.

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n. Identify any generally applicable facility-wide requirements for inclusion in Part B, Facility-Wide Terms and Conditions.

- (i) Assure that PTI number(s) and date of issuance are listed for post-1974 insignificant emissions unit(s).

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33. Review Statement of Basis document (SOB).

- a. Ensure that all emission limits for each emissions unit have been included in the SOB and that the proper monitoring, record keeping, reporting and testing have been identified for each emission limit.
- b. Ensure that current SOB form has been used. The SOB template should be generated in STARS2 and then save a copy to L:\Data\Facilities.

34. After thorough review, mark changes on hard copy of pre-draft permit recommendation and SOB and return documents and supporting information to the DO/LAA Permit Writer for any needed changes.

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a. Corrections should be clearly marked in red (or other distinguishing color) and/or highlighted by DO/LAA PRM. Alternatively, Track Changes in Word can be used to identify the needed changes.

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b. The permit recommendation can be Looped Back to the DO/LAA Permit Writer in STARS2 at the discretion of the DO/LAA PRM.

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35. The DO/LAA Permit Writer makes the revisions and highlights the changes to ensure that all the changes have been made.

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36. The permit recommendation is returned to DO/LAA PRM for further review.

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37. DO/LAA PRM makes additional changes as needed and returns to the DO/LAA Permit Writer.

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38. When there are no further changes, DO/LAA Permit Writer sends the permit recommendation to the facility to allow opportunity to comment. The permit action should be placed on Referral in STARS2.

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39. Facility provides any suggested changes and DO/LAA Permit Writer modifies the recommendation as needed in concurrence with DO/LAA PRM.

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40. When there are no further changes, DO/LAA PRM submits the permit recommendation to CO. DO/LAA PRM uploads the permit recommendation, SOB, and renewal checklist (if applicable) in STARS2 and sends an e-mail to CO Reviewer.

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41. DO/LAA PRM updates the STARS2 Workflow to reflect submittal of the official Draft Permit recommendation to Central Office for review.

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**Central Office Review**

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- 42. Technical review prior to permit review.
  - a. CO Reviewer prints hard copy of the Title V application from STARS2 or review "on screen" (electronically).
  - b. Review of PTI file(s).
    - (i) CO Reviewer checks PTI files for recently issued PTIs for the Title V facility under review.
  - c. Review of Title V STARS2 application.
    - (i) Review the non-insignificant and insignificant emissions units.
    - (ii) CO Reviewer checks for major issues: emissions unit status (insignificant vs. non-insignificant, as identified by the permittee); "insignificant emissions units" that, based on available information, do not qualify as insignificant, etc....

**Optional Site Visit.**

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- d. At any time the CO Reviewer may contact DO/LAA to schedule a site visit, as part of the technical review/permit review; this is especially useful when complex permitting issues have been identified.

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43. Pre-Draft Review Strategy (if applicable). Since similar EUs can be grouped now in STARS2, Pre-Draft strategy might not be needed.

- a. DO/LAA submits pre-draft strategy review to CO via STARS2 from DO/LAA PRM w/sign-off date and notifies CO Reviewer through e-mail with important information listed (e.g. similar sources, special language).

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- (i) CO receives pre-draft review strategy.
- (ii) Pre-Draft Strategy identifies groups of similar Emission Units, with the idea of reviewing one EU from each group.

b. Workflow for pre-draft review.

- (i) DO/LAA PRM updates STARS2 Workflow when the pre-draft strategy recommendation is submitted to CO and identifies that this is a pre-draft review.

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- (ii) All CO Title V permit reviewers will be instructed that this is the approach to be used for reviewing Cleveland Title V permits.
- c. CO Reviewer prints Terms and Conditions of emissions unit(s) for pre-draft review provided by DO/LAA via STARS2 immediately prior to review.
- d. CO Reviewer reviews the Terms and Conditions (in accordance with "Title V Permit Terms and Conditions Review" below) for the selected pre-draft emissions units by reading the emissions units Terms and Conditions that DO/LAA identified should be reviewed. Corrections or questions are to be noted along the way to attempt to address all needed corrections and questions as early in the review process as possible and to avoid the need for multiple and redundant reviews.
  - (i) Any comments on pre-draft strategy from the CO Reviewer should be sent to DO/LAA PRM and DO/LAA Permit Writer. Update the Workflow in STARS2 and loop the permit recommendation back to the DO/LAA PRM.
  - (ii) DO/LAA PRM and/or DO/LAA Permit Writer will incorporate, revise and re-submit to CO Reviewer. DO/LAA PRM uploads the revised terms in STARS2 and updates the Workflow to assign the permit recommendation back to CO Reviewer.
- e. CO Reviewer will communicate via email to DO/LAA PRM and DO/LAA Permit Writer when the Terms and Conditions for the pre-draft strategy are acceptable. Update the Workflow in STARS2 and loop the permit recommendation back to the DO/LAA PRM.
  - (i) DO/LAA Permit Writer will copy Terms and Conditions to similar additional emissions units as appropriate. Note that identical units can now be grouped in STARS2 so that the permit will only have one set of terms for identical units instead of multiple identical terms.
  - (ii) DO/LAA Permit Writer submits the complete set of terms along with the permit file folder to the DO/LAA PRM for final review.
  - (iii) If there are no further changes, DO/LAA PRM submits the complete Draft permit recommendation to CO Reviewer through STARS2. DO/LAA PRM uploads the revised terms along with the SOB and renewal checklist (if applicable) in STARS2 and updates the Workflow to assign the permit recommendation back to CO Reviewer.
- f. CO Reviewer receives the Draft permit recommendation after the entire Title V permit is complete and ready for CO Reviewer to begin a full review.

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**Standard Review (i.e., non - Pre-Draft Review Strategy).**

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g. CO Reviewer prints entire Title V permit for hard copy review.

44.CO Review of Title V Permit Terms and Conditions.

**Review insignificant emissions unit lists in Part B, Facility-Wide Terms and Conditions.**

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- (i) PTI number(s) and issuance date listed for post-1974 insignificant emissions unit(s).
- (ii) Perform cursory check of Title V application - "Maintain Emissions Units" - for installation dates of insignificant emissions units to determine which insignificant emissions units should have PTI numbers listed in Part B, Facility-Wide Terms and Conditions.

**Identify any generally applicable facility-wide requirements for inclusion in Part B, Facility-Wide Terms and Conditions.**

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- (iii) These include standard Terms and Conditions for:
  - (A) Emergency Action Plans (EAPs);
  - (B) Asbestos; and
  - (C) Part 82 (stratospheric ozone).
- (iv) Check Title V application - Facility Level form, Applicable Requirements tab, "Facility" from drop down list box for facility-wide applicable requirements identified by the permittee.

**Review the Terms and Conditions for each non-insignificant emissions unit in Part C, Emissions Unit Terms and Conditions.**

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- (v) Identify pollutants for each emissions unit in the permit, creating list, if needed.
- (vi) Review Title V application - Emissions Unit Level form, Emissions tab - for pollutant(s) identified by the permittee.
  - (A) Consult other issued Title V permits with similar emissions units (as needed).
  - (B) First, consult known similar Title V permits from DO/LAA.

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(C) Second, if similar Title V permits from DO/LAA are unavailable or nonexistent, consult known similar permits from other Ohio EPA district offices/local air agencies.

**Review applicable rules cited in permit.**

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(D) Consult other issued Title V permits with similar emissions units (as needed).

(E) First, consult known similar Title V permits from DO/LAA.

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(F) Second, if similar Title V permits from DO/LAA are unavailable or nonexistent, consult known similar permits from other Ohio EPA district offices/local air agencies.

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**Review each Applicable Emission Limitation/Control Requirement.**

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(G) Check for correct limit and/or proper application of the rule.

(H) Check PTI limit, if applicable.

(I) Perform cursory check of Title V application - "Maintain Emissions Units" for installation dates of non-insignificant emissions units to determine which non-insignificant emissions units should have PTI requirements specified in the Terms and Conditions.

(J) Confirm that all PTI requirements have been copied over into the Title V permit. Use CO PTI hardcopy files or STARS2 electronic files to compare the Title V Terms and Conditions versus the PTI Terms and Conditions.

(K) Use "PTI Streamlining Language" in permit, as appropriate. Note where substantive changes have occurred between the Title V Terms and Conditions and the PTI Terms and Conditions and apply the "PTI Streamlining Language" to that section(s) of the permit Terms and Conditions.

**Check for parametric monitoring.**

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§ In certain cases where a new State regulation is more stringent than a PTI limitation, or when emission factors change, DO/LAA may need to process a modification of the PTI concurrently with the processing of the Title V permit.

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- (L) Where the applicable requirement does not mandate periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring) Terms and Conditions should specify parametric monitoring "sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit...." [OAC rule 3745-77-07(A)(3)(ii)]
- (M) If the facility is major for HAP, check for applicable MACT standards.
- (N) Check Title V application, Facility Level form, Estimated Emissions tab - for any HAP pollutants emitted (as reported by the permittee); also refer to specific MACT preamble for listing of HAPs for the specific source category.
- (O) Maximum capacity of the emissions unit.
- (P) Check maximum capacity via Title V application - EAC form.
- (Q) Check process weight rate (PWR) and uncontrolled mass rate of emissions (UMRE) for OAC rule 3745-17-11 determination and document in permit Terms and Conditions whether Table 1 or Figure II is more stringent.
- (R) Identify release point(s) (stack or fugitive) for proper application of OAC Rule 3745-17 via Title V application - "Maintain Egress Points".
- (S) Review negative declarations and rule exemptions specified for the specific emissions unit.

**Review each Operational Restriction.**

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- (T) Check that the Operational Restriction(s) will ensure ongoing compliance with the applicable requirements/control measures and/or satisfy OAC Chapter 3745-77 "gap-filling" requirements.
- (U) Review wording of T&C to ensure that the Operational Restriction is clearly worded and not vague.
- (vii) Review each Monitoring/Record Keeping requirement.
  - (A) In most cases, a Monitoring/Record Keeping requirement is necessary for each Emission Limitation/Control Requirement and Operational Restriction.

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- (B) Check specific rules to see whether the required Monitoring/Record Keeping approach is prescribed by rule or another approach can be used.
- (C) Review wording of Terms and Conditions to ensure that the monitoring method enables the agency to enforce the respective Emission Limitation/Control Requirement or Operational Restriction; check that the monitoring frequency is appropriate; check that the correct monitoring is specified (e.g., CEMS, if required by rule, refer to Engineering Guide 52).

**Review each Reporting requirement.**

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- (D) In most cases, a Reporting requirement is necessary for each Emission Limitation/Control Requirement and Operational Restriction.
- (E) Check specific rules to see whether the required Reporting approach is prescribed by rule or whether another approach can be used.
- (F) Review wording of T&C to ensure that the reporting method satisfies "prompt reporting" per OAC Chapter 77 requirements for the respective Emission Limitation/Control Requirement or Operational Restriction; check that the appropriate frequency of reporting (rule-based, policy, etc...) has been specified.

**Review each Testing (Compliance Method) requirement.**

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- (G) In most cases, a Testing (Compliance Method) is necessary for each Emission Limitation/Control Requirement and Operational Restriction.
- (H) Check specific rules to see whether the required Testing (Compliance Method) approach is prescribed or another approach can be used.
- (I) Review wording of T&C to ensure that the Testing (Compliance Method) enables the agency to enforce the respective Emission Limitation/Control Requirement or Operational Restriction. Whenever possible, Testing (Compliance Method) should refer to information from Monitoring/Record Keeping. Check to see whether emission testing is specified, if needed (and appropriate frequency set). This T&C must clearly and precisely define how compliance with the respective Emission Limitation/Control Requirement or Operational Restriction will be ascertained by the permittee, the agency, or a third party.

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- (J) Ensure that emission rate calculation is accurate and concise. In cases where "no emission testing is required" an explanation should be provided (e.g., cite past emission test/test date that demonstrated the tested emission rate was well below the permit allowable emission rate, etc...).
- (K) Check that Terms and Conditions include appropriate frequency for emission testing.
- (L) Ensure that Testing (Compliance Method) and/or emission Test Method(s) (i.e., U.S. EPA reference methods) are consistent with regulatory requirements.

**Review each Miscellaneous requirement.**

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- (M) This section is typically used for clarification statements. For example, Miscellaneous requirement may be used to justify why certain Terms and Conditions are specified in the permit. Additionally, Miscellaneous requirements may be used to include Compliance Plans and Schedules in a Title V permit to address noncompliance issues including the requirement to obtain a PTI.
- (N) Review wording of Terms and Conditions to ensure that each Miscellaneous requirement is clearly worded and serves the intended function in the permit.

**Review air toxic modeling, if applicable.**

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- (O) Review Terms and Conditions; should be identified as State-only in section a)(1) of the permit.
- (P) Ensure current air toxics language has been used.
- (Q) Perform cursory check of modeled emission rate vs. MAGLC.

**Review rule citations for non-SIP approved rules.**

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- (R) Non-SIP approved rules (i.e., OAC rules that have not been approved by USEPA as part of Ohio's federally approved SIP) are identified as State-only in section a)(1) of the permit.
- (S) Check that the appropriate cross reference from non-SIP approved rules (State-only) to SIP approved rules (State/fed) have been cited.

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(viii) Ensure that all terms in both Part B and Part C contain the proper "authority for term" cite.

(ix) Check for CAM Plan.

(A) A CAM plan must be incorporated in the Terms and Conditions, if applicable, using the most recent Ohio EPA or U.S. EPA guidance.

(B) Check SOB (see below) for whether DO/LAA evaluated CAM applicability for each Pollutant Specific Emissions Unit (PSEU) - SOB should indicate "yes" or "N/A" for CAM for each emissions unit.

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**Apply the following Quality Indicators for Permit Terms and Conditions:**

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(C) Terms and conditions should:

(i) Be accurate and comprehensive (from a regulatory standpoint);

(ii) Be clearly written and understandable (put yourself in the place of the facility environmental contact or other reasonably competent technical person -- are compliance obligations clearly spelled out?);

(iii) Contain "follow through" (i.e., every permit Emission Limitation/Operational Restriction has associated and accurate Monitoring/Record Keeping, Reporting, and Testing (Compliance Method) Terms and Conditions specified);

(iv) Be grammatically correct;

(v) Be in a consistent format within Emission Unit Terms and Conditions;

(vi) Be in a consistent format throughout entire Title V permit; and

(vii) Be an overall high-quality, professional-looking product.

**Review the Statement of Basis (SOB).**

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b. Ensure that the most up-to-date SOB form has been used to prepare SOB. This form should have been generated and stored in STARS2.

c. A complete SOB is required at the Draft permit issuance stage.

d. If no SOB has been sent, DAPC Reviewer contacts DO/LAA PRM.

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45. Title V permit corrections & questions.

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- a. Prepare a hard copy mark up of the Title V permit recommendation noting all corrections/questions to send to DO/LAA via fax or e-mail (scanned PDF). Or use the "Track Changes" feature in Word to identify any changes that are needed.
- b. If only minor corrections (i.e., grammar, spelling, etc.) are noted, and as time allows (typically less than 2 hrs expected/permit to make the changes), the CO Reviewer may elect to make the changes to the permit instead of sending the corrections to DO/LAA to make the changes.
- c. If certain questions identified during the permit review will require research and a response by DO/LAA and/or different individuals need to have input to respond to the question(s) then e-mail is preferred over fax.

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**Contact DO/LAA Permit Writer/DO/LAA PRM.**

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- d. Discuss progress, schedule, technical issues, etc. through e-mail, phone calls or meetings.
- e. The permit can be in both "shops" at the same time - for instance: CO could be addressing certain technical issues while DO/LAA is addressing other technical issues and/or making corrections to the Terms and Conditions; through STARS2, there is currently no way to track when permit is in "both shops". However, whoever the permit recommendation is assigned to in STARS2 is responsible for making progress and moving the recommendation forward accordingly.

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46. Once the permit has been assigned to CO, for any changes made by DO/LAA, including the issuance of any PTIs that affect the review, DO/LAA PRM requests that the permit recommendation get looped back to DO/LAA. After making changes, DO/LAA PRM will upload the revised terms in STARS2 and delete the previous version.

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47. It is suggested that the CO Reviewer allow "breathing space" after receiving the corrected Terms and Conditions from DO/LAA (2 -- 7 days) and then review the entire permit again.

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48. When CO Reviewer is satisfied that the permit is approvable, he or she assigns the permit to DAPC CO PRM in STARS2.

- a. Based on DAPC CO PRM, additional revisions may be made to the permit by either the CO Reviewer or the permit may be reassigned to DO/LAA PRM or DO/LAA Permit Writer.

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- (i) In instances where CO recommends permit revisions, CO will contact DO/LAA PRM and DO/LAA Permit Writer to discuss revisions prior to incorporation into the permit.

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49. Ongoing Title V Permit T&C training.

- a. At least once per week, CO Reviewer reads through the issued Title V permits posted on the DAPC web site or in STARS2 in order to stay up-to-date on different permitting language options, compliance method approaches, etc..

**Issuance of Draft Permit**

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50. Permit is issued by CO DAPC Permit Issuance and Data Management Section.

51. Public notice is registered in STARS2 by CO DAPC.

52. Preliminary Proposed Permit (PPP) action is assigned to DO/LAA Permit Writer.

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**Post-Draft Permit Process**

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53. After the Draft permit has been issued, there is a 30-day public comment period during which the public, the facility, and/or USEPA may submit comments on the Draft Permit. Anyone from the public can also request to have a public hearing.

- a. Public hearing held if requested – need to provide 30-day public notice for the hearing.
- (i) Any public hearing will be coordinated through Ohio EPA Public Information Center. A notice must be posted in the newspaper 30 days prior to the public hearing.

b. At close of comment period, DO/LAA Chief of Engineering shall remind DO/LAA PRM and DO/LAA Permit Writer of permit time lines.

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c. If public comments are received, including comments from a public meeting, a "Response to Comments" document must be prepared by the DO/LAA Permit Writer (even if no comments are received) and reviewed and discussed with the DO/LAA PRM before making changes to the permit (see Appendix N). The "Response to Comments" document should be generated through STARS2 using the "Tools" tab. Save the document at L:\Data\Facilities.

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d. Comments received from the permittee or from US EPA (Region V) do not require the preparation of a response to comments document, however, the comments must be discussed and addressed in the permit file.

(i) Our response may be that we disagree with the commenter (with justification), but that must be documented in the file should the issued permit be appealed.

e. DO/LAA PRM and DO/LAA Permit Writer will discuss significant changes with DAPC CO Reviewer.

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f. Within a week of the close of the comment period, DO/LAA will assess how to proceed with the next stage of the permit.

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g. If the changes are agreed to, the DO/LAA Permit Writer makes changes in the Preliminary Proposed Permit (PPP) recommendation and adjusts the SOB if needed and submits the PPP permit recommendation to the DO/LAA PRM with the changes identified using "Track Changes" in Word.

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h. DO/LAA PRM reviews changes and has DO/LAA Permit Writer make any additional changes necessary.

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i. When there are no further changes, the PPP permit recommendation is sent to the facility to allow comment.

j. DO/LAA Permit Writer makes any adjustments needed based on facility comments.

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k. After all the necessary changes are made, the Response to Comments document along with the "Track Changes" copy of the PPP permit recommendation is submitted to CO by DO/LAA PRM through STARS2.

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l. DO/LAA PRM updates Workflow in STARS2 and assigns PPP recommendation to CO Reviewer.

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m. CO Reviewer reviews and approves changes. Any further changes that are needed can be done by CO or DO/LAA.

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54. After the Preliminary Proposed Permit is issued.

a. A PPP meeting or conference call may be scheduled upon request by the permittee. This must be done within 14 days after issuance of the PPP permit. If the company does not request a meeting, then DO/LAA can move forward with processing the Proposed Permit (PP) recommendation.

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- (i) PPP meetings are scheduled with the permittee, CO, and DO/LAA.
- (ii) PPP meetings may take place in person (typically in Columbus) or via conference call.
- (iii) All necessary changes must be agreed to during the PPP meeting to minimize further delays.
- (iv) If changes are agreed to, the DO/LAA Permit Writer makes the changes in the Proposed Permit recommendation using Track Changes and submits the PP recommendation to the DO/LAA PRM for review.
- (v) After all necessary changes are made, the Proposed Permit recommendation is shared with the company for their concurrence on the changes that have been made.
- (vi) After facility concurs with the changes, the DO/LAA PRM submits the Proposed Permit recommendation to CO through STARS2.
- (vii) CO Reviewer reviews the PP recommendation and communicates any changes that are needed to DO/LAA.

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55. After the Proposed Permit is issued.

- a. USEPA has 45 days to review and comment on the Proposed Permit. If USEPA requests any additional changes, these are handled either by CO or the DO/LAA Permit Writer before issuing the final permit.
- b. CO coordinates response to U.S. EPA comments.
  - (i) Recently, comments from U.S. EPA have not been received for most permits and permits are typically issued final after U.S. EPA grants its approval.
  - (ii) Since 2004, CO has not received many USEPA comments at the PP stage. This trend is attributed to effective early participation and comment from USEPA (typically at the Draft permit stage).
  - (iii) The Final Permit recommendation is assigned to the DO/LAA Permit Writer in STARS2. If any changes are needed as a result of comments from USEPA, the DO/LAA Permit Writer makes the changes in the Final Permit recommendation using Track Changes and then submits the recommendation to the DO/LAA PRM.

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(iv) If there are no further changes, the DO/LAA PRM uploads the revised terms, if changes were made, in STARS2 and updates the Workflow to assign the recommendation to the CO Reviewer.

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### **Changes to Permit After Issuance**

56. Changes at the facility or changes in regulations or policy may require changes to a Title V permit after it is issued but before it expires.

57. Guidance prepared by Ohio EPA provides various scenarios and the permitting approaches that are required to address the need for these changes (see Appendix O). In using this guidance, it is recommended to first go to the Significant Modification section and determine if the proposed modification will be a Significant Modification or not. If it is not a Significant Modification, then we do not need to process the modification right away. If it is a Significant Modification, then the Significant Mod must be issued Final before the facility can operate under the proposed modification (there are some exceptions as noted in the guidance). Significant Modifications must be issued through all four stages which can take a long time; therefore, if possible, process the Significant Mod at the same time as the PTI is being processed. For the other types of Title V permit modifications, these can usually wait until renewal of the Title V permit and then roll them all into one permitting action.

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### **Additional Title V actions**

58. Review quarterly and semi-annual deviation reports.

59. Review annual Title V certifications (see Appendix Q).

60. Review annual Title V Fee Reports (see Appendix R).

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History: Initiated December 29, 2000; Revised June 11, 2003; Revised December 1, 2005 by incorporating recommendations of an interagency process improvement team reviewing the processing of Title V permits at Cleveland DAQ. Updated July 15, 2010 to include information regarding STARS2.

**Title V Permit Preparation Manual - Carlos**

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*List of Appendices*

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Appendix A: DO/LAA Permitting Workload Assignment Procedure

Appendix B: Preliminary Completeness Review Checklist and Instructions

Appendix C: Preliminary Complete Determination Template letter for a Title V Permit Application

Appendix D: Preliminary Incomplete Determination Template letter for a Title V Permit Application

Appendix E: Technical Completeness Checklist and Instructions

Appendix F: Technical Incompleteness Procedures (see Answer Place 2172)

Appendix G: STARS2 conversion guidance for legacy permits

Appendix H: Ohio EPA Permit Structure Guidance and Ohio EPA Style Manual

Appendix I: Answer Place Questions and Engineering Guides

Appendix J: Insignificant Emissions Units

Appendix K: DO/LAA Rule Chart, and list of rules for OAC, NSPS, NESHAP, and MACT

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Appendix L: CAM Guidance. Additional guidance can be found at:  
<http://www.epa.gov/ttn/emc/cam.html>

Appendix M: Statement of Basis Template and Instructions

Appendix N: DO/LAA Response to Comment Guidance and JB e-mail guidance. Use template from STARS2. See Answer Place 1521.

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Appendix O: Guidance for Incorporating Facility Changes into a Title V Permit (i.e., modifications)

Appendix P: Permit Renewal Guidance and Checklist.

Appendix Q: Guidance for reviewing annual Title V certifications

Appendix R: Guidance for reviewing annual Title V Fee Reports

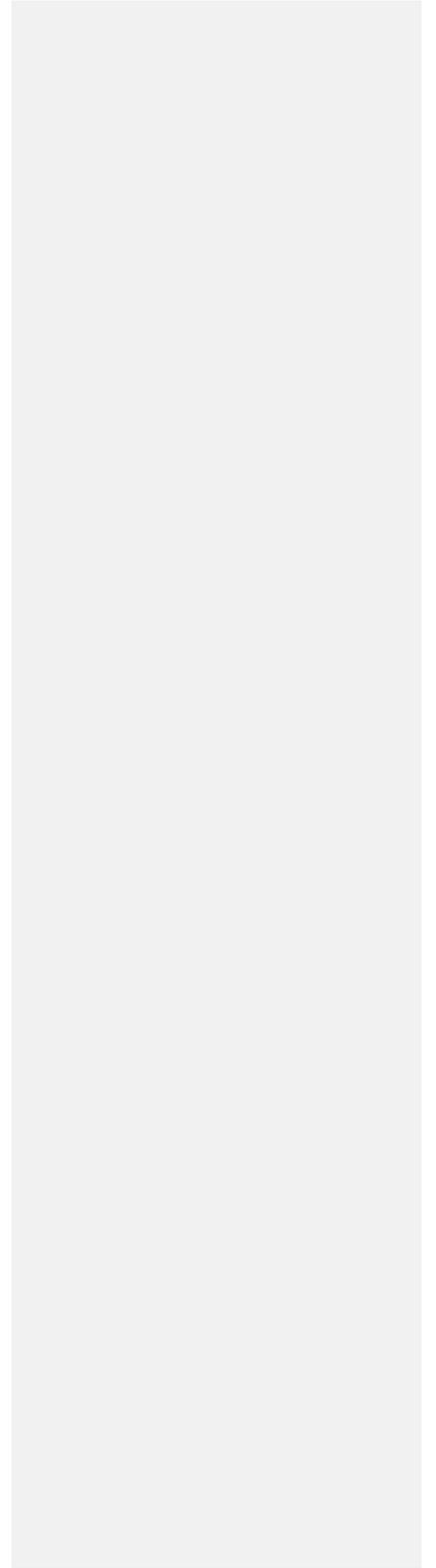
**Cleveland Division of Air Quality  
Title V Permit Preparation Procedure**

Appendix A: DO/LAA Permitting Workload Assignment Procedure

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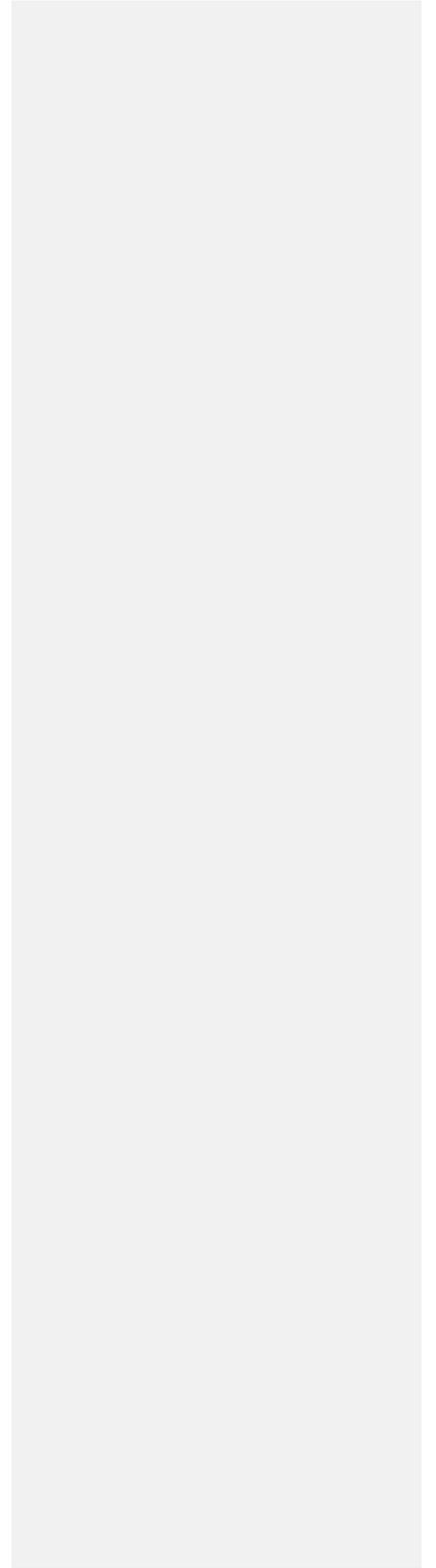
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**Appendix B: Preliminary Completeness Review Checklist and Instructions**



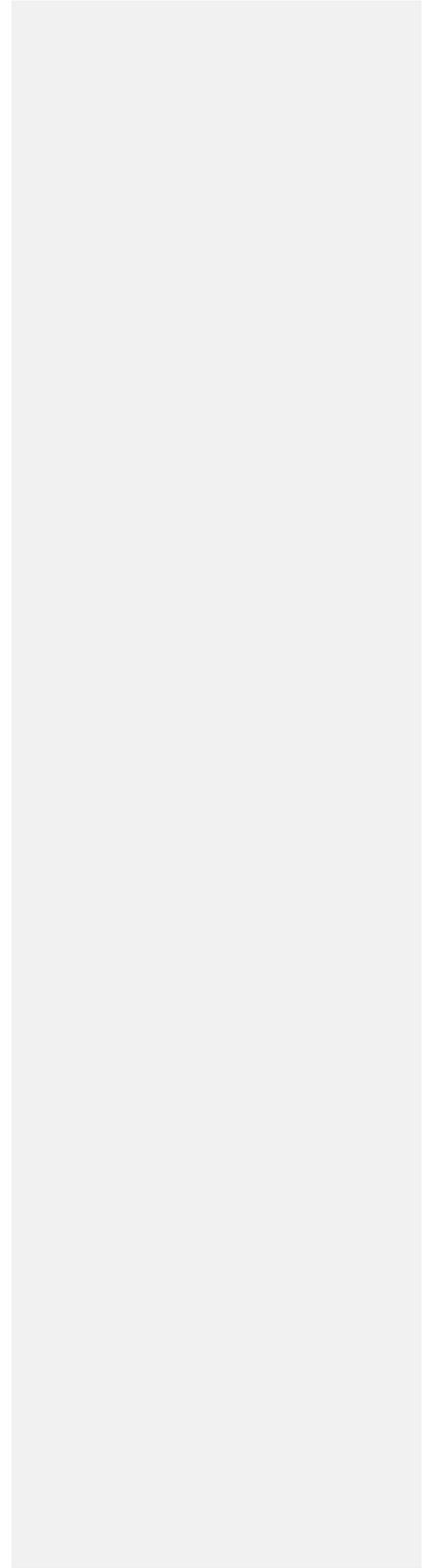
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**Appendix C: Preliminary Complete Determination Template Letter for a  
Title V Permit Application**



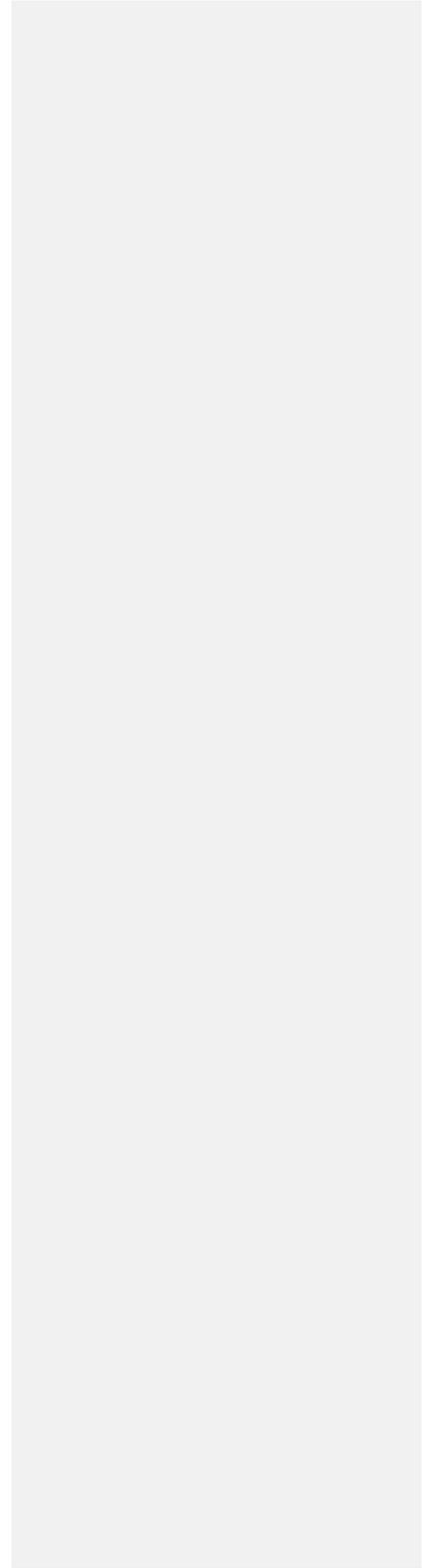
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**Appendix D: Preliminary Incomplete Determination Template Letter for a  
Title V Permit Application**



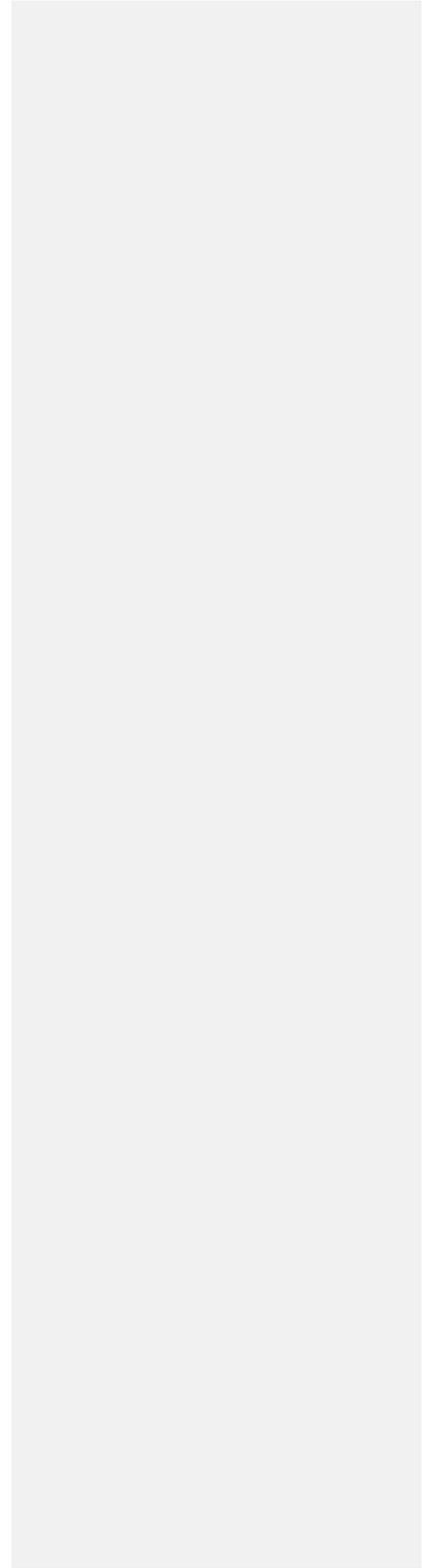
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**Appendix E: Technical Completeness Checklist and Instructions**



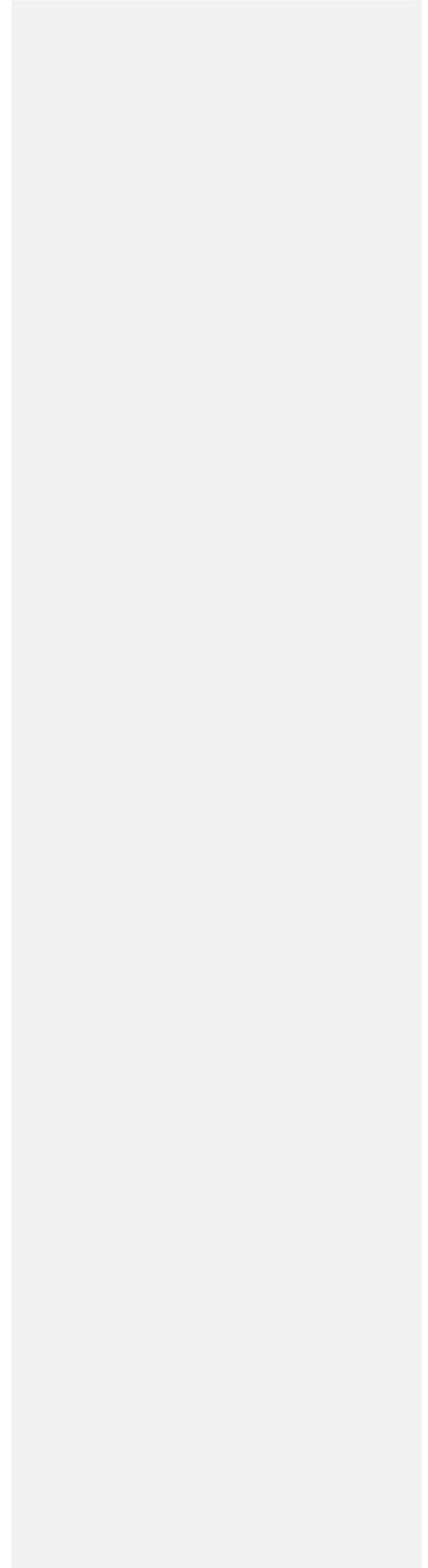
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**Appendix F: Technical Incompleteness Procedures (see Answer Place 2172)**



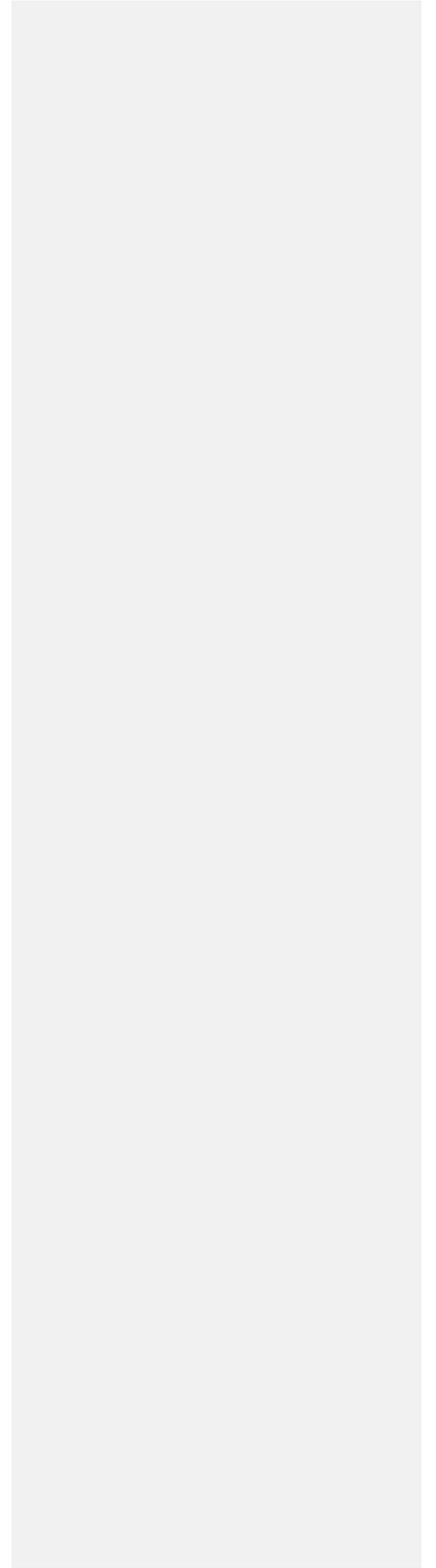
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**Appendix G: STARS2 Conversion Guidance for Legacy Permits**



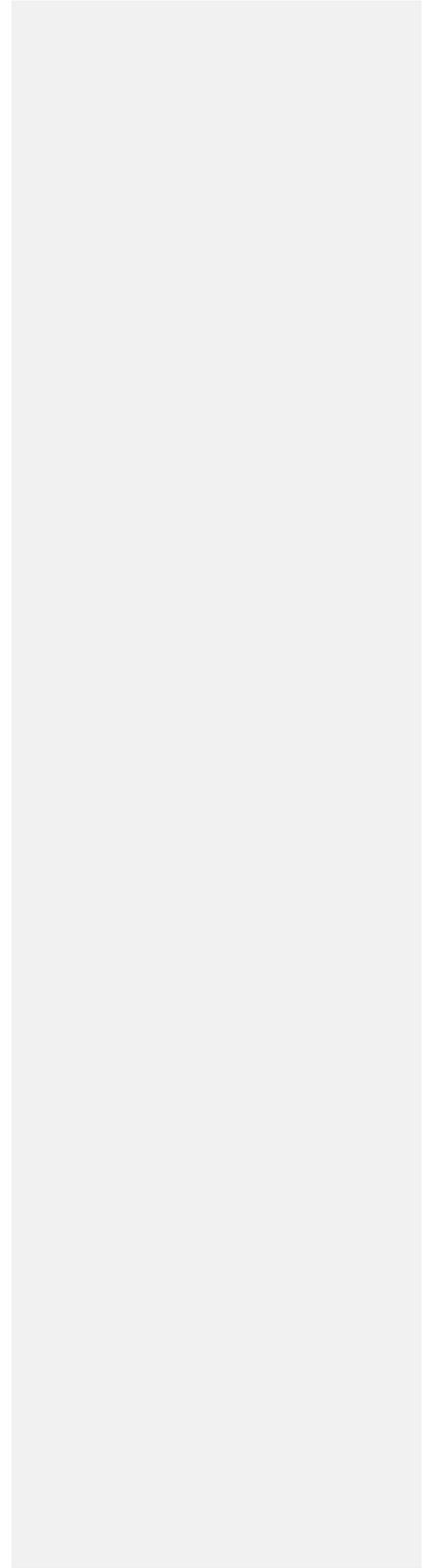
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**Appendix H: Ohio EPA Permit Structure Guidance and Ohio EPA Style Manual**



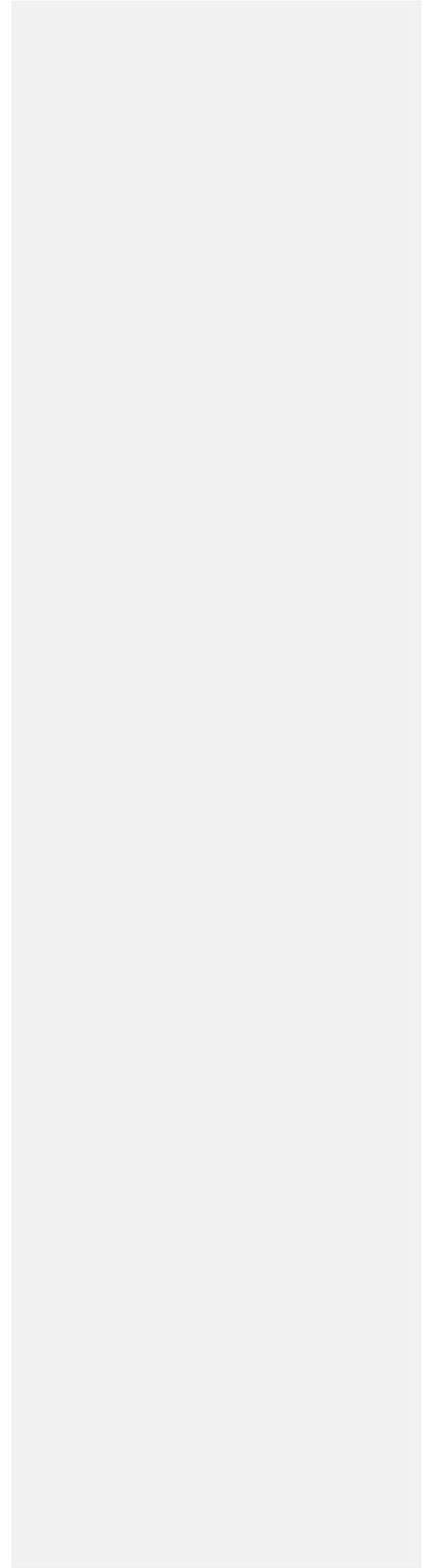
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**Appendix I: Answer Place Questions and Engineering Guides**



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**Appendix J: Insignificant Emissions Units**



**Cleveland Division of Air Quality  
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| Appendix K: DO/LAA Rule Chart, and list of rules for OAC, NSPS, NESHAP,  
and MACT

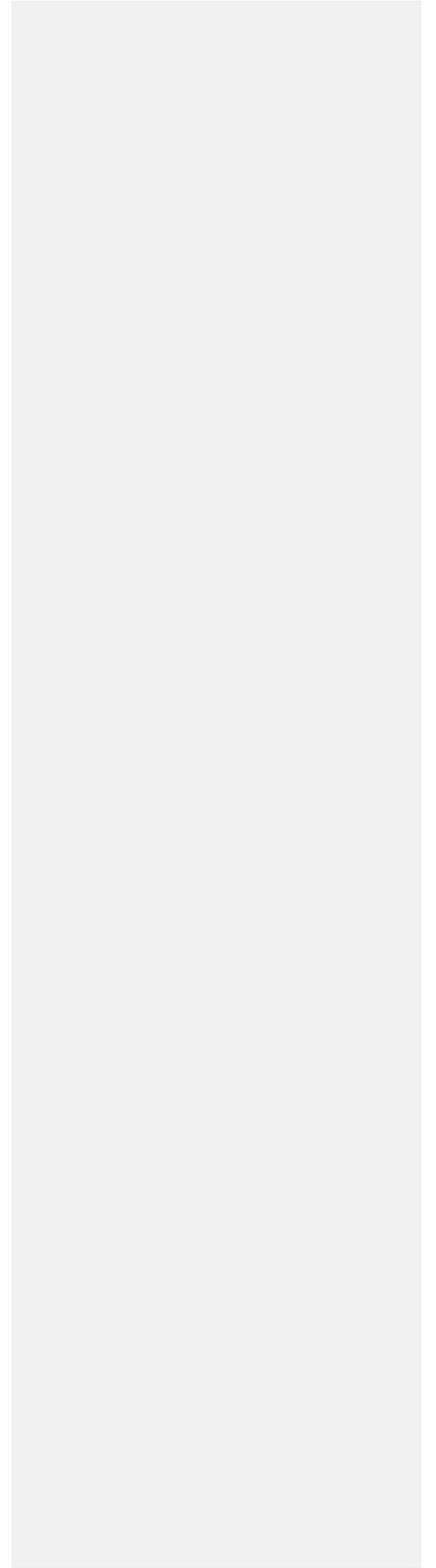
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**Appendix L: CAM Guidance – additional guidance can be found at  
<http://www.epa.gov/ttn/emc/cam.html>**

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**Appendix M: Statement of Basis Template and Instructions**



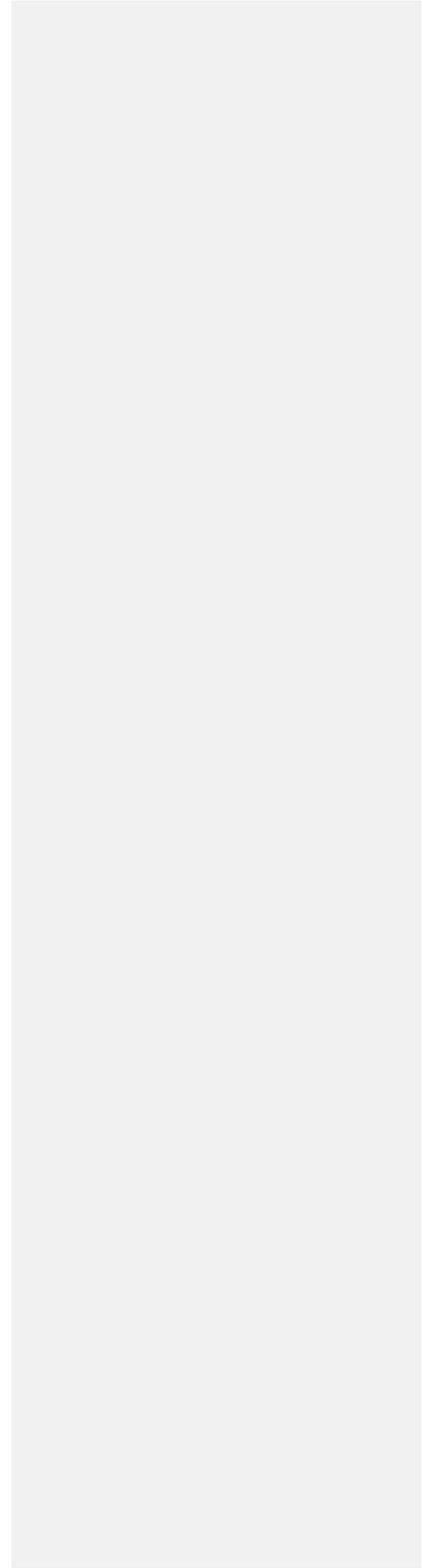
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| **Appendix N: DO/LAA Response to Comments Guidance and JB e-mail guidance. Use template from STARS2. See Answer Place 1521.**

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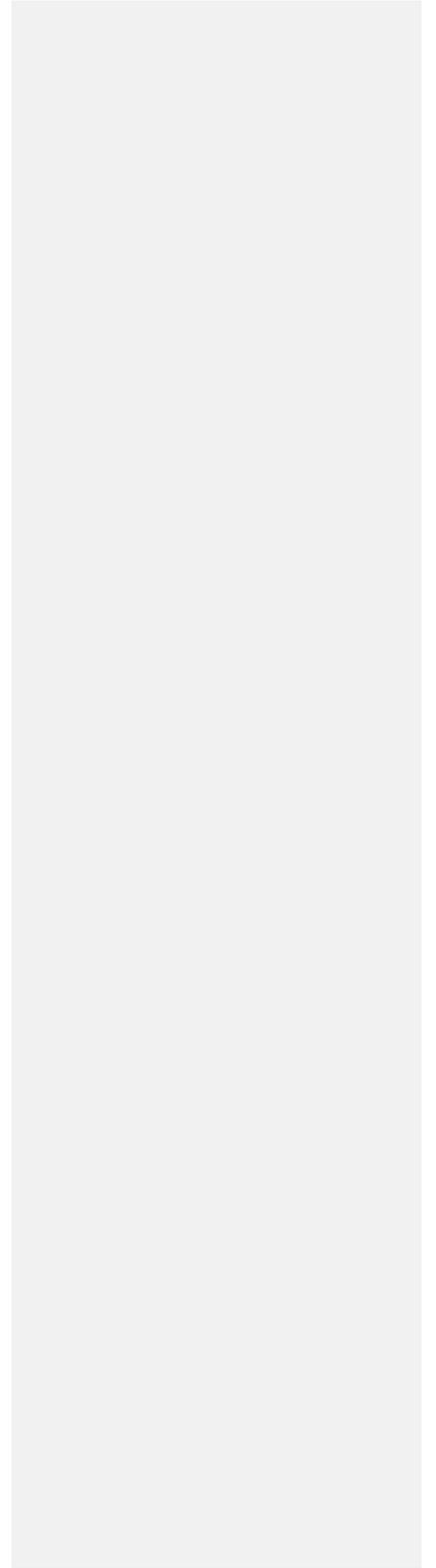
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**Appendix O: Guidance for Incorporating Facility Changes into a Title V  
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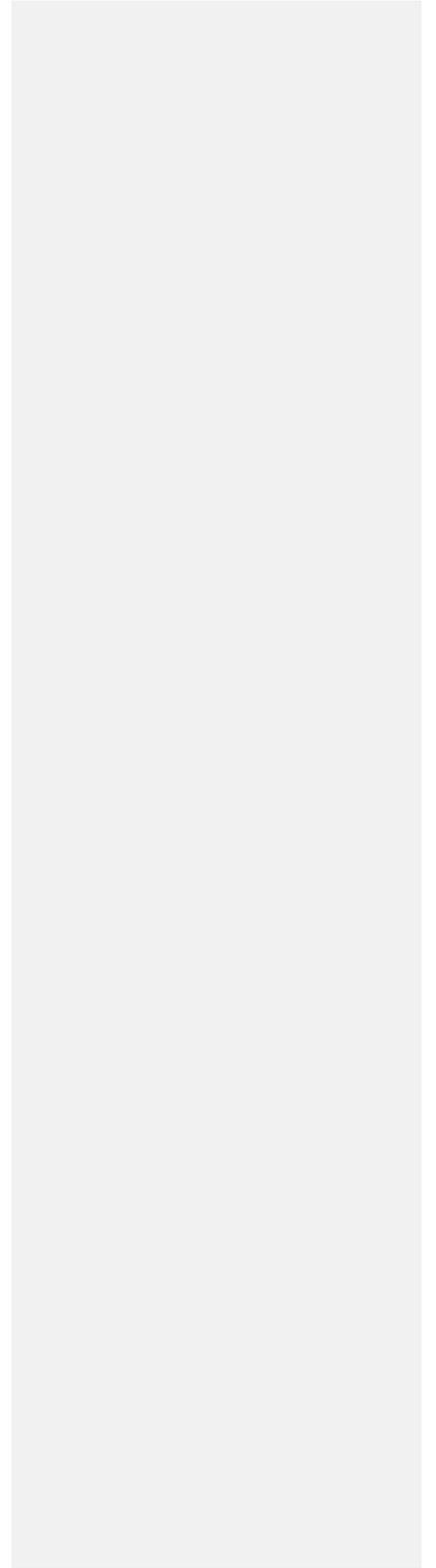
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**P: Permit Renewal Guidance and Checklist**



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**Appendix Q: Guidance for Reviewing Annual Title V Certifications**



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**Appendix R: Guidance for Reviewing Annual Title V Fee Reports**

