



Managing Air Pollution Related Process or Equipment Changes

The purpose of this document is to provide key information and advice to companies that have existing air pollution permits in order to prevent inadvertent permit violations when process or equipment changes occur at the facility.

Introduction

In today's fast paced business environment, companies must make frequent changes to manufacturing processes in order to meet changing market conditions. Minor changes can often be done without the need to get updated air pollution permits. Other changes will need updated air permits. The air pollution rules describing when a modified permit is needed are complex and sometimes hard to understand. In order to prevent inadvertent permit violations, the Ohio EPA, Division of Air Pollution Control (DAPC) has developed the following guidance and suggestions.

Understanding When a Permit is Required

Before we get into the suggestions, however, it is important to first understand what might trigger the need to obtain a new or modified permit. These triggers are governed by the rule language that covers air pollution permitting.

First, it is important to understand that if you are going to replace an existing air pollution source, in most cases, the replacement will necessitate obtaining a new permit for that replacement. A new permit is required even if you plan

to replace the equipment with essentially identical equipment. This requirement is detailed in Ohio Administrative Code (OAC) rule 3745-31-01 and rule 3745-31-02. Rule 31-02 says that you must obtain a permit for a "new source" and 31-01 defines a "new source". More specifically, the definition of a "new source" says, "The replacement of an entire air contaminant source is considered a new source."

Second, if you are going to change an existing process, you need to determine if a physical change or change in the method of operation will occur. If a physical change or change in the method of operation will occur, and, the allowable emissions will increase, then you are going to need to obtain a permit modification before undertaking the change. These requirements are detailed in OAC rule 3745-31-01 in the "Modify" or "Modification" definition.

There are many different exceptions to both the new source and modify definitions that can affect the need to get a permit. In many cases, the analysis will involve review of the existing permit, a review of the exact equipment or process that will be changed, a review of any available permit exemptions, and a detailed

review of the language of any applicable rules.

The Suggestions

Suggestion Number 1

The company environmental contact should establish a good working relationship with the Ohio EPA District Office (DO) or Local Air Authority (LAA) permit writer that has been assigned to your facility. They should know who this person is and what their phone number or e-mail address is so that they can discuss potential changes to the equipment/processes with the permit writer. During these conversations, the environmental contact can discuss the proposed changes and the potential need for permit modifications well ahead of the implementation of the changes. Our permit writers are extremely knowledgeable about the air rules and can provide expert guidance concerning the need to get a new or modified permit.

Suggestion Number 2

Become familiar with the types of process changes that are likely to require a permit. You can do this by having a conversation with your assigned DO/LAA permit writer. They can give you a basic introduction to the types of changes that are likely to need a

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permit and which rules you should review to help make the determination. Learning about these requirements can help you a lot when you hear about proposed process changes.

Suggestion Number 3

Set up your internal review processes so that before process changes are implemented, the company environmental contact approves the change. Before the environmental contact signs off on the change, he/she should confirm that no permit modifications are needed.

It is also very helpful if your environmental contact is involved in day-to-day internal meetings and discussions concerning future changes to the facility. The earlier they know about potential changes, the earlier they can figure out if a permit is needed and the earlier your facility can put the permit processing work into the project schedule.

Suggestion Number 4

If your company qualifies as a "Small Business," get some help from Ohio EPA's Office of

Compliance Assistance and Pollution Prevention (OCAPP). OCAPP provides free and confidential assistance to Ohio business to help them comply with Ohio's environmental requirements – focusing on the needs of small business. Staff within OCAPP can help you figure out if proposed process changes will need a permit and can even help you fill out air pollution permit applications if you need them. You can determine if you qualify for assistance from OCAPP by reviewing the materials found at: <http://epa.ohio.gov/ocapp/ComplianceAssistanceandPollutionPrevention.aspx>.

Suggestion Number 5

If your company does not qualify as a "Small Business" or you just don't feel comfortable talking to OCAPP, then consider hiring a consultant. There are many qualified consultants that work in the various environmental programs. An environmental consultant can help companies figure out if a proposed change to a process would need a permit first. Remember, however, as is

true with hiring any services, it is important to hire someone who has experience in Ohio's air program for your air issues.

Summary

Understanding when a new or modified air permit is needed can be challenging. However, there are ways you can prepare your company to successfully navigate these requirements.

Implementing the above suggestions can do a lot to ensure your company does not violate the permit rules.

Contact

For more information, contact the permit writer who is assigned to your facility. You can determine the permit writer by calling the District Office or Local Air Agency (DO/LAA) that is responsible for your site. DO/LAAs can be determined by reviewing the map found

at: <http://epa.ohio.gov/dapc/general/dolaa.aspx>, or by selecting your facility's county location on the following document: <http://epa.ohio.gov/districts.aspx#115772917-county-contacts>.