

Flexible Air Permitting

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Standard Permit Process

✍️ Pros

- ✍️ Thorough review of application
- ✍️ Opportunity for public review & comment
- ✍️ Drafting & negotiation of permit conditions
- ✍️ Permit contains all applicable requirements:
 - ✍️ Comply w/permit = in compliance w/regulations

✍️ Cons

- ✍️ Months between application & permit issuance
- ✍️ 5-year permit term
 - ✍️ Facilities often need changes <5 years



Types of Flexible Permits

- ✍ Regulations
 - ✍ Minor Permit Amendment
- ✍ Specific "Flexible" Permit Conditions
 - ✍ Alternative Operating Scenarios
 - ✍ Plant-wide Applicability Limits
- ✍ General "Flexible" Permit Conditions
 - ✍ Stack Parameter Changes
 - ✍ "Process Change"
 - ✍ NH State Toxics Rule Compliance Demonstration
 - ✍ Emission Testing Alternatives



Minor Permit Amendment

- ✍ Not installing new permit-applicable device
- ✍ Emissions not increasing
- ✍ May proceed without DES review/approval



Alternative Operating Scenarios

- ✍ Must be applied for & included in permit
- ✍ Allows facility to switch among permitted scenarios
- ✍ Pros
 - ✍ Confident that all scenarios allowed
 - ✍ Quickly switch among scenarios
- ✍ Cons
 - ✍ Must anticipate & apply for scenarios



Plant-wide Applicability Limit (PAL)

- ✍ Must be applied for & included in permit
- ✍ Allows facility to make changes under emissions cap
- ✍ Pros
 - ✍ Quickly change operation
 - ✍ Encourages P2 & controls to free up room under cap
- ✍ Cons
 - ✍ Cap difficult to increase



Stack Parameter Changes

- ✍ Stack parameters in permit
- ✍ Facility may change stack parameters based upon modeling they perform
- ✍ May proceed without DES review/approval



"Process Change" Permit Condition

- ✍ Certain changes allowed w/o DES review
 - ✍ No existing limits exceeded
 - ✍ No new applicable requirements
 - ✍ Total VOC increase <10 tpy
- ✍ May proceed without DES review/approval



NH State Toxics Rule

- ✍ Regulated Toxic Air Pollutants (RTAPs)
- ✍ Permit conditions allow
 - ✍ Increase in emissions of existing RTAPs
 - ✍ Emit RTAPs not previously emitted
- ✍ Facility must document compliance of modified operation
- ✍ May proceed without DES review/approval



Emission Testing Alternatives

- ✍ Facility choice:
 - ✍ Full compliance test every 5 years
 - ✍ Alternative test proposed by Facility
 - ✍ Less intensive (less \$)
 - ✍ More frequent (e.g., annual)
- ✍ Alternative method must be reviewed/approved



Flexibility vs Risk & Responsibility

✍ Increased Flexibility

- ✍ Increased responsibility for Facility

- ✍ Increased risk

 - ✍ Future review may indicate change in violation

✍ Maintain appropriate public opportunity for review & comment

