



Simplifying the Air Permitting Process

Operating Permits



BUREAU OF AIR QUALITY
Air Permitting Division

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Introduction

Any facility that is required to obtain an air quality construction permit issued by the Bureau of Air Quality (BAQ) must obtain an operating permit when the new or altered source is placed into operation. The type of operating permit needed is based on potential to emit (PTE) or a specific regulation. To learn more on calculating your facility wide PTE, refer to the facility example PTE calculation located in [Simplifying the Air Permitting Process – Construction Permitting](#) booklet. You do not need an operating permit if you meet any one of these criteria:

- If all of your facility emission sources are exempt (Refer to [Simplifying the Air Permitting Process – Exemptions](#)); or
- Facility-wide PTE air emissions are below the [threshold level](#) that trigger the requirement to obtain a construction permit; or
- Your facility qualifies for a [Registration Permit](#).

What is an Operating Permit?

An air operating permit incorporates all applicable state and federal air requirements into one document. These requirements include:

- Emission limits
- Monitoring
- Recordkeeping
- Reporting
- Testing

The operating permit flow chart provides an overview of steps for obtaining a new permit.

New Operating Permit

What Fees Apply?

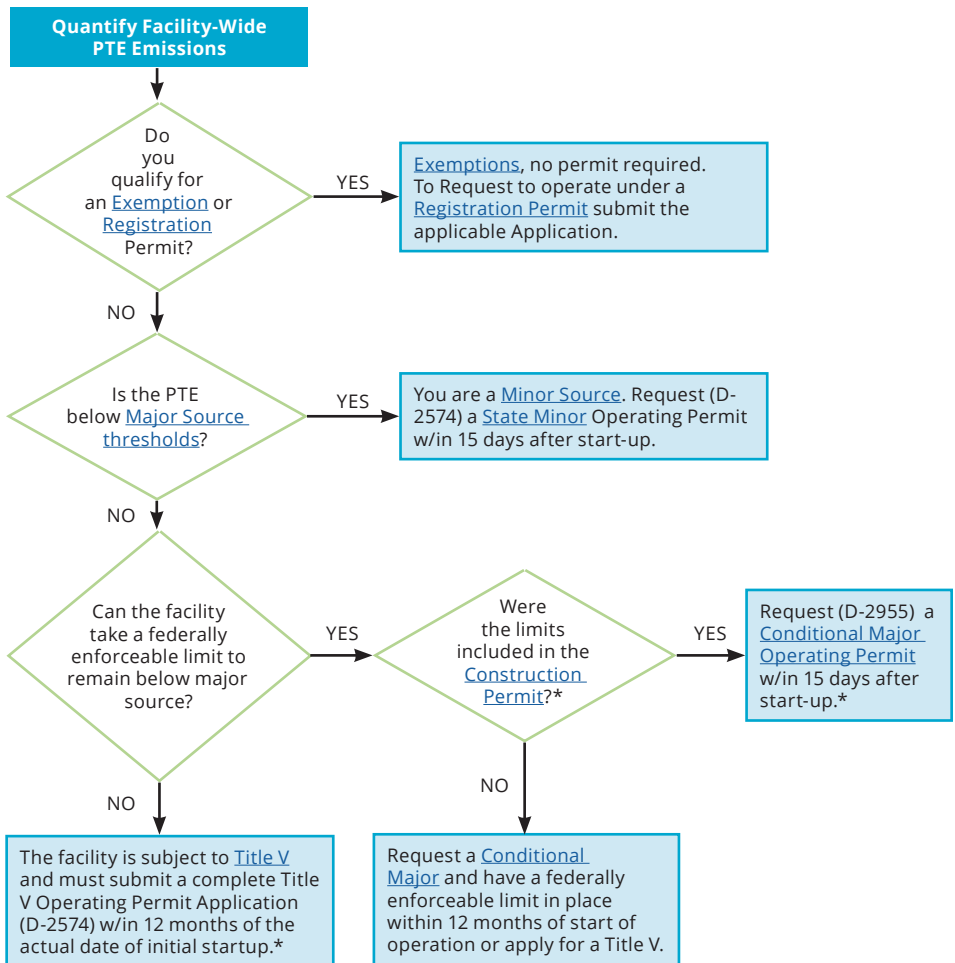
The BAQ does not assess [fees](#) for air operating permit applications, renewals, or revisions. Instead, the agency calculates air quality fees based on the tons of billable air emissions generated by a facility. All regulated pollutants, except carbon monoxide, are included in this calculation. To determine a facility's annual fee, the annual fee rate is multiplied by the number of tons of billable pollutants emitted by a facility. In addition, Title

V facilities are subject to maintenance fees, which are based on actual emissions levels.

Requesting a Registration Permit

[Registration Permits](#) are a single permit (the construction and operating permit processes are combined) issued to sources where equipment similarities and simplicity remove the need for in-depth, site specific review. The standardized permit conditions contain the same emission limits and requirements as the construction and operating permit for that source category. Visit the BAQ website at www.scdhec.gov/Environment/AirQuality/RegistrationPermits/ for a list of current Registration Permits.

The Operating Permit Flow Chart



What Types of Operating Permits are Available?

The BAQ issues four types of operating permits based on the facility-wide PTE and type of operation or regulation.

Operating permit types include:

- General
- State Minor
- Conditional Major
- Title V

[General Permits](#) are issued that cover specific categories of sources across industry sectors. The General Permit establishes criteria for coverage and permit conditions are uniform. Visit the BAQ website at www.scdhec.gov/Environment/AirQuality/OperatingPermits/General for a list of current General Permits.

[The State Minor Permit](#) program regulates smaller sources of air pollution. A minor source facility's PTE is less than major source thresholds.

[Conditional Major Permits](#) are for sources classified as a [major source](#) based on their PTE emissions, but the facility has taken federally enforceable limits to keep their emissions below major source threshold.

A [Title V Operating Permit](#) is a comprehensive federally enforceable permit that requires Environmental Protection Agency (EPA) review and a public comment period before issuance.

Step 1: What Type of Operating Permit Do I Need?

Are you required to get a Title V operating permit because you are subject to a specific regulation? Some NESHAPS and NSPS regulations require a facility to be covered under a Title V Operating Permit.

Quantify your facility-wide emissions. If not required by regulation, then the type of operating permit required to put your source into operation is based on the facility-wide PTE emissions.

General Permit: If your facility meets the criteria under a General Permit criteria and air emissions limits, you may qualify for a General Permit. Visit the BAQ's Guidance & Emission Tools webpage at www.scdhec.gov/Environment/AirQuality/Training for various emission calculator tools

available to help determine whether you are eligible for a General Permit.

HOW & WHEN DO I REQUEST A GENERAL PERMIT?

Once you have received your construction permit and are ready to operate, submit an operating permit request (Application [Form D-2574](#)) to the Director of Engineering Services Division postmarked within 15 days after the actual date of initial startup of each new or altered source.

WHEN SHOULD I RECEIVE MY GENERAL PERMIT?

The maximum allowable timeframe for the BAQ to issue a General Permit is 90 days. No public notice comment period is required to operate under a General Permit. However, the BAQ may choose to have a public meeting if the public has expressed interest.

State Minor Operating Permit: If the total facility-wide PTE emissions, including insignificant activity and exempt source emissions are below [major source](#), you can request to operate under a [State Minor Operating Permit](#).

HOW & WHEN DO I REQUEST AN INITIAL STATE OPERATING PERMIT?

You will need to submit an operating permit request (Application [Form D-2574](#)) to the Director of Engineering Services Division postmarked within 15 days after the actual date of initial startup of each new or altered source. The equipment, processes, and/or control devices that have been placed into operation will be incorporated into the operating permit.

WHEN SHOULD I RECEIVE MY STATE OPERATING PERMIT?

The maximum allowable timeframe for BAQ to issue an operating permit is 90 days. Minor sources are not required to undergo a [public notice](#) comment period. However, the BAQ may choose to have a public meeting if the public has expressed interest.

Conditional Major Operating Permit: If your facility-wide emissions are at or above major source thresholds and you have accepted to operate under a federally enforceable emission limit, you may request to operate under a [Conditional Major Operating Permit](#). This type of permit may require undergoing a public notice comment period if the construction permit issued did not contain a federally enforceable emission limit(s).

HOW & WHEN DO I REQUEST AN INITIAL CONDITIONAL MAJOR OPERATING PERMIT?

You will need to submit an operating permit request (Application [Form D-2574](#)) to the Director of Engineering Services Division postmarked within 15 days after the actual date of initial startup of each new or altered source. The equipment, processes, and/ or control devices that have been placed into operation will be incorporated into the operating permit. If you have not taken federally enforceable limits to remain below major source, then a federally enforceable permit must be issued within the 12 months of start of operation to avoid the requirement to submit a Title V application. Otherwise, a Title V application is required to be submitted within 12 months of startup.

WHEN SHOULD I RECEIVE MY CONDITIONAL MAJOR OPERATING PERMIT?

The maximum allowable timeframe allowed for the BAQ to issue a Conditional Major Operating permit is 90 days, which may include a [public notice](#) comment period if the federally enforceable limits were not established up front in the construction permit.

Title V Operating Permit: If your facility-wide emissions are at or above major source thresholds and you cannot take a federally enforceable limit, then you will be required to obtain a [Title V Operating Permit](#).

HOW & WHEN DO I REQUEST AN INITIAL TITLE V OPERATING PERMIT?

Newly constructed major sources must submit an initial start-up notification (Form D-2574) to the Director of Engineering Services Division postmarked within 15 days after the actual date of initial startup of each new or altered source. Followed by a complete Title V Operating Permit application (Forms D-2937, 2940, 2942, 2943, 2944, 2946 and 2948) within 12 months of startup.

WHEN SHOULD I RECEIVE MY TITLE V OPERATING PERMIT?

The maximum allowable timeframe for the BAQ to issue a Title V Operating Permit is 540 days, which includes a public notice comment period and EPA review.

Step 2: I Received My Operating Permit, What Now?

Once you receive your operating permit you must read it to ensure you understand the terms and requirements. Operating permits are facility specific and may require you to perform specific emissions testing (such as stack testing) or compliance monitoring requirements. Review the permit for any recordkeeping, reporting, and/or operations conditions and become familiar with any reporting or certification submittal frequencies. Compliance with the conditions of your permit is your responsibility. Consult the permit writer or [regional staff](#) if any conditions or requirements are not clear.

HOW LONG IS THE OPERATING PERMIT EFFECTIVE?

Some State Minor and Conditional Major operating permits are issued for the lifetime of the facilities operations. In the past the BAQ issued those permits with a 5 or 10-year expiration date. These permits are now being phased out, during renewal, with a lifetime issuance period, unless compliance or public interest is of concern. General Conditional Major Operating permits are issued with a lifetime expiration, with the exception of Asphalt with a 5-year expiration and Concrete with a 10-year expiration. Title V operating permits are issued with a 5-year expiration date.

CAN I REVISE MY OPERATING PERMIT?

Yes, State Minor, Conditional Major and Title V permits can be revised to make modifications to existing equipment or processes, unless the modification requires a construction permit. Typical modifications are to add construction permits or make changes to the operating permit directly. For example, requesting a revision to incorporate a replacement boiler operating under a new construction permit into the existing operating permit, and request a facility name change. Most lifetime operating permits allow for minor changes without obtaining a construction permit. Communicate with your permit writer during the drafting of the operating permit to incorporate flexibility in your permit, or request a revision to allow operational flexibility changes that do not require an operating permit revision. Registration permits allow the facility flexibility to add, modify or remove equipment as long as they operate under the permit criteria.

HOW DO I REQUEST AN OPERATING PERMIT REVISION?

Non-Title V Sources submit Application [Form D-2574](#) (Operating Permit

Request) to request a permit revision to incorporate a construction permit or other pre-approved changes. Title V sources must notify and/or request approval from the BAQ and/or EPA when making revisions. Types of Title V permit revisions include:

[502\(b\)\(10\)](#) changes allow a facility to make changes without making a permit revision if the changes are neither modification under Title I nor changes that contravene an express permit term. Submit Application [Form D-2950](#) with a 7-day advance notification to the BAQ and EPA prior to operating the change at the facility. No action is required by the BAQ or the EPA. Attach a copy of the Form to the permit.

[Administrative Amendment \(AA\)](#), is a modification typically requested for typographical errors, more frequent monitoring or reporting, transfer of ownership, incorporating a PSD construction permit, name change or similar change. Submit Application [Form D-2938](#). For name changes or transfer of ownership submit Form D-2959 or D-2954. This type of change is made immediately and EPA is notified. No public notice comment period is required.

[Minor Modification \(MM\)](#), typically used for modifications to an emission unit, incorporate a construction permit, etc. Submit Application [Form D-2949](#) postmarked within 15 days after the actual date of initial startup of each new or altered source. The BAQ notifies EPA of the proposed change. The EPA is allowed a 45-day review period. During the 45-day review period the facility may take on the activity at their own risk.

[Significant Modifications](#) are changes that typically result in major changes in emission limits or permit conditions. A significant Modification request requires submitting a complete Title V application. The facility cannot implement the change until the permit is revised and the BAQ notifies affected states and the EPA of the proposed change. The EPA is allowed a 45-day review period and a 30-day public notice period is required.

HOW DO I RENEW MY OPERATING PERMIT?

If you hold a State Minor or Conditional Major Operating Permit issued with an expiration date, you must request to have your permit renewed at least 90 days prior to the date of permit expiration. You can continue to operate after the expiration date (if applicable) if a timely and complete renewal application has been submitted. Submit Application [Form D-2955](#), State Operating and Conditional Major Permit Renewal Application or submit

a written request to the Department, including all items listed in S.C. Regulation 61-62.1, Section II (H).

Title V sources are required to submit a complete Title V renewal application, one sanitized and one confidential (if necessary) both with original signatures at least six months prior to the date of permit expiration. A 45 day EPA review and 30-day public notice comment period is required.

DOES MY RENEWAL REQUIRE A PUBLIC NOTICE COMMENT PERIOD?

Title V renewals require a public notice and EPA review.

Summary

The primary goal and purpose of the BAQ operating permits program is to consolidate state and federal regulations into one document to require sources of air pollution to operate in an environmentally safe and sound manner. The BAQ has developed a streamlined approach allowing facilities the flexibility to perform various activities as long as they meet certain criteria, regulations and ambient air quality standards. The BAQ is currently developing additional General and Registration Permits to streamline and reduce the regulatory burden for low-emission sources. If you have questions or would like to make suggestions, please contact the BAQ at 803-898-4123. For more air permitting information, search the BAQ website at www.scdhec.gov/environment/AirQuality/.

Appendix A – Useful Links

Regional Contacts

www.scdhec.gov/HomeAndEnvironment/DHECLocations/

Forms and Exempt Source Log (D-0721)

www.scdhec.gov/Environment/PermitCentral/ApplicationForms/

Air Dispersion Modeling

www.scdhec.gov/Environment/AirQuality/ComplianceandReporting/AirDispersionModeling/FormsGuidelinesSoftware/

Federal Employer Identification Number

www.irs.gov

EPA Technology Transfer Network AP-42 Emission Factors

www.epa.gov

EPA Federal Register

www.federalregister.gov/agencies/environmental-protection-agency

Emissions Inventory

www.scdhec.gov/Environment/AirQuality/ComplianceandReporting/EmissionsInventory/

Permitting, Exemption and Compliance Tools

www.scdhec.gov/Environment/AirQuality/Training/



www.scdhec.gov

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