



Title V Permitting Process

July 31, 2014

Montie Hardaway Glenn, P.E.
Environmental Permits Division
Mississippi Department of Environmental Quality

Intro

- The Title V Permit is an operating permit. Facilities are required to receive a Title V permit if they have the potential to emit from equipment more than a certain threshold of pollutants.



Title V Thresholds

Pollutant	Pollutant Abbreviation	Title V thresholds, in Tons per year
Particulate Matter	PM	100
Nitrogen Oxides	NOx	100
Carbon Monoxide	CO	100
Sulfur Dioxide	SO2	100
Volatile Organic Compounds	VOC	100
Hazardous Air Pollutants, total	HAP	25
Hazardous Air Pollutant, individual	HAP	10

Title V Program

- The Title V operating permitting program takes a look at the whole facility during the permitting process and how all the applicable regulations together affect the site
- The Title V permitting program also takes a look at all the compliance parts and how they affect the site overall
- Facilities that are required to receive a Title V permit must have it renewed every 5 years
- New Title V permits, Title V renewal permits, and Title V significant modifications are required to have a 30 day public notice and 45 day EPA review

Title V Application

- The facility must submit a Title V application in order to get a Title V Permit
- The Title V application can be found on MDEQ website
- The Title V application must be complete by submitting the following sections in the Consolidated Air Application:

Permit Type	Section				Appendix		
	A	B	M	N	A	B	C
State Permit to Construct	X	X		X			
New Source Review (PSD) Permit	X	X		X			X
Title V Operating Permit	X						
Synthetic Minor Operating Permit	X	X	X	X		X	
State Permit to Operate	X	X	X	X			
True Minor Determination	X	X					

Early Public Notice

- Most all application received are placed on Early Public Notice. The notification of the early public notice process are place in the newspapers:

Clarion Ledger

Sun Herald

Northeast Daily Journal

- The Early Public Notices are published monthly for the applications received in the previous month
- The list of applications received are also sent monthly to contacts on public notice mail-out list

Title V Application Review

- The Title V application is reviewed for completeness
- The permit writer verifies that the application is administratively correct:
 - Application is signed by the correct facility official and contact information is correct
 - The necessary sections are completed
 - The site location information is correct
- The permit writer verifies that the application is technically correct:
 - The calculations for potential to emit are correct for each emission source
 - The applicable standards, limits, and requirements are correct for the emission source
 - The description of the emission sources are correct

Emission Inventory

- The permit writer prepares the emission inventory. The emission inventory is a document that tells you the amount of each pollutant the facility emits into the air for each piece of equipment located at the site. It also tells you the total amount of all the pollutants emitted into the air at the site overall.
- The potential to emit is evaluated for each piece of equipment
- This information is found in the Title V application, including a detailed explanation of how the numbers calculated
- The Application Summary Form document is a summary of the emission inventory

Title V Permit

- The permit writer drafts the permit based on previous permits the facility has received, including construction permits and Title V permits, federal standards, state regulations, facility-wide limits, and equipment limits and requirements
- The permit writer takes into account the facility's compliance history, which determines how much or how little recordkeeping, reporting, compliance testing, or monitoring to include in the Title V permit. This is the main part of the Title V permit that makes it different from the construction permitting program

Permit Rationale

- The permit writer creates a rationale that goes with the permit
- The rationale, which is called the Information Relative, explains the reason for limits, regulations, limits, standards, and any changes that go in the permit.
- The Information Relative also explains why some regulations, limits, and standard did not go into the permit
- The rationale will explain the reason for the monitoring, testing, recordkeeping, and reporting in permit

Permit Review

- Once the draft permit, rationale, application summary form are complete, these documents undergo MDEQ internal review
- The permit documents are reviewed by the Branch Manager of the permit writer
- The permit documents are review by the Environment Compliance and Enforcement Branch Manager and the compliance manager, who is responsible for enforcing the permit

Facility Review

- The permit is then reviewed by the facility responsible for the permit
- The facility is given 15 days or more to review the permit
- The site submits their comments to MDEQ with changes they want to the draft permit and permitting documents
- MDEQ and the company negotiate the draft permit documents

Public Notice

- The permit writer takes the draft permit, rationale, and permit application summary to public notice and EPA review
- Public notice is for 30 days at the local library for viewing the actual permit and public notice
- The public notice document go to the nearest daily newspaper to announce the first day of public notice
- EPA review is for 45 days at the same time as the public notice
- EPA, the facility, and the public can make comments on the permit documents
- The public notice document is mailed or emailed weekly to the contacts on the Public Notice Mail-Out List

Public Notice

- If there are any comments from EPA, the public, or the facility, MDEQ must address these comments before the permit can be issued
- If the comments received are major and will cause significant changes to the permit, then the public notice period must be restarted
- If there are no comments received during the public notice process or the EPA review period, then the permit can be issued

Title V Modifications

- Title V significant modification follow the same processing path as the new Title V issuances and Title V renewal
- There are three types of Title V modification that follow a different permitting path:
 - Administrative Amendment
 - 502(b) 10 Changes
 - Title V Minor Modifications

Administrative Amendment

- Administrative Amendments are changes such as typographical errors in the permit
- Name change/ transfer of ownership
- Addition of more frequent monitoring in the permit

Administrative Amendment

- The facility sends to MDEQ a submittal of the request change
- MDEQ processes the change to the permit
- The revised permit is sent to EPA

502(b)10 Request

- The facility submits to MDEQ and EPA a form letter of the requested change
- MDEQ evaluates their request to make sure that it meets the definition of 502(b)10 request:
 - Change is not Title I modification (that a construction permit is required)
 - Change does not exceed the allowable emissions under the current permit
 - Cannot violate any expressed federally enforceable permit terms and conditions, including monitoring, recordkeeping, reporting, or compliance certification requirements

502(b) 10 Request

- The facility has to submit the request 7 days before they plan to do the change
- If the submitted 502(b)10 request is complete and correct, then MDEQ sends the facility a letter that grants their request for the change
- This letter is also sent to EPA
- The letter is attached to the current Title V permit

Title V Minor Modification

- The facility submits to MDEQ a Title V modification application of the requested change
- MDEQ evaluates their request to make sure that it meets the definition of Title V Minor Modification:
 - Change is not Title I modification (that a construction permit is required) or significant Title V modification
 - Change does not involve significant changes to monitoring, recordkeeping, reporting, or compliance certification requirements
 - Change cannot violate any applicable requirement
 - Change does not require case-by case determination, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis
 - Changes does not seek to create or change permit conditions for which there is no applicable requirement for that the source has assumed to avoid

Title V Minor Modification

- Within 5 days of receiving the request, MDEQ notifies EPA, neighboring states (Arkansas, Alabama, Tennessee, Louisiana, Florida) and the MS Band of Choctaw Indians of the intended Title V Minor Modification request. This notification includes a brief description of the intended change
- The permit writer drafts the permit and allow for internal review and facility review
- The permit writer submits the draft permit documents to EPA for 45 day review
- If there are no comments received from EPA, the permit is issued

Significant Title V Permit Modification

- Title V significant modifications are major changes request by the facility that would require a full review from MDEQ, EPA, and a public notice
 - Changes that are not Title V minor modifications, 502(b)10 request or administrative amendments
 - Changes that are major changes to existing monitoring permit conditions
 - Changes that relax reporting or recordkeeping permit conditions
 - Changes that require Title I modifications (construction permit)
- These modifications are process like a Title V renewal or new Title V permit

Contact Information

Montie Hardaway Glenn, P.E.
Energy and Transportation Branch
Environmental Permits Division
Office of Pollution Control
PO Box 2261
Jackson, MS 39225

Montie_Hardaway@deq.state.ms.us

Phone (601) 961-5596

Fax (601) 961-5703

Questions

