



Title V Renewable Operating Permit Overview

What is the Renewable Operating Permit Program?

- The operating permits program is a national permitting system required by Title V of the [Federal Clean Air Act of 1990](#) and is administered by each state. In Michigan, these permits are known as “Renewable Operating Permits” and are often referred to as “ROPs.”
- Each “major source” is subject to Title V. Major sources emit or have the potential to emit 10 tons per year of any one hazardous air pollutant (HAP), 25 tons per year of any combination of HAPs, or 100 tons per year of any other regulated air contaminant (see [Rule 211](#)). Certain categories that have lower thresholds for an “area source” standard are also required to get an ROP.
- The public will be better informed by the ROP process about what is required of sources of pollution in their neighborhoods.
- The program clarifies regulations at the source by including all of the requirements dealing with air emissions into one permit and ensures that the source knows all applicable air pollution control requirements.
- The program does not determine any new emission limits or standards.
- The program requires that activities to evaluate compliance including testing, monitoring, recordkeeping, and reporting be conducted at the source.
- The program requires that all problems be formally reported twice a year at a minimum. A designated “responsible official” must certify that all of the information in the report is true, accurate, and complete.
- Facilities with ROPs are required to pay annual emission fees to the State of Michigan.

What is the Process for Issuing a Renewable Operating Permit?

- A subject source must submit an administratively complete application to AQD.
- AQD has 15 days to review electronic applications and 60 days to review paper applications for administrative completeness.
- AQD staff prepare a working draft permit and a staff report identifying the applicable requirements and the basis for the permit terms and conditions.
- The applicant is allowed to review and comment on the working draft permit prior to a 30-day public comment.
- AQD staff prepare a draft permit and a staff report that incorporates any comments from the applicant.
- A 30-day public comment period, and in some cases a public hearing, is held for the draft ROP. The 30-day public notice is published in the EGLE Calendar and on the AQD’s [ROP Public Notice Documents](#) listing. The public notice provides not less than 30 days for public comment and gives notice of any public hearing not less than 30 days in advance of the hearing.
- The AQD district office keeps a record of the comments and the issues raised during the 30-day public comment.
- AQD staff reviews all comments made during 30-day public comment and prepares a proposed ROP and an addendum to the staff report.

- A copy of the complete application, proposed ROP and staff report is transmitted to the United States.
- Environmental Protection Agency (USEPA) for 45-day review.
- If substantial changes are made to the proposed ROP, the applicant is allowed to review and comment on the changes.
- If the USEPA objects in writing to the proposed ROP before the end of the 45-day review period, the ROP is not issued until the objection has been resolved.
- The final decision to issue or deny an ROP is made by the AQD decision-maker.
- A person aggrieved by the final decision may appeal the decision. Any person may also petition the USEPA to make an objection regarding an ROP. The petition must be filed no more than 60 days after the expiration of the 45-day review period.
- The ROP is issued for five years and must be renewed following the same procedure listed above.

Contacts

- [AQD District Offices](#)
- [Clean Air Assistance Program](#), 800-662-9278