

# A Deep Dive into Air Permitting: Best Practices for a Complete Air Permit Application

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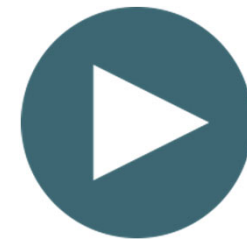
# PTI Webinar Series



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We are recording this webinar

# Overview

A technically complete application is essential to an efficient review of the application.

We will dive into some tips and suggestions to help the permit application review process go more smoothly.



# Pre-Application Meeting

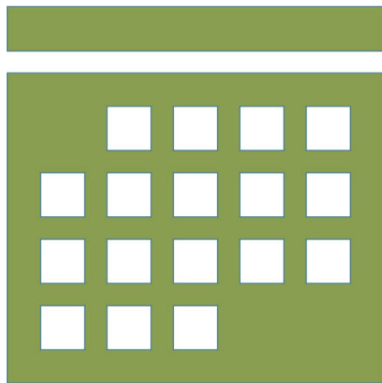
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- Project description
- Equipment/facility flow charts
- Emission summary
- Emission factors
- Highlight the regulations and rules
- Ask questions about the permitting process

# When to Apply

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When does the facility want to begin construction?

- Departmental goal: 90 days
- Rule 206: 180/240 days
- Rule 201(4): 18 months

Rule 202: Construction waiver

# Application Form

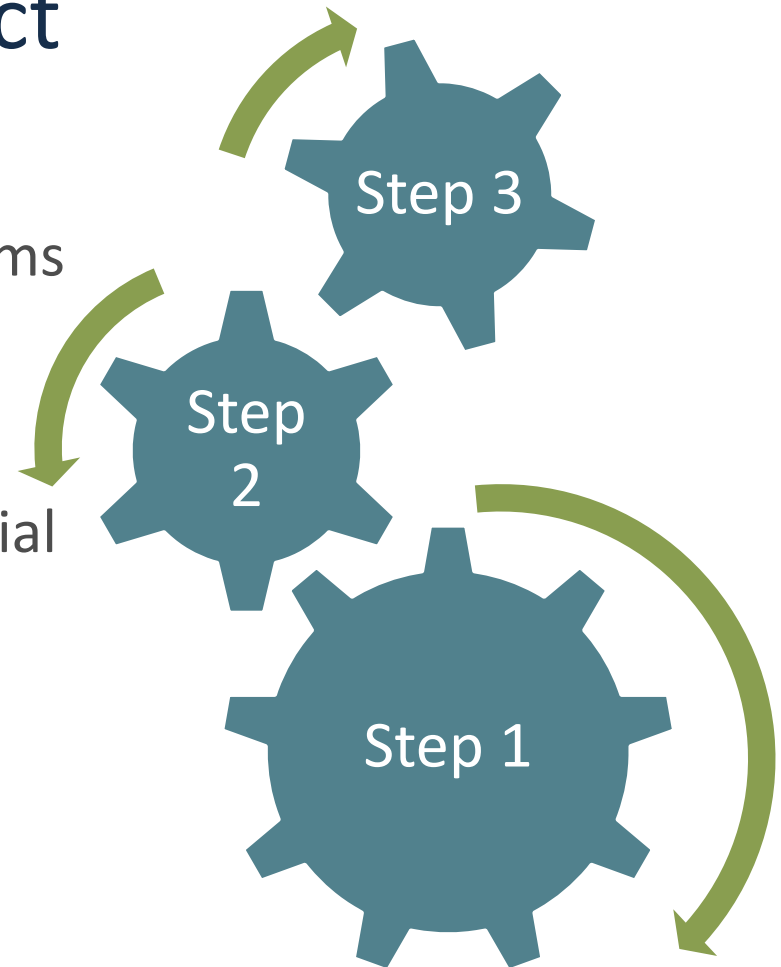
- Checklist
- Rule 203 – Information required
- Contact person

EGLE		MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY		FOR EGLE USE	
<b>PERMIT TO INSTALL APPLICATION</b> <small>For authority to install, construct, reconstruct, relocate, or modify process, fuel-burning or refuse burning equipment and/or control equipment. Permits to install are required by administrative rules pursuant to Section 6606 of 1994 PA</small>				APPLICATION NUMBER	
Please type or print clearly. The "Application Instructions" and "Information Required for an Administratively Complete Permit to Install Application" are available on the Air Quality Division (AQD) Permit Web Page at <a href="http://www.deq.state.mi.us/aqs/nsr_information.shtml">www.deq.state.mi.us/aqs/nsr_information.shtml</a> . Please call the AQD at 517-284-6804 if you have not been contacted within 15 days of your application submittal.					
<b>1. FACILITY CODES:</b> State Registration Number (SRN) and North American Industry Classification System (NAICS)					
SRN		NAICS			
<b>2. APPLICANT NAME:</b> Business License Name of Corporation, Partnership, Individual Owner, Government Agency)					
<b>3. APPLICANT ADDRESS:</b> (Number and Street)					
				MAIL CODE:	
CITY: (City, Village or Township)		STATE:	ZIP CODE:	COUNTY:	
<b>4. EQUIPMENT OR PROCESS LOCATION:</b> (Number and Street – If different than item 3)					
CITY: (City, Village or Township)		STATE:	ZIP CODE:	COUNTY:	
<b>5. GENERAL NATURE OF BUSINESS:</b>					
<b>6. EQUIPMENT OR PROCESS DESCRIPTION:</b> (A Description MUST Be Provided Here. Include Emission Unit IDs. Attach additional sheets if necessary, number and date each page of the submittal.)					
<b>7. REASON FOR APPLICATION:</b> (Check all that apply.)					
<input type="checkbox"/> INSTALLATION / CONSTRUCTION OF NEW EQUIPMENT OR PROCESS					
<input type="checkbox"/> RECONSTRUCTION / MODIFICATION / RELOCATION OF EXISTING EQUIPMENT OR PROCESS – DATE INSTALLED:					
<input type="checkbox"/> OTHER – DESCRIBE					
<b>8. IF THE EQUIPMENT OR PROCESS THAT WILL BE COVERED BY THIS PERMIT TO INSTALL (PTI) IS CURRENTLY COVERED BY ANY ACTIVE PERMITS, LIST THE PTI NUMBER(S):</b>					
<b>9. DOES THIS FACILITY HAVE AN EXISTING RENEWABLE OPERATING PERMIT (ROP)?</b> <input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> PENDING APPLICATION <input type="checkbox"/> YES					
PENDING APPLICATION OR ROP NUMBER:					
<b>10. AUTHORIZED EMPLOYEE:</b>		TITLE:		PHONE NUMBER: (include Area Code)	
SIGNATURE:		DATE:		E-MAIL ADDRESS:	
<b>11. CONTACT:</b> (If different than Authorized Employee. The person to contact with questions regarding this application)					
CONTACT AFFILIATION:				PHONE NUMBER: (include Area Code)	
				E-MAIL ADDRESS:	
<b>12. IS THE CONTACT PERSON AUTHORIZED TO NEGOTIATE THE TERMS AND CONDITIONS OF THE PERMIT TO INSTALL?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO					
<b>FOR EGLE USE ONLY - DO NOT WRITE BELOW</b>					
DATE OF RECEIPT OF ALL INFORMATION REQUIRED BY RULE 203:					
DATE PERMIT TO INSTALL APPROVED:			SIGNATURE:		
DATE APPLICATION / PTI VOIDED:			SIGNATURE:		
DATE APPLICATION DENIED:			SIGNATURE:		
<b>A PERMIT CERTIFICATE WILL BE ISSUED UPON APPROVAL OF A PERMIT TO INSTALL</b>					

EQP 5615E (Rev. 08/2019)

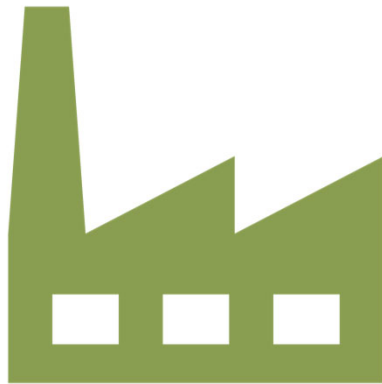
# The Project

- Project description
  - Equipment description and diagrams
  - Operating schedule
  - Emission unit
  - Type and feed rates of each material
  - Fuels and combustion devices
  - Waste Products
- Source description/Operations
  - Process flow diagram



# The Project

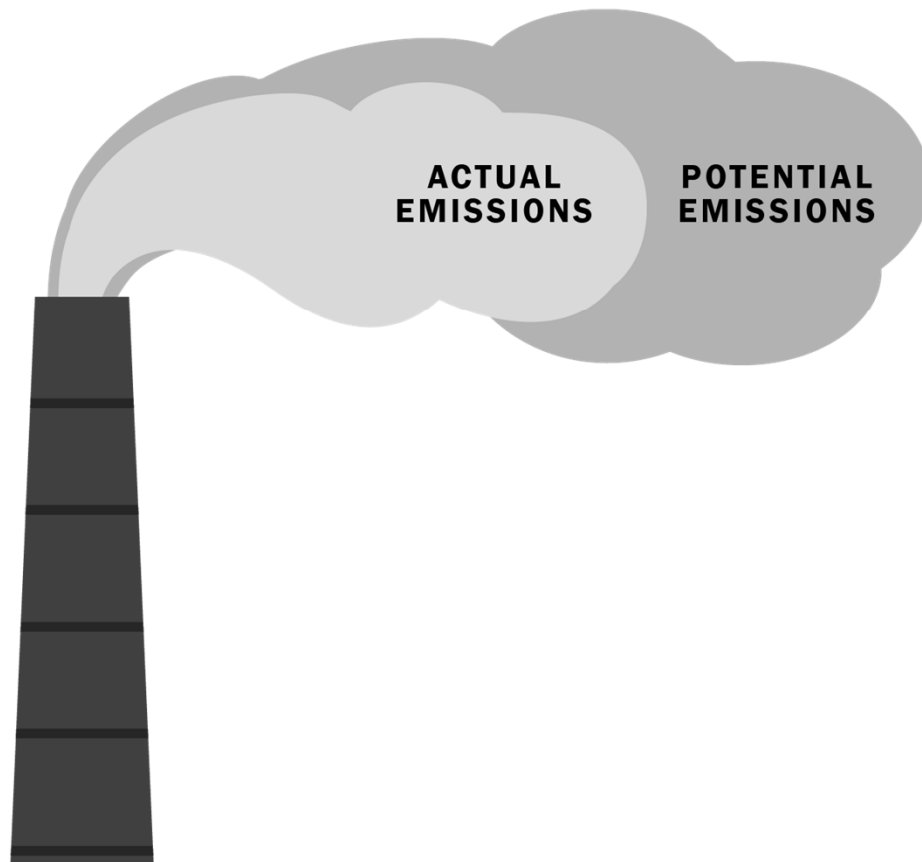
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- Location Status - Greenfield or Existing
- Other Permits
- Type of facility
  - Title V
  - Prevention of Significant Deterioration (PSD)
  - Nonattainment New Source Review (NANSR)
  - Hazardous Air Pollutants



# Project Emissions



- The project's Potential to Emit (PTE)
- Restricting the project's PTE?
  - Is the restriction enforceable?
- Any upstream or downstream changes

# Exempt Equipment

Does the project allow for exempt equipment?

— Evaluate Rule 278

- Increase in actual emissions greater than Significant Emission Rate (SER)
- major source for PSD or NANSR
- Major Source of Hazardous air pollutants (HAPs)
- 40 CFR Part 61 Source

## Air Permit to Install EXEMPTION HANDBOOK

Michigan Air Pollution Control Rules  
R336.1278 – R 336.1291 (Rules 278 – 291)

**JUNE 2019**



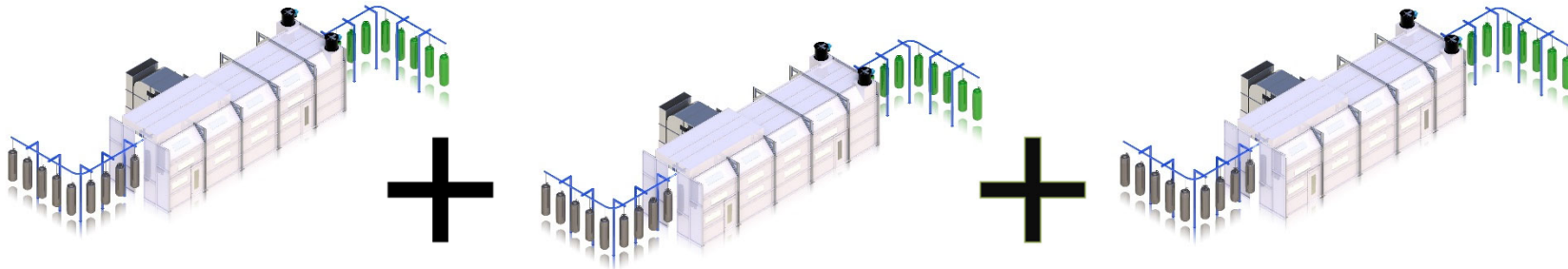
MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

800-662-9278 | [Michigan.gov/EGLE](http://Michigan.gov/EGLE)

# Related Projects

Past or future projects within five years

- How do they relate?
- Explain why they should or shouldn't be considered one project?



# Regulatory Discussion

- Discuss applicable federal regulations
- Discuss applicable state rules
- Complete information on emitted Toxic Air Contaminants
- PSD, Rule 702, Rule 224: Best Available Control Technology (BACT)
- NANSR: Lowest Achievable Emission Rate (LAER)

# Dispersion modeling

- Dispersion modeling for the criteria pollutants:
  - PSD projects: submit modeling protocol and pre-construction monitoring waiver request beforehand
  - Policy and Procedure AQD-022



# Control Technology Analysis

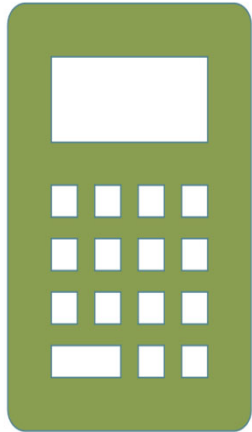
- Why is this important?
  - Emission control equipment reduces emissions.
  - It's often central to your ability to comply with a regulation.
  - It will be in your permit.



# Control Technology Analysis

- Consider the regulations/rules
- Consider Rule 910
  - “... installed, maintained, and operated in a satisfactory manner.”
- Challenges/problems
  - “Percent control” for devices that don’t work that way
  - No basis given for claimed effectiveness
  - No proposal for verifying proper operation

# Emissions Summary and Calculations

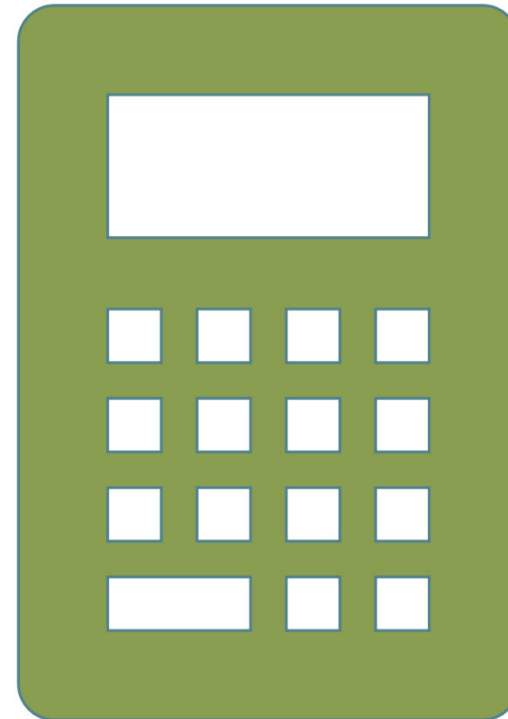


- Why is this important?
  - Air emissions are the main thing we address to ensure good air quality.
  - “How much of which pollutants”?
    - Central to your process’ impact on air quality
    - Central to determining what your permit will say
  - Some regulations apply (or not) based on the amount and type of emissions.
  - Some regulations regulate the quantity of certain types of emissions.



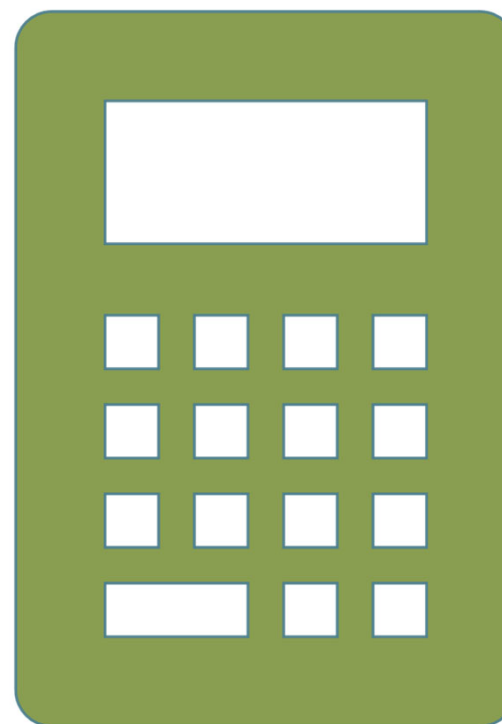
# Emissions Summary and Calculations

- Know the potential to emit
- Propose emission limits
  - Less than potential to emit?
    - Propose restriction if Rule 205 applies
  - Give yourself some “cushion”



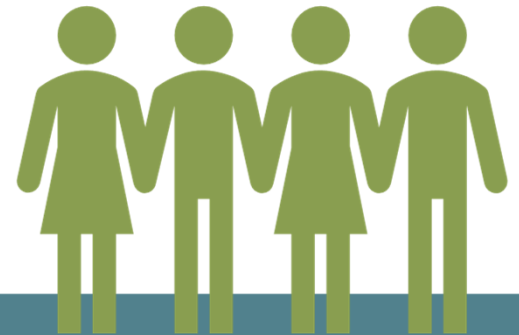
# Emissions Summary and Calculations

- Calculation method
  - Source of emission factors
  - Justification for emission factors
  - Other method: describe and give basis
- **Unlocked (!)** electronic spreadsheets
- Toxics evaluation (Rule 225)



# Public Access to Information: FOIA

- “It is the public policy of this state that [people in the state are] **entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees,** consistent with this act. The people shall be informed so that they may fully participate in the democratic process.”
- The law includes a list of exceptions.
- One exception: records may be exempted from disclosure by another statute.

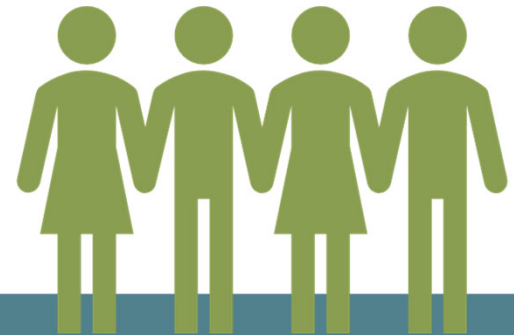


# Public Access to Information: NREPA 5516

- NREPA Section 5516
  - Certain types of information may be designated as only for the confidential use of the Department.

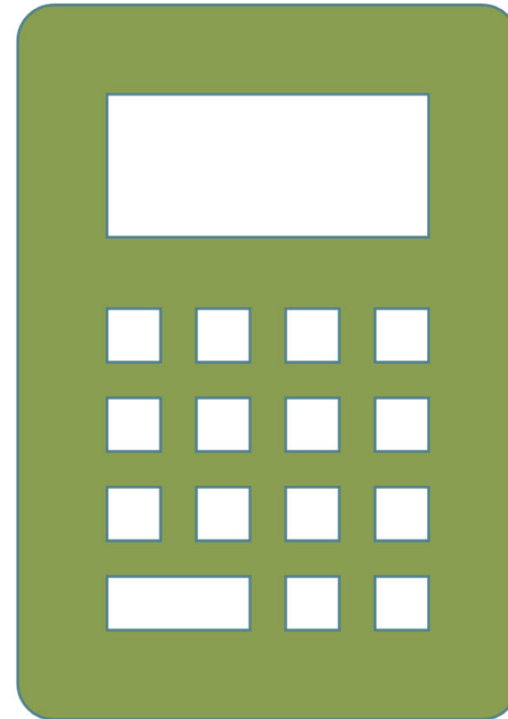
## HOWEVER,

- “This section **DOES NOT** render data on the quantity, composition, or quality of emissions from any source confidential. Data on the amount and nature of air contaminants emitted from a source **shall be available to the public.**”



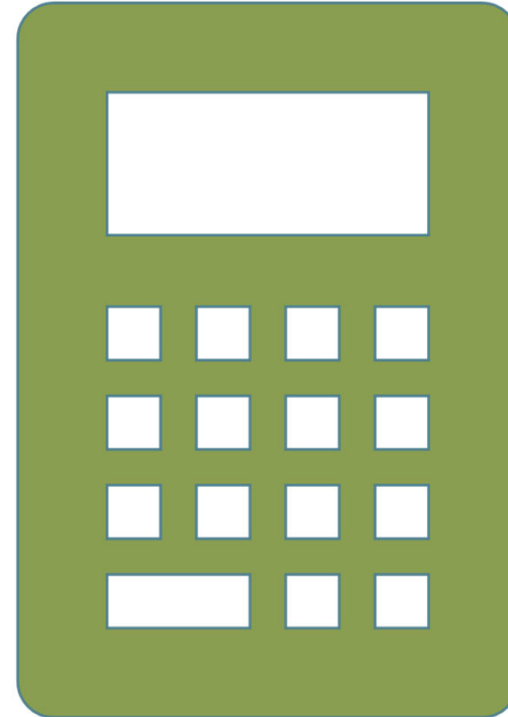
# Emissions Summary and Calculations

- Carefully review SDS/EDS
  - CAS numbers or specific (not generic) names?
  - Components add to 100%?
  - If not, does the document clearly indicate the composition of the balance?
  - Section 15
- Key questions
  - What is being emitted?
  - How much?



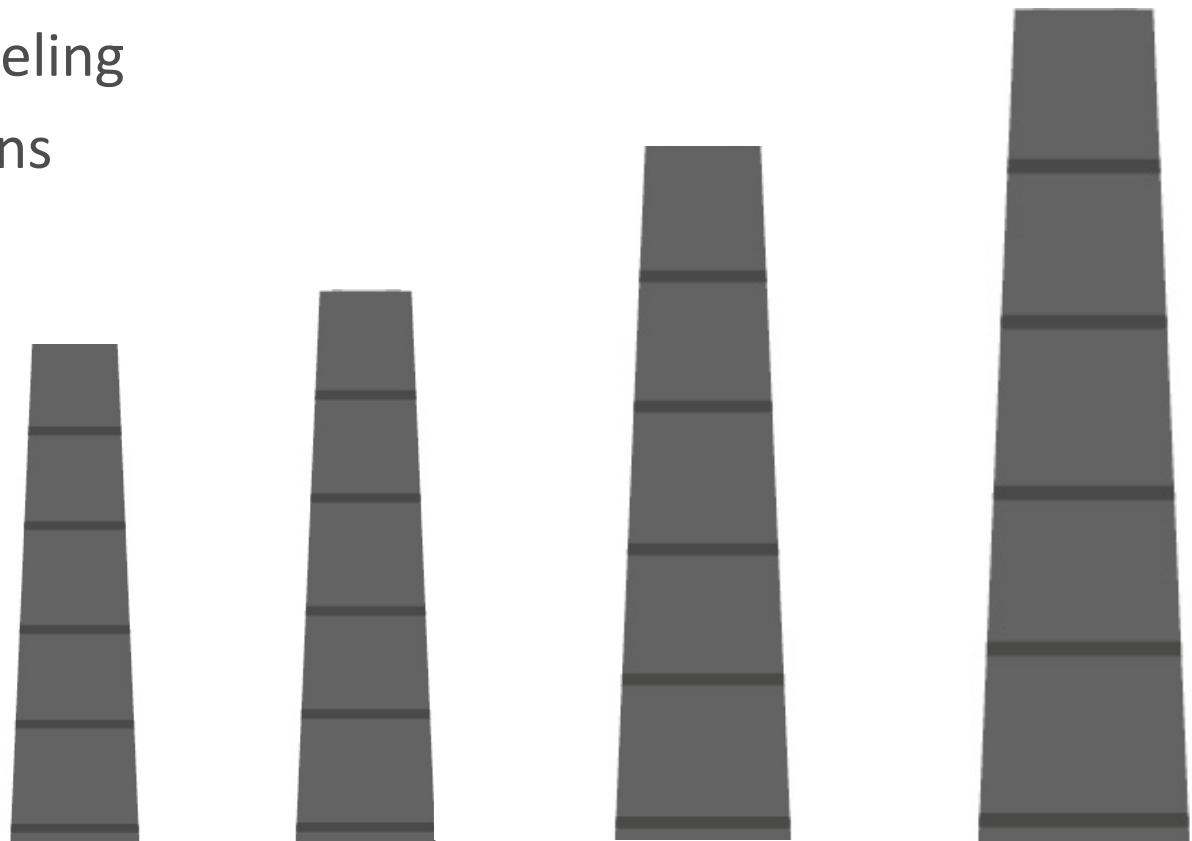
# Emissions Summary and Calculations

- Challenges/problems
  - Incomplete list of pollutants
  - Emissions don't comply
  - No basis for restricted emissions
  - Mysterious calculations (no spreadsheet, ...)



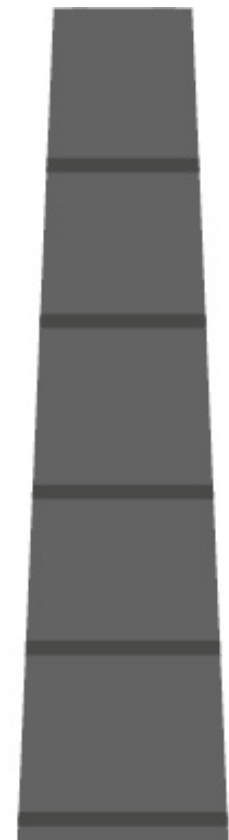
# Stack/Vent Information

- Why is this important?
  - Regulations
  - Dispersion modeling
  - Permit conditions



# Stack/Vent Information

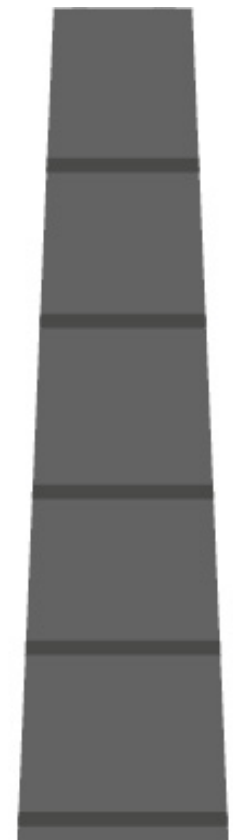
- What we need for each emission point from your process
  - Location
  - Height above ground
  - Diameter or other perpendicular dimensions
  - Orientation of discharge
  - Describe rain protection
  - Exhaust flow rate (or range)
  - Temperature (or range) of exhaust gas
  - Height and horizontal dimensions of influencing buildings





# Stack/Vent Information

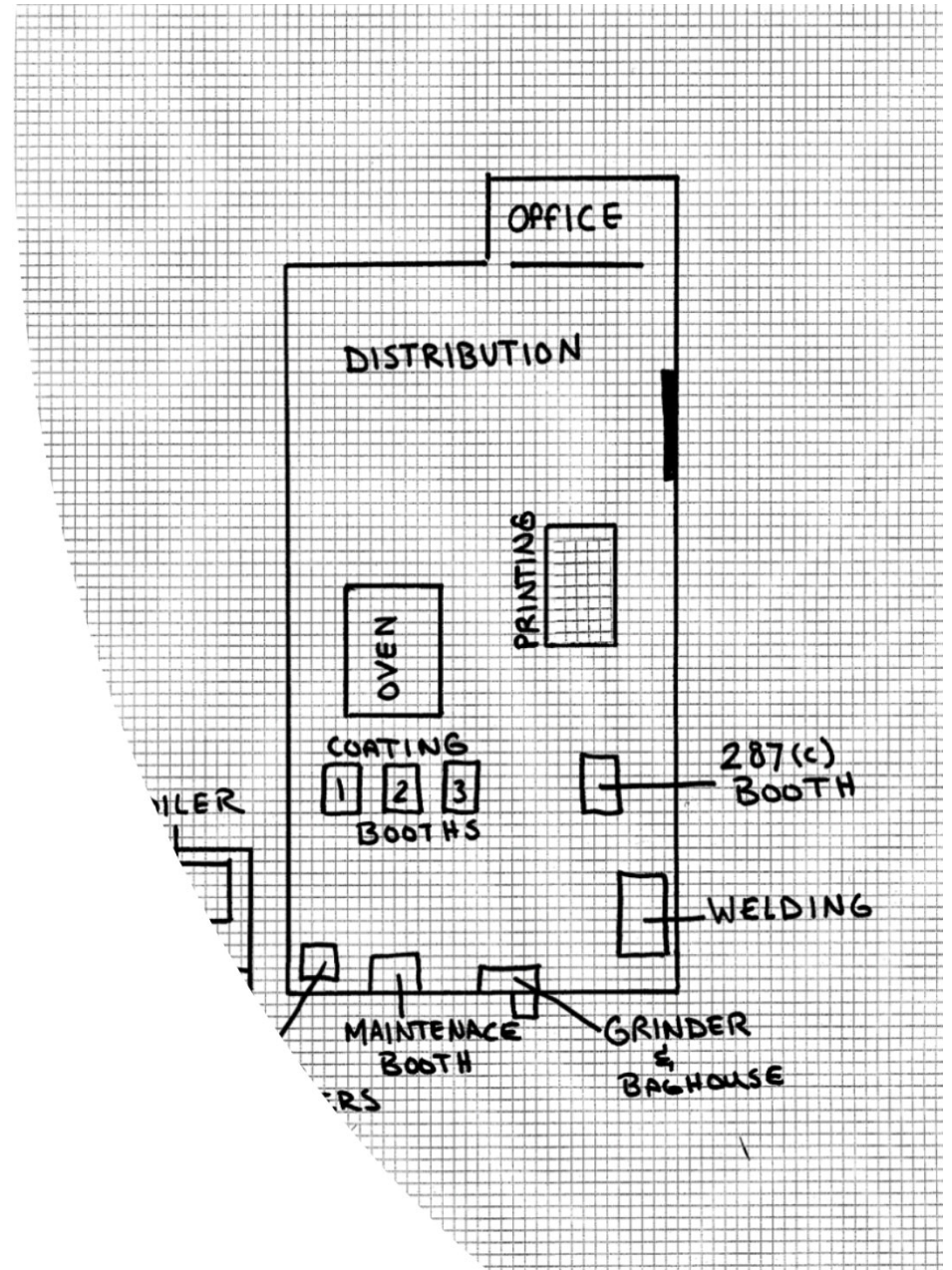
- Challenges/problems
  - Wrong information



# Site Description and Process Equipment Location Drawings

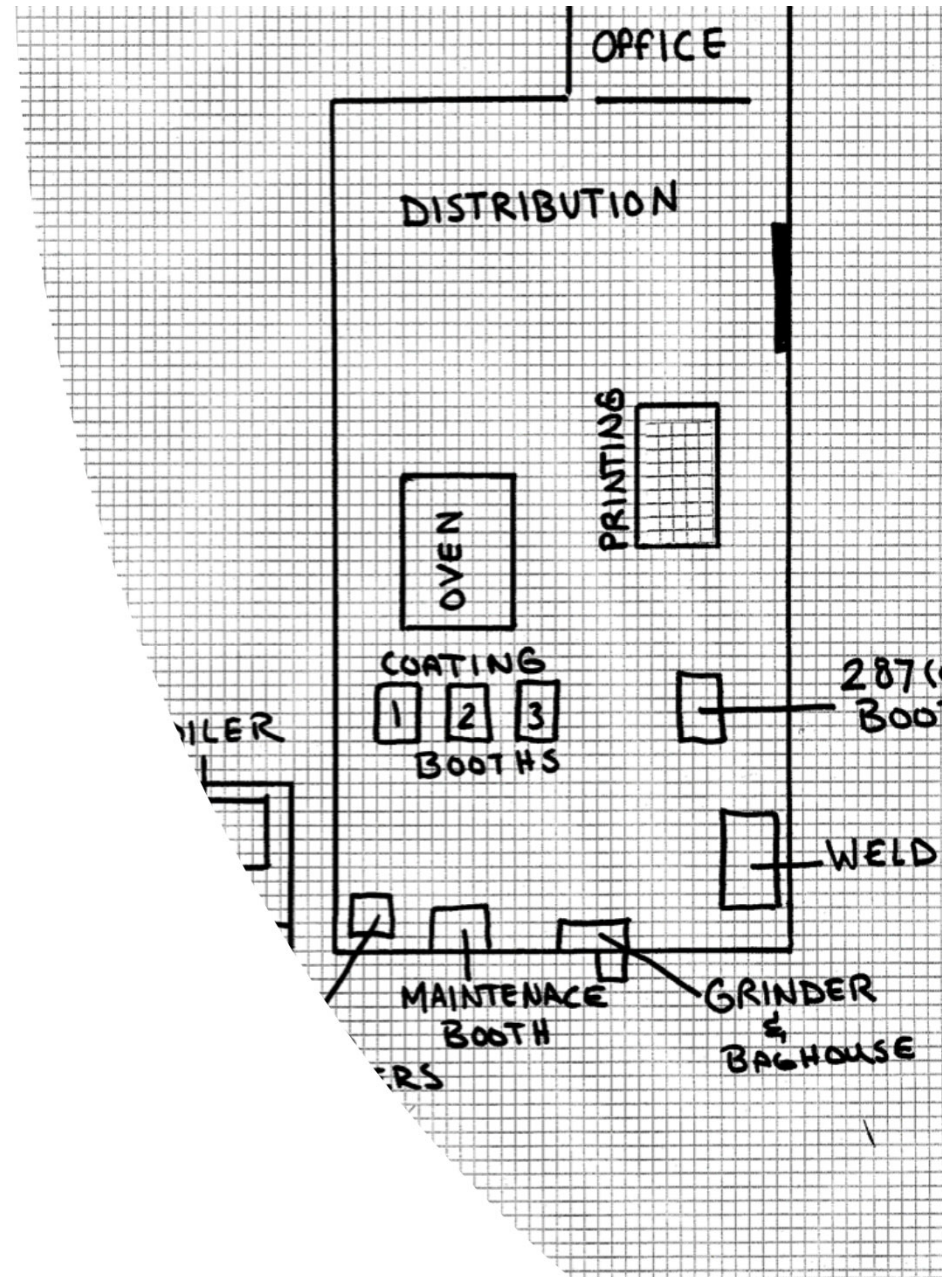
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- Why is this important?
  - Applicable regulations
  - Topography/terrain
  - Dispersion modeling
  - Rare: Michigan's air toxics rules



# Site Description and Process Equipment Location Drawings

- Analogous to the process description and flow diagram
- Which emissions come from what points in the process?
- Challenges/problems
  - Missing information
  - Incorrect information



# Confidential Information

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- Why is this important?
  - Understandable concerns about protecting certain information.
  - Some types of information can be treated as confidential.
- The FOIA specifically recognizes that other laws may allow for restricting public access to certain information.
- NREPA Section 5516 contains that type of exception.

# Confidential Information

- NREPA Section 5516
  - Information may be designated as “only for the confidential use of the Department.”

## IF

- “[It] is a trade secret or secret process, or is production, commercial, or financial information the **disclosure of which would jeopardize the competitive position** of the person from whom the information was obtained, and make available information not otherwise publicly available.”
- Information must be submitted!
- Emissions information is **ALWAYS** available to the public.



# Confidential Information

- Basics
  - DO NOT send confidential information by email
  - Be clear **OBVIOUS**
  - Consider using color
  - The application form IS NOT confidential
  - DO NOT send confidential information by email
- Two common ways to do it
  - Separate appendix
  - Two separate sets of support documents



# Confidential Information

- AQD handling of confidential information
  - Policy and Procedure AQD-010
  - Permit engineer reviews the claim
  - Separate, locked cabinet
  - Public file clearly indicates there is confidential information
  - Public file has a “high-level” description of type of information
- Challenges/problems
  - Email
  - Application form marked confidential
  - Inappropriate information claimed confidential



# Finally...

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- Double check
  - Information is correct
  - Information is complete
- Challenges/problems
  - No supporting documents



A B



Questions?

# Follow-up

- Evaluation
- Recording
- Comments/Suggestions

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# A Deep Dive into Air Permitting

A Webinar Series



## What is coming up?

February 20, 2020, 10:00 - 11:00 AM

Air Dispersion Modeling & Policy and Procedure AQD-022

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Michigan Department of  
**Environment, Great Lakes, and Energy**

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