

Bay Area Air Quality Management District Engineering Division

Summary of the Permit to Operate Renewal Program August 8, 2007

Introduction

Permits to Operate issued to sources of air pollutants under the Bay Area Air Quality Managements Authority to Construct Permit to Operate permit program expire and need to be renewed periodically with the District, as described in **Regulation 3, Section 327**. This will summarize the process for renewing permits with the District.

Permit Renewal Process Steps

The following describes the stages of the Permit Renewal Process.

| Stage | Who | Description |
|-------|---------------|---|
| 1 | BAAQMD | Sends Data Update Form(s) to permit holder. <i>Note: Not all plants will receive a Data Update Form every year and not all sources will be included in the questionnaire.</i> |
| 2 | Permit holder | Completes forms, and returns to District by due date. |
| 3 | BAAQMD | Reviews and enters the information into a computer database. The computer calculates: <ul style="list-style-type: none"> • criteria pollutant and toxic pollutant emissions inventories for District, CARB and EPA use • emissions fees • permit renewal fees • applicable Toxic Hot Spots fees • applicable Major Facility Review source and emissions fees (Title V). Renewal invoice generated and sent to permit holder. |
| 4 | Permit holder | Pays invoice before the invoice due date. |
| 5 | BAAQMD | Receives and processes payment and issues permit if balance of invoice is received. |

What is the Data Update Form?

The Air District requests information from all permit holders to update the District's database for selected sources. The District asks for information such as throughput of materials at a particular source for a consecutive 12 month period or for any missing attributes of a source or material used at a source. The update frequency of a source is dependent on the type and quantity of pollutants emitted. For this reason, the Data Update Form may not include all permitted sources at your facility.

Why do permit holders need to submit this information?

The BAAQMD requests the information to satisfy the CARB (California Air Resources Board) and EPA (Federal Environmental Protection Agency) requirements for reports of emissions of air contaminants. The information you furnish will be used to:

- calculate your facility's emissions inventory using emissions factors or other methodology and your reported throughput of materials, fuels, etc.,
- calculate the permit renewal fees for your facility (including fees for AB 2588 and major source fees),
- verify compliance with applicable Regulations and permit conditions, and
- calculate your facility's toxic pollutant inventory using emissions factors or other methodology and your reported throughput of materials, fuels, etc., to comply with the Air Toxics Information and Assessment Act ("Hot Spots", AB 2588).

The authority for requesting this information is contained in the BAAQMD Regulation 1-441.

Facilities are also requested to submit any changes and updates such as:

- sources permanently removed from service,
 - materials permanently removed from use,
 - new materials added,
 - changes to facility contact information,
 - changes in facility ownership, and
 - facility closures.
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How does the District review the Data Update Form?

District staff reviews the submittals to compare the throughputs with historic levels and against reported maximum operating rates. They compare reported throughput against any permit conditions limiting throughput or emissions. New materials are reviewed for any violations of permit conditions and Toxic New Source Review provisions and, if so, facilities will be required to submit an application to modify the source's permit, conditions or review the toxic impacts.

How are Renewal Fees accessed?

All the District's fees and schedules are contained in **Regulation 3**. The District uses these types of fees:

- individual source fees (Schedules B through I and K),
- facility emissions based fees (Schedule M and N),
- total number of sources, monitors (times number of pollutants monitored) and total emissions of criteria pollutants (based on Schedule P for Title V facilities),
- administrative renewal processing fee per source (Reg. 3, Section 327), and
- fees for Emission Caps and Alternative Compliance Plans (Reg. 3, Section 312).

Sources fall into a fee schedule by the type of source they are (e.g. combustion source or solvent evaporation source). These schedules base fees on such things as:

- maximum capacity,
- throughput, and
- number of components (i.e. product nozzles at a gasoline station).

Schedule M accesses fees on a facility-wide basis of emissions of criteria pollutants of over 50 tons per year. Schedule N accesses fees on a facility-wide basis of total weighted toxic emissions. Schedule P accesses fees on individual sources and per emissions.

How will the permit holders be billed?

A renewal invoice is generated for each facility. The renewal invoice includes:

- cover page with facility and District contacts, summary of fees and payment stub,
- itemized listing which includes;
 - all sources,
 - criteria pollutant emissions of each source,
 - fee schedule applied to the source,
 - fee for each source,
 - summarized emissions for criteria pollutants,
 - fees charged under schedules M, N, P, 3-312 and for renewal processing, and
- toxic inventory listing of pollutants and weighted emissions for the facility, the total AB 2588 fees and the methodology for computing the fees.

The permit holder needs to review this information and contact their District plant engineer if there are any discrepancies.

The balance of the invoice is due by the due date printed on the invoice (the due date will be at least 30 days from the date the invoice is generated). The permit holder can pay by check or credit card. The payment stub should be included with all payments.

Are there any penalties for late payment?

Payment after the due date is subject to late fees as defined in **Regulation 3, Section 405.3**. Failure to pay fees will subject a permit holder to further action as defined in **Regulation 3, Section 415**. Actions may be:

- withholding of renewed Permit to Operate
- Notice to Comply (NTC)
- Notice of Violation (NOV)
- revocation of Permit to Operate, and
- withholding of other District services.

When will the Permit be issued?

A renewed Permit to Operate for the facility will be issued after the balance of the invoice is paid by the permit holder.
