



ADMINISTRATIVE RULES OF MONTANA



17.8.1206 INFORMATION REQUIRED FOR AIR QUALITY OPERATING PERMIT APPLICATIONS

- (1) For each emissions unit at a source required to obtain an air quality operating permit the applicant shall include in its application for a permit, permit renewal, or permit revision the information described in this rule.
- (2) The required information shall be submitted to the department and the administrator on a standard air quality permit application form or in a standard permit application format to be approved by the department. To the extent possible all required information shall also be submitted to the department in electronic form, in a word processing format convertible to or compatible with department software.
- (3) Insignificant emissions units need not be addressed in an application for an air quality operating permit, except that the application must include a list of such insignificant emissions units and emissions from insignificant emissions units must be included in emission inventories and are subject to assessment of permit fees. Emission inventories are to be calculated or estimated using accepted engineering methods which may include, but are not limited to, use of appropriate emission factors, material balance calculations, or best engineering judgement or process knowledge. Insignificant emissions units may be listed by category.
- (4) An application for an air quality operating permit or permit revision may not omit information that is necessary to determine the applicability of any applicable requirement, to impose any applicable requirement, or to evaluate the fee amount required under subchapter 5 of this chapter.
- (5) The applicant shall, at a minimum, provide the information specified below:
 - (a) identifying information, including company name and address (or plant name and address if different from the company name), owner's name and agent, and telephone number and names of plant site manager/contact;
 - (b) a description of the source's processes and products (by standard industrial classification code) including any associated with each reasonably anticipated operating scenario identified by the source pursuant to ARM 17.8.1215(1);
 - (c) an emission inventory of all emissions of pollutants for which the source is major, and an emission inventory of all emissions of regulated air pollutants. An air quality operating permit application shall describe all emissions of regulated air pollutants emitted from any emissions unit. The applicant shall provide additional information related to such emissions of air pollutants as necessary to verify which requirements are applicable to the source, and other information that may be necessary to determine any permit fees owed under subchapter 5 of this chapter;

- (d) identification and description of all points of emissions described in (5)(c), in sufficient detail to establish both the basis for fees and the applicability of any applicable requirement;
- (e) emissions rates in tons per year, and in such terms as are necessary to establish compliance consistent with the applicable standard reference test method;
- (f) information regarding fuels, fuel use, raw materials, production rates, and operating schedules, to the extent such information is needed to determine or regulate emissions;
- (g) identification and description of air pollution control equipment and compliance monitoring devices or activities;
- (h) limitations on source operation affecting emissions or any work practice standards, where applicable, for all regulated pollutants at the source;
- (i) other information related to emissions as required by any applicable requirement (including information related to stack height limitations developed pursuant to section 123 of the FCAA) or this chapter (including the location of emission units, flow rate, building dimensions, and stack parameters such as height, diameter, and temperature);
- (j) results of all dispersion modeling required by the department, except that this subsection may not be construed as a basis for requiring additional dispersion modeling to be done by the source;
- (k) all calculations on which the information in (5)(a) through (j) is based;
- (l) citation and description of all applicable requirements;
- (m) description of or reference to any applicable test method for determining compliance with each applicable requirement;
- (n) other specific information that may be necessary to implement and enforce other applicable requirements of the FCAA or of this chapter or to determine the applicability of such requirements;
- (o) an explanation of any proposed exemptions from otherwise applicable requirements;
- (p) additional information as determined to be necessary by the department to define reasonably anticipated alternative operating scenarios identified by the source pursuant to ARM 17.8.1215(1) or to define permit terms and conditions implementing ARM 17.8.1215(3) or 17.8.1224(3) and (4);
- (q) a certification of compliance with all applicable requirements by a responsible official consistent with ARM 17.8.1207 and section 114(a)(3) of the FCAA;
- (r) a statement of the methods used for determining compliance, including a description of monitoring, recordkeeping, and reporting requirements and test methods;
- (s) a schedule for submission of compliance certifications during the permit term, to be submitted no less frequently than annually, or more frequently if specified by the underlying applicable requirement or by the department; and
- (t) a statement indicating the source's compliance status with any applicable enhanced monitoring and compliance certification requirements of the FCAA.

- (6) In addition to the information required in (5) of this rule, the applicant shall submit a compliance plan and schedule that contains a description of the compliance status of the source with respect to all applicable requirements, which shall include the following:
- (a) for applicable requirements with which the source is in compliance, a statement that the source will continue to comply with such requirements;
 - (b) for applicable requirements that will become effective during the permit term, a statement that the source will meet such requirements on a timely basis. A statement that the source will meet in a timely manner applicable requirements that become effective during the permit term shall satisfy this provision, unless a more detailed plan or schedule is required by the applicable requirement or the department;
 - (c) for requirements for which the source is not in compliance at the time of permit issuance, a narrative description of how the source will achieve compliance with such requirements and a schedule of compliance. The compliance schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the source will be in noncompliance at the time of permit issuance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or judicial, board or department order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based; and
 - (d) a schedule for submission of certified progress reports no less frequently than every six months for sources required to have a schedule of compliance to remedy a violation.
- (7) The compliance plan content requirements specified in (6) , shall apply and be included in the acid rain portion of a compliance plan for an affected source, except as otherwise provided in regulations promulgated under Title IV of the FCAA with regard to the schedule and method(s) the source will use to achieve compliance with the acid rain emissions limitations.
- (8) As applicable, any application submitted pursuant to this subchapter shall use the nationally standardized forms for the acid rain portions of applications and compliance plans, consistent with regulations promulgated under Title IV of the FCAA.
- (9) As part of any application for a permit or general permit submitted pursuant to this subchapter, the applicant shall provide to the department a copy of all general safety rules, policies or requirements that are applicable to a department inspector during an air quality inspection.
- (10) Upon request, the department shall provide to the applicant a completeness checklist that contains the minimum information required under this rule, ARM 17.8.1205, and 17.8.1207 for an application under this subchapter to be determined to be administratively complete for the purpose of application of the application shield.
- (11) An applicant is not required to submit information that has been previously submitted to the department, but must reference such previous submittal.

Authorizing statute(s): 75-2-217, 75-2-218, MCA

Implementing statute(s): 75-2-217, 75-2-218, MCA



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History: NEW, 1993 MAR p. 2933, Eff. 12/10/93; TRANS, from DHES, 1996 MAR p. 2285; AMD, 2003 MAR p. 645, Eff. 4/11/03; AMD, 2007 MAR p. 1663, Eff. 10/26/07; AMD, 2008 MAR p. 2267, Eff. 10/24/08.