



# Focus on Air Operating Permits

From Ecology's Solid Waste and Financial Assistance Program

## Background

In the state of Washington, the Department of Ecology (Ecology) is responsible for regulating air pollution under the U.S. Environmental Protection Agency's (EPA) Federal Clean Air Act (FCAA). This law limits the amount of air emissions allowed from many types of sources, including stationary sources (smokestacks) woodstoves, and moving sources (cars and airplanes). To regulate and control air emissions, Ecology works closely with seven local clean air agencies on developing and enforcing Air Operating Permits.

## What is the Purpose of this Permit?

An Air Operating Permit outlines the specific requirements a facility must comply with in order to protect the environment from pollution-causing emissions. These requirements may include emission limits; work practice standards; and monitoring, reporting, and recordkeeping conditions. The permit combines into a single document all the air-quality requirements that apply to the source. This makes it easy for the permit holder and interested members of the public to identify permit conditions and rules. The Air Operating Permit program also requires facilities to submit periodic reports to certify they are in compliance with their permit terms and conditions.

## Who needs an Air Operating Permit?

A facility is required to obtain an Air Operating Permit if it has the potential to emit any of the following:

- More than 100 tons per year of any pollutant, or
- More than 10 tons per year of any hazardous air pollutant, or
- More than 25 tons per year of a combination of hazardous air pollutants.

Even if a facility does not have the potential to emit the above amounts, it may still need an Air Operating Permit if it is subject to certain federal air quality requirements, including:

- Title IV Acid Rain Program
- New Source Performance Standard (NSPS)
- National Emission Standard for Hazardous Air Pollutants (NESHAP)

Facilities that have the potential to emit more than the major source thresholds, but actually emit less, can ask the permitting authority for a legal order that will place limits on the operation of the facility and therefore limit the amount of emission allowed that are below the thresholds.

Examples of limitations are:

- Limits on the hours of operation; or
- Limits on types of solvents allowed at a facility; or
- Requiring installation and use of the latest air pollution control device; or

- Require changes in fuel makeup in order to be considered synthetic minor sources; or
- Require other operational changes that would limit the emissions.

## How is this Permit Issued?

The facility that meets the conditions for an Air Operating Permit must apply for an Air Operating Permit within one year of starting operation. One of the seven local clean air agencies or Ecology, in consultation with the local clean air agency, issues a draft permit for public comment. EPA can review the permit before it is final.

Each Air Operating Permit expires after five years and must be re-issued by the permitting agency. Facilities must apply for a renewal at least six months before their current Air Operating Permit expires. Permit holders must also pay an annual fee. The amount each facility pays varies according to the complexity of the source, air contaminant emissions, and the total number of facilities with Air Operating Permit in Washington. These fees range from about \$20,000 to \$120,000 per year. Local air agencies charge for the Air Operating Permits that they issue.

The seven local clean air agencies and the Ecology regional offices issue Air Operating Permits for the facilities that are in each respective jurisdiction. But Ecology's Industrial Section approves and issues all Air Operating Permits for three kinds of businesses:

- Aluminum smelters,
- Pulp and paper mills

## What is the Appeal Process for the Permit?

Any permit decision made by Ecology or the seven local clean air agencies can be appealed within 30 days of when it is issued. Appeals can be made directly to Pollution Control Hearings Board with a copy sent to Ecology, or the local clean air agency.

## More Information and Contacts:

- The Air Operating Permit application can be downloaded at <http://www.ecy.wa.gov/pubs/94175.pdf>
- Ecology Air Quality Program: (360) 407-6900
- Ecology's Air Quality website: [www.ecy.wa.gov/programs/air/airhome.html](http://www.ecy.wa.gov/programs/air/airhome.html)
- Ecology Industrial Section (for aluminum smelters and pulp and paper mills): (360) 407-2929
- Ecology's Industrial Section website: [www.ecy.wa.gov/programs/swfa/industrial/](http://www.ecy.wa.gov/programs/swfa/industrial/)
- Washington Local Clean Air Agencies: Locate yours at [www.ecy.wa.gov/programs/air/local.html](http://www.ecy.wa.gov/programs/air/local.html)
- US EPA Federal and Delegated Air Programs: 206-553-6908

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