



# COORDINATION OF PERMITTING/COMPLIANCE PROGRAMS

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Air Quality Permits Program



# Permits Issued FY08

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- 110 State Permits to Operate
- 17 Title V Permits to Operate
- 1,055 Air Quality Permits to Construct



# Permits to Operate

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- 136 Title V sources
- Many sources have requested (and received) synthetic minor limits to get out of Title V
- Title V permits subject to public, EPA and affected states review
- 344 State Permit to Operate sources



# Permits Staff

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- **Three Divisions** - 24 total staff plus program manager
- 18 permit engineers (2 part-time)



# Compliance Staff

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- **Two Engineering Divisions:** 13 engineers between them. These Divisions handle the more complex sources (steel mills, printers, cement plants, chemical plants, etc), most (if not all) of the T5 sources, etc.
- **One Field Services Division:** 8 sanitarians (inspectors) handle complaints, small source inspections, Stage II, dry cleaners, etc. Two regional field offices also included in this Division
- **One Asbestos Division:** 6 inspectors (various classifications)
- **One Compliance Services Office:** 3 staff, handle PIA, data tracking and management, EPA databases, training, etc.
- **Five support / administrative staff**



# Permitting Priorities

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- Issue quality permits in a timely manner
- Implement new data management system
- Ensure adequate public participation (beyond minimum legal requirements)
- Streamline permit process, where appropriate for applicants, e.g. source specific applications



# Permit Turnaround Times

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- Tracked closely by Senior Management
- MDEStat
- Auditors
- Environmental Groups - “Writ of Mandamus” filed for failure to issue Title V renewal permit



# Fees

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- Permit to operate fees (based on actual air emissions reported by companies on an annual basis): \$52.13/Ton with \$500,000 cap per facility (FY09)
- Senate Bill 442 Clean Air Permit Fees was signed into law on 4/24/08. Increased permit to operate fees substantially. Cap will be eliminated in 2010 for 2010 emissions
- Permit to construct fees range from \$200 to \$20,200. Amount charged has not changed since early 1990's.



# Coordination

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- Maryland is a small State
- No regional permitting offices; all permit writers are located in Baltimore
- Most of Compliance Program is also located in Baltimore except for small regional offices in Western Maryland and on the Eastern Shore
- Programs are physically located next to each other (ensure daily interaction between staff)



# Coordination (cont'd)

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- Some permit writers have enforcement backgrounds (air and water)
- Joint Compliance / Permits site visits encouraged
- Assigned facilities: all Title V and State permit to operate facilities have assigned permit writers and assigned compliance inspectors.
- Formal sign-off process by Compliance Program on all permits



# Coordination (cont'd)

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- Public hearings / info meetings / community meetings attended by both Compliance/Permitting
- Pre-application meetings



# Potential Conflicts

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- Stringent permit turnaround times: unresolved compliance issues can delay permits
- Permits operates under different (shorter) timeframes than Compliance
- Regulatory applicability confusion, especially when EPA fails to provide guidance



# Conflicts (cont'd)

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- Requirements from Consent Orders to put certain conditions in permits which may not be appropriate
  - *Example:* requirement to obtain a permit as part of the settlement agreement where the applicant may not be able to obtain a permit due to local zoning, citizen opposition or generally poor quality application



# More Conflicts

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- Pending enforcement action
  - *Example:* Permits is asked not to do anything, as part of permit review, that would complicate a pending enforcement action, but pending enforcement action does not seem to be going anywhere



# Coordination Advantages

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- Clearer Permit Conditions
- Readily enforceable conditions
- Regulatory applicability issues are resolved prior to permit issuance
- Can result in longer permits with very little incorporation by reference



# More Accurate Permits

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- **GOAL:** permits contain all emission units and all applicable requirements even if application is deficient (common problem).  
Sometimes the compliance inspector is more familiar with facility than person submitting application and can help permit writer identify deficiencies in application and draft permit



# Additional Permit Requirements

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- Coordination provides the ability to better address public concerns about a facility
  - *Examples:* enhanced fugitive dust and odor management plans



# Ongoing Activities

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- Planning / Compliance / Permitting  
Coordination Meetings on Regulation  
Development
- Training for new and experienced staff
- Continue efforts on streamlining minor  
NSR permits to free up resources for larger  
sources