



*P.O. Box 1677, Oklahoma City,  
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## **Fact Sheet**

# **Air Quality Permits**

## **THE BASICS . . .**

Generally speaking, an Air Quality permit is required for your facility if you have an **air contaminant source** with:

- Actual emissions of five (5) tons per year (TPY) or more of any **regulated air pollutant**, or
- An emissions unit, installed after 4/30/91, that is subject to federal standards (New Source Performance Standards or National Emissions Standards for Hazardous Air Pollutants).

An **air contaminant source** means any source of air contaminant emissions, both public and private. This includes all types of businesses, commercial and industrial plants, workshops and stores, power plants and stations, buildings, and many other structures. However, the 5 TPY criteria pollutant threshold effectively exempts most residences and many small businesses from the requirements to obtain a permit. All activities at a facility must be considered when determining your need for a permit. *However, if your facility performs ONLY those activities listed in Appendix H of OAC 252:100, you do not need a permit.*

**Regulated air pollutants** include criteria pollutants, hazardous air pollutants and toxic air contaminants. The **criteria pollutants** include oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), ozone precursors like volatile organic compounds (VOCs), particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>), total suspended particulates (TSP), particulate matter equal to or less than 2.5 microns in diameter (PM<sub>2.5</sub>), and lead (Pb). **Hazardous air pollutants** (HAPs) include pollutants regulated by section 112 of the federal Clean Air Act. **Toxic air contaminants** include those toxic substances identified and regulated by state rules. *Details on these lists as well as other detailed information mentioned herein can be obtained through our website at [www.deq.state.ok.us](http://www.deq.state.ok.us) or upon request (405) 702-4100.*

## **THE PERMITS . . .**

The Air Quality Division (AQD) operates a dual permitting system - construction and operating permits. A **construction permit** is required before a new source is constructed or an existing source is modified. The construction permit is issued after it is determined the source is designed to meet applicable rules and pre-construction requirements. An **operating permit** is issued after construction is completed and demonstration is made that the source is capable of meeting applicable emissions limitations and air pollution control requirements.

Permits and sources are further classified as either major or minor based on their potential-to-emit (PTE). In general, a **major source** is any source with PTE of 100 TPY or more of any regulated air pollutant, 10 TPY or more of any one HAP, or 25 TPY or more of any combination of HAPs. Please note that certain sources are subject to additional regulations and are required to obtain a major source permit regardless of PTE. Please see the "Title V Fact Sheet" for additional information. **Minor sources** are those that do not meet the major source definition.

## THE PROCESS . . .

Use the following steps to help you determine if you need a permit.

1. Define the boundaries of your facility. A facility includes all buildings, structures, or installations under common control, located on contiguous property, which belong to the same major Standard Industrial Classification (SIC) code.
2. Identify all emission units. An **emission unit** is any piece of equipment at a stationary source that could emit air pollutants. A site diagram will help identify types of activities and sources.
3. Identify all regulated air pollutants that may be emitted from all emissions units at the facility. This can be done by reviewing the materials, chemicals and compounds that are handled, stored, used or processed.
4. Estimate emissions from the facility.

If your actual emissions are greater than 5 TPY or your potential to emit (see the *Potential to Emit Fact Sheet*) is greater than major source thresholds, then you need a permit. Several types of permits are available. The AQD offers streamlined permits - permit by rule (PBR) or general permit (GP) -for several industry types. The application information is minimal, the fee is less than an individual permit, and there are no public notice requirements. Visit our website at [www.deq.state.ok.us](http://www.deq.state.ok.us) for more information or give us a call and we'll help determine if your facility is eligible. Otherwise, you need an individual permit.

If you aren't sure whether you need a permit, you should request that the AQD staff perform an **Applicability Determination (AD)**. The AD is a written document issued by the DEQ to determine whether a particular source or operation is subject to the requirements of a rule, including whether or not you need a permit. If you need a permit, the fee for the AD is credited towards the permit fee.

## MAKING APPLICATION . . .

If you need a permit, then the next step is to submit an application. Forms are available in hard copy, on diskette, or can be downloaded from the DEQ's web page at [www.deq.state.ok.us/air1/forms.html](http://www.deq.state.ok.us/air1/forms.html). There are several application packages available, depending on whether you are a minor or major facility, and your particular industry type. Note that it is your responsibility to submit a complete application well in advance of commencing construction, start-up date, or the effective date of operating permit program requirements. Therefore, please allow sufficient time for application review and permit issuance.

## OTHER OPTIONS . . .

You have several options available to minimize the regulatory requirements associated with obtaining a permit for your facility. They include:

- **Implement pollution prevention techniques** that improve efficiency and increase profits while at the same time minimize environmental impacts. This can be done in many ways, such as reducing material inputs, re-engineering processes to reuse by-products, improving management practices, and employing substitutions of toxic chemicals. For specific questions or assistance on pollution prevention please contact our Customer Assistance Program (405) 702-9100 or AQD Staff.
- **Streamlined permits** include the PBR and GP. Both include pre-determined equipment criteria and emission limitations for specific industry categories, and a simplified application and issuance process. The PBR is generally designed for those facilities with actual emissions less than 40 TPY of each regulated pollutant and the GP for those with emissions above PBR levels. Call or visit our website for the latest information on eligible facilities.
- **Obtain a “synthetic minor” permit** instead of a major source permit. If your PTE exceeds major source thresholds but you are able to limit emissions to below those thresholds you may be eligible for a “synthetic minor” permit. See the DEQ fact sheet “Potential to Emit” for methods to limit emissions.

## ASSISTANCE...

DEQ provides three methods of assistance to explore your permitting options:

- **Pre-Application Conference** - Prior to filing an application, you may request a conference with staff to answer questions and identify important issues. This meeting is typically handled by AQD staff who will be reviewing your application and drafting your permit.
- **Small Business Assistance Program (SBAP)** - This program provides guidance and assistance to small businesses (100 or fewer employees) regarding state and federal air regulations. Because it is a non-regulatory program, the SBAP is under no obligation to report findings to AQD, unless an imminent threat to human health or the environment exists. This program is administered through the DEQ's Customer Services Division.
- **Permit Assistance Teams** - A more formalized method of educating your facility about regulatory requirements is the Permit Assistance Team. AQD and CSD staff work as a team to answer permitting questions about your facility. The goal is to provide up-front information to facilitate the permitting process for our customers. This program is also administered through DEQ's Customer Services Division.

## FEES . . .

Fees are required for processing applications and for annual operating emissions. Application fees must be paid when the application is submitted and are non-refundable. Annual operating fees are based on the previous year's annual emissions inventory.

The fees for processing various air permit applications is as follows:

- **Applicability determination** is \$250. This fee will be credited against the construction or operating permit application fee, if a permit is required. If no permit is required, the fee will be retained to cover the cost of making the determination.
- **Minor source permit application fees** range from \$250 for a PBR, \$150-400 for a GP Authorization to \$1500 for an individual permit.
- **Major source permit application fees** range from \$900 for an authorization under GOP to \$2,000 for an individual permit.

Annual operating fees are charged according to the source type. Minor source annual operating fees are \$17.12/ton of regulated pollutant. Major source annual operating fees for year 1999 were \$17.12/ton of regulated pollutant. This amount is adjusted by the consumer price index annually.

## WHAT NEXT . . .

Once you submit an application and fees, a series of events happen:

1. **The application is "logged in"**. This process involves recording the date received, assigning a number, and determining its classification. The "clock" starts when the application is assigned to the permit drafter. By law, the agency has certain specific timelines to review/issue permits ranging from 30 days to 540 days depending on type of permit.
2. **An administrative review** of the application determines if all information needed to draft a permit has been provided. This step typically takes no longer than 60 days and results in issuance of either a letter of completeness or a notice of deficiency to the applicant. If the application is determined to be incomplete, the "clock" is stopped until the applicant submits the needed information.
3. **Technical review** begins after the application is deemed administratively complete. This process includes a determination that all necessary technical information needed to prepare a draft permit is provided, that the facility is in compliance with all applicable regulations, and that the permit will assure continued compliance. The end result of this process is a draft permit.
4. **Peer and managerial review** begins after the draft permit is prepared. Before issuance, some permits require various forms of public participation (legal notice in local newspaper, public meeting, 30-day comment period on the draft permit, affected state review, etc.).

## MORE INFORMATION . . .

Please work closely with your permit drafter to insure that the draft permit prepared for your facility represents actual conditions at your facility and is appropriate for issuance. In addition, you should become familiar with your facility's requirements relative to public participation. This will insure that your permit is issued in a timely manner without unnecessary delays.

For general assistance contact our Customer Service Division, toll free at 1-800-869-1400, or for specific assistance contact the AQD at (405) 702-4100. Additional information is available on our web site at [www.deq.state.ok.us](http://www.deq.state.ok.us) or upon request.