

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
NONRULE POLICY DOCUMENT

Title: **Part 70 Permit Application Requirements -- Compliance Certifications & White Paper #1.**

Identification Number: Air-0013-NPD

Date Originally Adopted:

Dates Revised: **None.**

Other Policies Repealed or Amended: **None.**

Brief Description of Subject Matter: **Describes IDEM's implementation of the U.S. EPA White Paper #1, "White Paper for Streamlined Development of Part 70 Permit Applications" and IDEM's policy for separating compliance certifications required for Part 70 permit applications.**

Citations Affected: **326 IAC 2-7-4, 326 IAC 2-8-3.**

This nonrule policy document is intended solely as guidance and does not have the effect of law or represent formal Indiana Department of Environmental Management (IDEM) decisions or final actions. This nonrule policy document shall be used in conjunction with applicable laws. It does not replace applicable laws, and if it conflicts with these laws, the laws shall control. A revision to this nonrule policy document may be put into effect by IDEM once the revised nonrule policy document is made available for public inspection and copying. IDEM will submit revisions to the Indiana Register for publication.

The purpose of this nonrule policy is to document certain clarifications and guidance that have been issued by IDEM in the context of the Air Operating Permit (Part 70) program since promulgation of Indiana's rules.

## **Background**

On July 21, 1992, the U.S. EPA promulgated final federal rules requiring states to develop and implement an Operating Permit program (Part 70) for major sources of air pollution. The Office of Air Management (OAM) developed rules and procedures to carry out the Indiana Part 70 Operating Permit program and received Interim Approval from the U.S. EPA on December 14, 1995. The initial round of Part 70 permit applications was to be submitted to IDEM on or before December 13, 1996.

The Indiana Part 70 program is modeled after the federal requirements and includes specific permit application content requirements contained in 326 IAC 2-7-4. The rules implementing Indiana's program require that Part 70 permit applications include general descriptive information, information describing all emission units and associated emissions, the citation and description of all applicable requirements, a description of the compliance status of the source with respect to all applicable requirements and methods for determining compliance. Sources that are not in compliance with one or more applicable requirements must include a

compliance schedule with the application that describes the steps or measures a source will take to return to compliance. The rules also require the “responsible official” to provide a compliance certification for all applicable requirements and a certification of truth, accuracy and completeness.

While IDEM was awaiting U.S. EPA approval of the Indiana Part 70 Operating Permit program, the U.S. EPA released a document dated July 10, 1995 concerning possible streamlining of the Part 70 permit applications. “White Paper for Streamlined Development of Part 70 Permit Applications” presented options that states could implement in an effort to reduce the complexity of the permit application preparation and submittal. IDEM reviewed the U.S. EPA White Paper and prepared a guidance document (Guidance for the Implementation of the U.S. EPA “White Paper”, dated January 16, 1996) to implement the streamlining provisions of the White Paper. The streamlining provisions stated in the guidance document have been incorporated into this Nonrule Policy Document.

Since the Part 70 program rules were promulgated, the U.S. EPA has proposed revisions to the federal rules. The U.S. EPA also issued a White Paper #2 in March 1996 outlining additional streamlining options that may be available to assist with the implementation of the Part 70 program. IDEM has responded by reviewing the proposed revisions and White Paper #2 and developing rule amendments to the Indiana Part 70 program. The rule amendments were effective in May 1997. They institutionalize various portions of White Paper #1 and #2 and incorporate portions of the proposed Part 70 revisions.

An issue concerning the required certifications by the “responsible official” has been brought to the attention of the department and is not addressed by the White Paper or IDEM’s streamlining implementation guidance. Pursuant to 326 IAC 2-7-4(c)(11), the Title V (Part 70) permit application must include a certification of compliance, by a responsible official, regarding the compliance status of the source. The term “responsible official” is defined in the Indiana rules at 326 IAC 2-7-1(33). Several sources explained to IDEM the difficulty associated with identifying a single responsible official qualified to execute the compliance certification for all operations that constitute the Title V source. These companies are either structured so that a particular plant may be composed of several divisions with separate chains of command without a clear connection between the different areas or divisions or the source relies on on-site contractors to provide work or services related to production at the source. While the contractors may be considered part of the source for purposes of Part 70, there have been discussions concerning the responsibilities of the source for the contractor’s operations and certifying compliance for these operations.

### **Policy -- Compliance Certifications**

In order to respond to the concerns expressed by Title V sources, the IDEM has reviewed the rules and determined that the compliance certification required for a Title V permit application may be executed by several responsible officials at the Title V source. For example, where a contractor is characterized as part of a Title V source, a responsible official for the contractor

may certify compliance for the contractor's operations within the source's Title V application. Or, where a source consists of several operations managed independently and reporting up separate chains of command, the compliance certification for the source may be separated by each operation. A responsible official in each chain of command would certify compliance for the specific operation.

IDEM believes that this approach will insure that the agency receives an accurate certification executed by a person responsible for and familiar with the operations at issue. This approach also addresses concerns articulated by sources regarding compliance certifications and the Title V application.

Indiana rules also require Title V sources to submit an annual compliance certification and to certify the veracity of any document submitted to the agency pursuant to a Title V permit condition. These certification requirements may be satisfied by using the approach discussed above.

IDEM emphasizes that each certification must be executed by a responsible official as that term is defined in the Indiana rules. Dividing the compliance certification and delegating the responsibility to execute the certification to a person who does not meet the definition of a "responsible official" does not comply with the rule. IDEM staff are available to discuss with sources the logistics of implementing this policy in specific circumstances.

## **Policy -- Streamlining of Operating Permit Applications**

*This guidance supplements previous application instructions and guidance materials. If a particular situation or issue is addressed in this document, the instructions presented in this document supercede any previous information in the 1/95 application material, the 9/95 application update, and Title V Questions & Answers which address the particular situation or issue.*

### **Introduction**

On July 10, 1995, the U.S. EPA issued a guidance document entitled "White Paper for Streamlined Development of Part 70 Permit Applications". This guidance document outlines streamlining improvements that states can use to reduce the burden of preparing a Part 70 or FESOP application and provides clarification concerning the application requirements required under 40 CFR Part 70.

The Office of Air Management has prepared this guidance to allow Part 70 and FESOP applicants to incorporate the streamlining activities outlined in the "White Paper" into current operating permit application forms. This streamlining information was previously distributed as a guidance document, "Guidance for the Implementation of the U.S. EPA 'White Paper' ". In order to implement the application streamlining, the OAM created two (2) new forms,

GSD-06(a), General Unit/Activity Information and GSD-10(a), Insignificant Activities and revised the Completeness Checklist to reflect the provisions of this guidance. Copies of these forms and checklists can be obtained from Irene Cabrera at 317/233-2632.

NOTE: Although the U.S. EPA "White Paper" does provide many instances where detailed information is not needed, it also references several instances where additional or more detailed information would need to be provided by the applicant. The instances outlined in the U.S. EPA "White Paper" include the following:

- ! Plant-wide applicability levels (PALs) or other plant-wide emission limits have been proposed by the applicant
- ! Granting of the permit shield relative to a non-applicability decision based on an emissions level cutoff in a standard for a category present at the source
- ! Resolution of a dispute over applicable requirements or major source status
- ! Fee computation

This guidance is divided according to the major issues identified in the "White Paper" and includes directions for incorporating those issues into the current Operating Permit application. The major points are paraphrased below, with an indication of which area of this document addresses those points:

- " Emission descriptions, not estimates, for emissions not regulated at the source. Tons per year (tpy) estimates only when meaningful and based on generally available information without new testing or studies. [EMISSION ESTIMATES]
- " The submission of checklists for insignificant activities and 112(r) requirements. [USE OF CHECKLISTS]
- " The use of citations for applicable requirements, with qualitative descriptions for each emissions unit, and for prior New Source Review (NSR) permits. [CITATIONS]
- " The exclusion of trivial and short-term activities from applications. [USE OF CHECKLISTS]
- " Group treatment for activities subject to generally applicable requirements. [GROUPING OF UNITS]
- " Compliance status certification without reconsideration of previous applicability decisions. [CERTIFICATION]
- " Incorporation of environmentally significant terms of NSR permits through application process. [NSR INCORPORATION]

This guidance also includes a section, OTHER STREAMLINING ITEMS, which describes streamlining options available to applicants that may or may not have been covered in various sections of the "White Paper".

**In implementing this streamlining process, the IDEM does not intend to revoke retroactively a completeness determination if more information is needed. The "White Paper" discussed the ability of an agency to request further information without affecting a**

**completeness determination and Indiana rules are specific about a source's responsibility to furnish additional information when requested.**

## **EMISSION ESTIMATES**

### GSD-07, Source Emissions Summary/GSD-08, Source Hazardous Air Pollutant Summary

The applicant will not be required to provide all of the information currently requested on these forms and these forms will be revised in the future. If your company has submitted an Emission Statement including Hazardous Air Pollutant (HAP) emissions and the emission information is on file, then simply indicate on both forms "Emission statement on file". Sources that have not filed an Emission Statement will need to indicate that the source is not in compliance with 326 IAC 2-6, Emission Reporting rule and will need to complete an Emission Statement to come into compliance.

If an Emission Statement was submitted, but HAP emissions were not included, then indicate on GSD-07 that an Emission statement is on file. HAP information should be included on GSD-08, but the only information that needs to be included is **actual emissions in tons/year**, no other information is required. The HAP emission estimates can be based on engineering assessment or process knowledge when other information is not available. The HAP emissions should be reported for all activities above the Insignificant Activity thresholds listed below.

Emissions from units that are above the following thresholds and not listed as an insignificant or trivial activity should be reported, if needed:

VOC = 3 lb/hr and/or 15 lb/day	PM <sub>10</sub> = 5 lb/hr and/or 25 lb/day
SO <sub>2</sub> = 5 lb/hr and/or 25 lb/day	CO = 25 lbs/day
Lead = 3.29 lb/hr and/or 0.6 ton/year	NO <sub>x</sub> = 5 lb/hr and/or 25 lb/day
Single HAP = 5 lbs/day and/or 1 ton/year	
Combination of HAPs = 12.5 lbs/day and/or 2.5 ton/year	

FESOP applicants need only indicate if an emission statement is on file.

### Process Information (PI) Forms - Potential to Emit Section

On the Process Information (PI) forms, applicants will not be required to complete the Potential to Emit section unless the applicant is proposing that a unit is not subject to an applicable requirement and wants to document the Potential to Emit for the unit or process or the information is needed to determine compliance with an applicable requirement and the applicant wants to document compliance. FESOP sources wishing to document that controls will reduce potential emissions below Title V applicability thresholds may also complete this section. The completion of this section will not be a completeness determination requirement; however, the IDEM may request more information during the application review to verify application information.

### Fugitive VOC/HAP Emissions, Form PI-27

As with other areas of the application, emission estimates will not be required on this form.

### **USE OF CHECKLISTS**

#### Form GSD-10, Insignificant Activities

A new form, GSD-10(a) has been created to allow applicants to identify those insignificant activities at the source and signify by checking which activities are present. The revised form also includes a list of "trivial" activities that do not have to be included in the application. Applicants should use the Form GSD-10(a) in place of GSD-10 when completing the applications.

#### Form CD-04, Compliance Schedule

For those sources that may be subject to the requirements of Section 112(r) concerning Risk Management Plans (RMPs), a checklist has been provided on the CD-04, although some clarification is needed. A source that may be subject to 112(r) should indicate that a RMP has not been submitted and should indicate that a RMP will be submitted after final rules have been promulgated. There is no requirement to submit a RMP at this time. The U.S. EPA has promulgated final rules concerning 112(r) requirements since the time of the original streamlining guidance document. These rules further clarify that sources subject to the 112(r) requirements need only state the applicability of these provisions in the permit application, but the submission of an RMP will not be required as part of the permit application and should follow the compliance schedule in 40 CFR 68.

### **CITATIONS**

#### Compliance Information Forms -- CD-02, Compliance Plan by Applicable Requirement; CD-03, Compliance Plan by Unit/Facility

The Part 70 permit will require methods and procedures to show compliance with all applicable requirements. There will be instances where an applicant identifies an applicable requirement, but there are no compliance methods or procedures specified in the applicable requirement. Where no compliance requirements are specified, the applicant will have the opportunity to identify how the source intends to come into compliance and/or demonstrate continuing compliance. The use of these forms will vary depending on the specific situation.

These forms will be required if a source or individual units at the source are out of compliance with an applicable requirement or when an applicable requirement for which the source is in compliance does not specify compliance methods. If the source and all units making up the source are in compliance and all compliance requirements are spelled out in the applicable requirement, then these forms will not be required.

If a source or units within the source are out of compliance, then **either CD-02 or CD-03** should be used to indicate how the source will come into compliance and will continue to comply. If CD-02, Compliance Plan by Applicable Requirement is used and the compliance requirements are detailed in the applicable requirement, it will only be necessary to complete Items #1 through #5. **It is not necessary to repeat the limitations, monitoring, testing, etc. that are stated in the applicable requirement on the form.** The same holds true for CD-03, Compliance Plan by Unit/Facility. The items required would include Items #1 through #4. Sources not in compliance would also need to complete Form CD-04, Compliance Schedule.

If the source is not in compliance and the compliance plan is not based on information contained in an applicable requirement, then the applicant would need to provide more information about the methods and procedures to be used to document continued compliance.

If a source and units at the source are in compliance, but the applicable requirement does not specify specific compliance requirements, the source should indicate how compliance will be demonstrated during the permit term. The Part 70 permit will require methods and procedures to show compliance and the source can provide this information on these forms. In this instance, the source would use either CD-02 OR CD-03 and complete the relevant information.

When identifying units subject to generally applicable requirements, the applicant need only cite the appropriate requirements and describe the requirement (i.e., Opacity rule, NSPS, NESHAP, etc.). Once again, if the applicable requirement does not specify appropriate compliance methods or requirements, the applicant can use CD-02 or CD-03 to document how the source will either come into and/or continue to comply.

Applicants should review IDEM's "Compliance Monitoring Requirements", dated May 15, 1995 for further clarification concerning the situations where compliance monitoring and compliance plans may or may not be required.

## **CERTIFICATION**

The IDEM will not require Part 70 permit applicants to reconsider previous applicability decisions when certifying compliance status, either for individual units or the source.

## **GROUPING OF UNITS**

### Grouping Units with Specific Requirements

Although the Process Information forms indicate that they should be used to identify and describe individual pieces of equipment, the OAM believes that processes with the same applicable requirements, the same equipment, and connected to the same control equipment can be grouped together. In this instance the unit ID would essentially become the process ID with the equipment being a part of the process. To aid with permit application review, the applicant

should provide information concerning the types of equipment covered by the form on a separate sheet if the form does not allow for the inclusion of this information.

### Grouping Units with General Requirements

Indiana rules require that all emission units or activities must be described in the application. However, the determination of applicable requirements may not require that the units be described with a large amount of detail. This is especially true with generally applicable requirements such as process weight or opacity rules, which may apply to all emission units at a source. The OAM will require minimal information for these units and an applicant can use a revised form (Form GSD-06(a), General Unit/Activity Information) or simply provide the information on separate sheets labeled as General Units. The following information will be needed: a brief, general description of the activity or units; a description of the pollutants emitted; a citation of the applicable requirement; and compliance status.

For units that are subject to specific applicable requirements in addition to the general requirements, the applicant should simply include the general requirement with the other applicable requirements on Form CD-01. As indicated under CITATIONS, a source wanting to document compliance methods to be used to either come into compliance and/or show continuing compliance should complete either CD-02 or CD-03 to identify compliance methods to be included in the Part 70 permit.

Example: Emergency Generators where total capacity of equipment >2 million Btu/hour

Description: Emergency Generators

Pollutant(s): NO<sub>x</sub>, SO<sub>2</sub>

Applicable Requirement: 326 IAC 5-1-1

Applicable Requirement Description: Opacity rule

In Compliance (yes/no): Yes

### **NSR INCORPORATION**

#### GSD-01, General Information

This form requests general information that will be used in preparing the draft permit. Item J on page 4 of 4 requests that the applicant provide a listing of current permits that have been issued to the source. The OAM will be asking that permit applicants not only list the permits, but also provide copies of the permits (*this change has been included with a packet of corrections, revisions and additions to the application packet*). Those applicants that have current permits with conditions or limitations that the applicant would either like incorporated into, changed, or deleted from the new Operating Permit should appropriately identify those conditions/limitations. These conditions may have become obsolete or environmentally insignificant or have other basis for change. The applicant can indicate which conditions/limitations should be retained, changed, or deleted on the NSR permit itself or the



applicant can provide a separate sheet with the Permit Number and a list of conditions/limitations to be incorporated into, changed, or deleted from the new permit and the units subject to the conditions. If the conditions/limitations are easily identifiable, then the applicant may simply cite the condition/limitation that is being proposed for incorporation, change, or deletion. Because the Part 70 permit will also identify those conditions that are not federally enforceable, the applicant may also identify state or local permit conditions to be incorporated, changed, or deleted. Any local conditions to be considered for incorporation, change, or deletion will have to be reviewed with the relevant local agency.

The applicant is required to provide copies of permits, but the applicant is not required to identify specific conditions for incorporation in, changed in, or to be deleted from a Part 70 permit. This is a voluntary option that is left to the applicant. The Part 70 permit must include all applicable requirements for which a source may be subject, and those applicable requirements that are a part of Construction Permits must be specified in the Part 70 permit. Absent any proposal by the applicant, the IDEM will be evaluating the previous permits to determine which conditions should be incorporated into, changed, or deleted from the Part 70 permit.

## **OTHER STREAMLINING ITEMS**

### **General Information Forms**

#### GSD-02, Plant Layout

The detail required for this form will depend on the permit status of the source and whether or not the source is applying for a construction permit under the Enhanced New Source Review procedures. In general, sources that have had previous permits will not be required to provide the same level of detail as a new source. The Plant Layout should identify buildings on-site, especially those that house emission units; however, the buildings may be represented by box shapes indicating general building dimensions. For those sources that include large parcels of land that may be vacant, it is not necessary to indicate the distance to the property line. It would be acceptable to indicate the distance to the nearest fence or other access-limiting feature. It is not necessary to have exact measurements for the center height of vents, approximate heights will be sufficient. Many sources may have a large number of stacks and/or vents that have been addressed in previous permitting actions or application reviews. The applicant should focus on the stacks and/or vents that have not been addressed in previous permits or application and/or those that will be used to verify compliance with an applicable requirement (opacity limits, etc.). Providing the same longitude/latitude as identified on GSD-01 will be sufficient in those cases where the source has been previously permitted, although there may be instances where additional information may be required for nonpermitted units. Insignificant and trivial activities and any associated stacks or vents do not need to be included on the layout. It is also acceptable to provide multiple diagrams, if needed.

### GSD-03, Flow Diagram(s)

Although more detail will be required for applications under the Enhanced New Source Review, only a general flow diagram is required for operating permits. The diagram(s) should indicate equipment or groups of equipment and any control equipment that is connected with the equipment, along with an identification of the stack or vent that exhausts emissions from the equipment. For operating permits, it is not necessary to indicate additions or modifications to the source, because the flow diagram(s) should reflect all equipment or processes at the source at the time of application. It is not necessary to indicate the operating schedule for the equipment or processes, unless a limitation has been proposed based on a specific operating schedule. If information is available elsewhere in the permit application, then the information may be cross-referenced. Insignificant and trivial activities and any associated stacks or vents do not need to be included on the diagram(s). It is also acceptable to provide multiple diagrams to address the processes or equipment at the source.

### GSD-04, Stack/Vent Information

This form should only be used to provide stack or vent information associated with equipment or processes that have not been included in previous permit applications or for sources utilizing Enhanced NSR for new units/processes or modifications to existing sources. During form revision this information will be moved to a section specifically for Enhanced New Source Review forms.

### GSD-05, Fugitive Emissions Description

Items #1 (Identification number), #2 (Pollutant Emitted), and #3 (Brief Description) should be completed. **Item #4 (Emissions) does not need to be included on this form.** Categorical descriptions may be entered where they appropriately describe similar types of fugitive emitting activities. The identification numbers do not need to follow the numbering used to identify stack emission units, as long as the numbering is consistent with identification used on the Flow Diagram, the Plant Layout, etc. (NOTE: For categorical units, the same identifier may appear on several diagrams, layouts, etc.)

### GSD-06, Emissions Unit Description

The use of alternative descriptions will be acceptable for completing item #6 (Serial number/Brief Description), as long as the alternative descriptions are sufficient to enable an inspector to readily identify the units during an inspection. We will accept current in-plant usage for identifying each unit providing this has been formalized by signs, plant layout drawings, flow diagrams, etc. Older equipment for which a manufacturer and/or model number is not known would indicate such by entering "unknown" in Columns #3 and/or #4. The maximum unit capacity (item #7) will not need to be included on this form, because this information is requested on the Process Information forms.

## **PROCESS INFORMATION (PI) FORMS**

### Segment ID/SCC #

These items will not be required.

### Forms PI-16 (Printing) and PI-19 (Surface Coating)

When completing these forms, the applicant does not need to provide information for all coatings and/or solvents used at the source. The applicant must identify the coating/solvent with the highest VOC content and 5 coatings with the highest concentration of Hazardous Air Pollutants. For these materials, the applicant will be required to provide relevant Material Safety Data Sheet (MSDS) information including Section I, II, and III (Product Identification, Hazardous Ingredients, and Physical Characteristics).

## **STREAMLINING ADDENDUM -- NEW FORMS**

### Introduction

In preparing the guidance document and during workgroup discussions, there was significant comment and concern about the level of information that would be required for activities, categories of activities, or processes that would not be “insignificant” pursuant to the revised rule, but would also not be considered “significant” in terms of applicable requirements. U.S. EPA’s “White Paper” established that there could be varying levels of information supplied in the application, depending on the nature of the specific activity and the types of applicable requirements. The rationale presented was that the intent of the Part 70 permit program is to consolidate all applicable requirements for all emission units located at a source into one document along with the appropriate compliance requirements. While some applicable requirements would require a certain level of detail to determine applicability and compliance, there are other applicable requirements that do not require the same level of detail to determine applicability or may be generally applicable to all emission units at the source.

Therefore, the OAM has proposed that the information requirements for Part 70 and FESOP applications be divided into different tiers. Recent rulemaking concerning insignificant activities reflects the bottom tier of “trivial” activities. These are not required to be addressed in the permit application in any fashion. The next tier is the “insignificant” activities that need only be listed in the application. OAM believes that there is another tier before the category of activities for which detailed information must be supplied. That third tier would be equipment, activities and processes that, while not being “insignificant”, are not significant in terms of the applicable requirements that apply or the amount of information needed to determine the applicable requirements or write the permit conditions.

## General Activities/Generally Applicable Requirements

Following are the types of activities that fall into the third tier:

- Activities or processes only subject to generally applicable requirements (i.e., opacity, process weight);
- Activities that are not subject to an applicable requirement because they are grandfathered; or
- Activities where an applicable requirement or determination of compliance is not dependent on the estimation of emissions (for example, units with work practice standards).

Although these units, activities, or processes must be addressed in some fashion in the application, the treatment in a Part 70 permit may not require specific reference or detailed information. To this end, the OAM is allowing applicants the opportunity to address certain activities or processes without completing various individual forms or detailed information. The applicant will only be required to provide basic information concerning the activity or process and applicable requirements. This basic information would consist of a description of the activities or processes or categorical descriptions, if the applicant chooses to consolidate similar types of activities into various categories; a description (not estimate) of the regulated pollutants that would be emitted; a description of the applicable requirement(s) to which the activities are subject; an indication of the compliance status; and an indication of whether the activities are subject to state or local rules or ordinances. These information requirements have been included on a new form, General Unit/Activity Information, GSD-06(a). The applicant is not limited to the use of the form itself, but may opt to include the information in a narrative or tabular format that provides the same information as indicated above and on GSD-06(a) (see discussion below).

In carrying out the streamlining of the permit application process, applicants may wish to deviate from some of the “Application Forms - Part 70” instructions included with the forms. The current instructions advise applicants that the forms have been developed to address the source on a unit-by-unit basis and information concerning process information, control equipment, and compliance forms should be consolidated into “packets”. Since detailed information is not required about the general type of activities or processes, the packets of information will not be included for these units. The applicants will also not be providing information concerning insignificant and trivial activities. A better option would be to divide the application into plant identification and general information, insignificant activities, general activities, and significant activities. The significant activities would normally include those activities previously permitted and having specific applicable requirements or emission limitations. The insignificant activities would include those activities specifically identified in the rule or falling below the insignificant thresholds, but may be subject to a generally applicable requirement. The general activities would include those activities that would not have been permitted, but could have been registered, would

be covered by a generally applicable requirement and could also have a specific applicable requirement not related to emission estimates.

In previous guidance documents (Title V Questions & Answers), the Office of Air Management has indicated that the use of a specific form will not be required as long as certain informational requirements are met. The OAM is continuing with this position in regards to including general activities (see above discussion) in the application. Applicants may find that addressing the general type of units is more easily accomplished utilizing a narrative or other format. As indicated, this approach is acceptable as long as the types of information requested on the forms are included and it is clearly labeled as to the form being replaced or supplemented. This flexibility can be accomplished more readily using an application structure outlined above.

### Trivial & Insignificant Activities

On February 7, 1996, the Indiana Air Pollution Control Board adopted rule language that establishes specific activities or categories of activities that are considered “insignificant” and do not require extensive application information. This is consistent with U.S. EPA’s treatment of insignificant activities in the Part 70 rules and the July 10, 1995, “White Paper”. The OAM has prepared a checklist to replace the current form (GSD-10, Insignificant Activities). The new checklist (GSD-10(a), Insignificant Activities) includes a checklist of insignificant activities that have been proposed as well as a list of “trivial” activities.

Trivial activities are those activities that emit no or extremely small amounts of regulated pollutants. The activities that have been listed as trivial do not have to be included in the application. The list is not all inclusive but should provide an understanding of the types of activities that the OAM considers to be trivial. Activities that emit less than a very small threshold amount of Hazardous Air Pollutants (HAPs) are also considered trivial. Activities that may involve small amounts of materials containing HAPs, but which are not specifically listed, can be excluded from the application, if below the the trivial HAP threshold (less than one pound per day (<1 lb/day)).

The list of insignificant activities includes a variety of specific activities as well as thresholds for the criteria pollutants and HAPs, below which an activity is considered insignificant. When using the checklist (GSD-10(a)), an applicant may include additional activities considered to be insignificant if those activities fall below the emission thresholds listed on the checklist.

As applicants review the plant operations, they can begin to categorize activities and exclude activities that are trivial and insignificant. As stated earlier, those activities determined to be trivial can be excluded completely and those activities identified to be insignificant simply need to be included on a list. For those activities not specifically listed in the rules as insignificant, but which the source has determined to be insignificant, the source should keep any information used to make that determination, so it can be available if requested. The applicant should provide a list

of those additional activities that have been determined to be insignificant, label the list as Insignificant Activities, GSD-10(a), and attach the list to the checklist provided.

Once these activities, trivial and insignificant, have been identified, the applicant need not revisit these activities in other portions of the application. As part of the rulemaking to include lists of insignificant and trivial activities, additional language was included to specify that emissions from insignificant and trivial activities will not be required to be included in an Emission Statement required under 326 IAC 2-6. Therefore, it should be clarified that any emissions from trivial and insignificant activities will not be required to be included in the application as well.

Insignificant activities may be subject to applicable requirements. For purposes of the application, the OAM will allow sources to designate activities as being insignificant, even though an applicable requirement may apply to that activity, however the source will need to identify the applicable requirement. If there is room on the Insignificant Activity checklist, then the applicant can indicate on the form which applicable requirements apply. Otherwise, this may be accomplished by indicating which activity is involved (simply indicating which number from the list will be sufficient) and the applicable requirement to which the activity is subject. This information should be included on a separate sheet, labeled as Insignificant Activities, GSD-10(a) and attached to the Insignificant Activity checklist. In keeping with the streamlining goals, the applicant can use citations and a brief description (e.g., NSPS, SIP, etc.) to identify the applicable requirements.

If you have any questions concerning the subjects presented in this guidance, please contact Roger Letterman at 317/232-8342.