|  |  |
| --- | --- |
| **REGISTRATION FORMS & INSTRUCTIONS:**  **PERMIT BY RULE**  **EMERGENCY ENGINE FACILITY** | **ASSISTANCE AVAILABLE @**  DEQ Customer Assistance: (800) 869-1400  Or customerassistance@deq.ok.gov  Air Quality Division: (405) 702-4100 |

**INTRODUCTION**

This package contains the forms for registration under the Air Quality Permit By Rule (PBR) to Construct and/or Operate Minor Source Emergency Engine Facilities (OAC 252:100-7-60.6). Please read all the directions carefully before you fill it out. Answer all questions by checking the appropriate box or filling in a response (e.g., NA – not applicable). An original signature from a qualified responsible official is required for certifications. Please note that delays in processing your registration may occur if an incomplete form is submitted.

**ELIGIBILITY**

This PBR covers emergency engines, as defined in OAC 252:100-7-60.6, that are located at minor facilities and area sources.

New and existing minor facilities are eligible for this PBR, provided they meet the conditions in (A) through (C) of this paragraph.

1. Facilities meeting the following criteria:

(1) The facility has actual emissions of 40 TPY or less of each regulated air pollutant, except HAPs.

(2) The facility does not emit or have the potential to emit (PTE) 10 TPY or more of any single HAP or 25 TPY or more of any combination of HAPs.

(3) The owner or operator of the facility certifies that it will comply with the applicable permit by rule.

(4) The facility is not operated in conjunction with another facility or source that is subject to air quality permitting.

(B) The facilities have potential emissions of each regulated air pollutant that are less than the emission levels that require prevention of significant deterioration (PSD), nonattainment new source review (NNSR), and Part 70 permits. For the purposes of this PBR, potential emissions do not take into account any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed. However, the calculation of actual emissions may include emission reductions that will be made enforceable by registration under this PBR.

(C) The facilities are not otherwise Part 70 sources.

Facilities meeting the eligibility requirements may be subject to one or more of the area source NESHAPs (National Emission Standards for Hazardous Air Pollutants) under 40 CFR Part 63 and/or the NSPS (New Source Performance Standards) under 40 CFR Part 60.

The DEQ may not issue a Registration under this permit to an applicant that has not paid all money owed to the DEQ or that is not in substantial compliance with Oklahoma’s Environmental Quality Code, DEQ rules, and the terms of any existing DEQ permits and orders. See OAC 252:004-7-15(a).

**PERMIT CONTINUUM**

Coverage under this permit is effective, and the permittee may commence construction, upon receipt of a registration request by the DEQ. Acceptable documentation of receipt of the registration is the earliest of (1) a legible dated U.S. Postal Service postmark (private metered postmarks are not acceptable); (2) a dated receipt from a commercial carrier or the U.S. Postal Service; or (3) a DEQ date-stamped application. **A registration letter is issued by the DEQ after confirming** that the application is administratively complete, the facility is eligible for coverage under the permit, and the proper fee has been received. An application for a registration to operate must be submitted within 180 days after facility start-up. **A registration letter is issued by the DEQ after** construction is completed and the facility has demonstrated that the source is capable of meeting applicable emissions limitations and air pollution control requirements. Alternatively, a facility may register simultaneously for both the construction and operation of the facility by submitting the appropriate forms and combined fees with the registration to construct application.

**FACILITY MODIFICATIONS**

**Note**: **NESHAP** and **NSPS** notification and performance test requirements must be met in addition to any other permit requirements. Information requirements vary among individual NESHAPs & NSPS. Example Initial and Compliance Notifications for area source NESHAPs, along with other implementation tools are available on EPA’s web site at:

<http://www.epa.gov/ttn/atw/area/arearules.html>

For all delegated NESHAPs and NSPS, a completed Registration to Construct may serve as the notifications required under 40 CFR § 63.9(b)(5) and 40 CFR § 60.7(a)(1)-(4), and a Registration to Operate may serve as the Notification of Compliance Status/Performance Test Results under 40 CFR § 63.9(h) and 40 CFR § 60.8(a), provided each Registration states specifically which NESHAP or NSPS applies, and it is supplemented with any additional information specified under the applicable NESHAP/NSPS and corresponding General Provisions. For NESHAPs and NSPS that have not been delegated, affected sources/facilities must submit all required notifications (within the specified times) to EPA, with a copy submitted to DEQ [see also 40 CFR §63.9(a)(3) & (4)].

The PBR is valid for the life of the facility. Modifications to a facility do not require a new PBR or notification provided the facility continues to meet the eligibility requirements of the PBR.

**TIER DETERMINATION**

All registrations under PBRs for minor facilities are processed as Tier I applications under DEQ's “Uniform Permitting” system (see OAC 252:4). Tier I requirements include landowner notification. However, public notice is not required for registration under a PBR.

**PERMIT FEES**

Attach a check or money order (no cash accepted) payable to the DEQ Air Quality Division in the amount of $250 for a Registration to Construct or $100 for a Registration to Operate. Submittal of both fees with the initial Registration to Construct is acceptable. When paying both fees initially, a subsequent Registration to Operate submittal is not required. Construction may be commenced upon timely submittal of the Registration to Construct with fees. Please reference the facility name (or existing permit or application number) on the check.

**APPLICATION CHECKLIST – A complete application form must include the items listed below:**

|  |  |
| --- | --- |
|  | Form 100-224 (Permit By Rule Registration) |
|  | Form 100-810 (Landowner Notification Affidavit) |
|  | Form 100-815 (Classification of AQ Permit Applications & Application Fees) |
|  | Appropriate fees (check payable to DEQ Air Quality Division) |

**SUBMIT TWO COPIES OF A COMPLETED REGISTRATION TO:**

Oklahoma Department of Environmental Quality

Air Quality Division

707 N. Robinson Ave., Suite 4100

P.O. Box 1677

Oklahoma City, Oklahoma 73101-1677**ASSISTANCE AVAILABLE FROM:**

DEQ Customer Assistance: 1-800-869-1400

Air Quality Division: (405) 702-4100

Web Page Address: http://www.deq.ok.state.us

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PERMIT BY RULE (PBR) REGISTRATION**  **EMERGENCY ENGINE FACILITY** | | | | | | | | | | | | | | | | | DEQ Customer Assistance: 1 - (800) 869-1400  Air Quality Division: (405) 702-4100  Web Page Address: <http://www.deq.state.ok.us> | | | | | | |
| Please complete the following form to register to construct a new facility or to operate an existing facility that qualifies for the PBR. Note that you must obtain both a PBR to construct and PBR to operate (apply within 180 days after starting operation) a new facility. A check or money order for the applicable fee, made payable to the DEQ Air Quality Division, must accompany the Application Classification Fee form (DEQ Form #100-815) along with the completed PBR application form. | | | | | | | | | | | | | | | | | | | | | | | |
| Company Name | |  | | | | | | | | | | | | | | | | | | | | | |
| Mailing Address | |  | | | | | | | | | | | | | | | | | | | | | |
| City | |  | | | | | | | | | State | | | |  | | | | | Zip | | |  |
| Phone | |  | | | | | | | | | Fax | | | |  | | | | | | | | |
| Facility Name | |  | | | | | | | | | | | | | | | | | | | | | |
| SIC Code(s) | |  | | | | | | | | | | NAICS Code(s) | | | | | | |  | | | | |
| Mailing Address | |  | | | | | | | | | | | | | | | | | | | | | |
| City | |  | | | | | | | | | State | | | |  | | | | | Zip | | |  |
| Phone | |  | | | | | | | | | Fax | | | |  | | | | | | | | |
| Contact Person | |  | | | | | Title | |  | | | | | | | | | | | Phone | |  | |
| Email Address | |  | | | | | | | | | | | | | | | | | | | | | |
| Legal Description | | Section | |  | | | Township | | | |  | | | | | | | | | Range | |  | |
| Physical Address | |  | | | | | | | | | | | | | | | | | | | | | |
| City or Nearest Town | |  | | | | | | | | | | County | | | | | |  | | | | | |
| Coordinates | | Latitude (5 Decimal) | | |  | | | | | | | | Longitude (5 Decimal) | | | | | | | |  | | |
| List All Current Air Quality Permit Numbers At This Facility | | | | | | | | | |  | | | | | | | | | | | | | |
| In accordance with OAC 252:100-7-60, I request that the permits listed above be terminated and the facility listed above be registered | | | | | | | | | | | | | | | | | | | | | | | |
| under the following: |  | | Construction PBR; or | | |  | | Operating PBR; or | | | | | |  | | Combined Construction/Operating PBR | | | | | | | |

**Please provide the following engine data and emission factor information for each engine covered under this registration.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Engine Type  (horsepower, make, and model) | Operation (hrs/yr) | Manufactured/Reconstructed\* Date (MM/DD/YY) | Installation Date  (MM/DD/YY) | Applicable NESHAP | Applicable NSPS |
|  |  |  |  |  |  |

\**Reconstruction* means the replacement of components of an affected or a previously nonaffected source to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Engine Emission Factors | | | | | | | | | Data Source |
| NOX | CO | VOC | Emission Factor Units (Check the appropriate box) | | | | | |  |
|  |  |  |  | gm/hp-hr |  | lb/MMBTU |  | lb/1000 gal |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | I certify that the facility listed above currently or following construction: | | | | | | | | | | | | | |
| 1. complies with/will comply with the indicated Permit By Rule, 2. has/will have emissions less than 40 tons per year (TPY) of each regulated pollutant, except Hazardous Air Pollutants (HAPs), 3. does not/will not have the potential to emit 10 TPY or more of any HAP, or 25 TPY or more of any combination of HAPs, or 100 TPY of any regulated air pollutant and 4. is not/will not be operated in conjunction with another facility or source that is subject to air quality permitting. | | | | | | | | | | | | | | |
| **Permit By Rule Registration: This application, including all attachments, has been submitted as required by OAC 252:100-7. I understand that I am responsible for assuring construction and operation of the above facility in accordance with this application, the terms of the permit by rule for this source category, and OAC 252:100. I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.** | | | | | | | | | | | | | | |
| Responsible Official (signature) | | |  | | | | | | | | Date |  | | |
| Responsible Official (typed) | | |  | | | Phone |  | | | | Fax |  | | |
| Responsible Official Title | | |  | | | Email Address | | |  | | | | | |
| Street Address | |  | | City |  | | | State | |  | | | Zip |  |

**DEQ LANDOWNER NOTIFICATION AFFIDAVIT**

Tier I, II or III permit applicants must provide notice to the landowner(s). The basis for this requirement is 27A Oklahoma Statute § 2-14-103(9) and OAC 252:4-7-13 (b).

**Please note that you MUST fill out and return this affidavit even if you don’t have to give any landowner notice.**

|  |  |
| --- | --- |
| A | NOTICE TO THE LANDOWNER(S) IS NOT REQUIRED because: (check one) |
|  | My application does not involve any land. |
|  | My application involves only land owned by me (or applicant business). |
|  | I have a current lease given to accomplish the permitted purpose. |
|  | I have a current easement given to accomplish the permitted purpose. |

**OR**

|  |  |  |  |
| --- | --- | --- | --- |
| **B** | NOTICE TO THE LANDOWNER(S) IS REQUIRED because the land is owned by someone other than myself or the applicant business AND I HAVE NOTIFIED the following (check one): | | |
|  | Landowner(s) |  | Lessor or Administrator or Executor of the land |
| METHOD OF DELIVERY (check one): | | | |
|  | Actual notice, for which I have a signed and dated receipt | | |
|  | Service by Sheriff or private process server, for which I have an affidavit | | |
|  | Service by certified mail, restricted delivery, for which I have a signed return receipt | | |
|  | Legal publication, for which I have an affidavit of publication from the newspaper, because the landowners could not be located through due diligence | | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| LANDOWNER AFFIDAVIT CERTIFICATION | | | | | | | |
| I, as the applicant or an authorized representative of the applicant, hereby certify that I own the real property, have a current lease or easement which is given to accomplish the permitted purpose (per Option A above), or have provided legal notice to the landowner(s) (per Option B above) about the permit application for the facility described below. | | | | | | | |
| Company Name |  | | Facility Name | |  | | |
| Facility Address or Legal Description. |  | | | | | | |
| Responsible Official (signature) | |  | | | | Date Signed |  |
| Responsible Official (typed) | |  | | Title | |  | |

If the landowner notice applies to your application (Option B above) you can send the following form to them as your notice:

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

NOTICE TO LANDOWNER OF FILING

Dear Landowner: (Name)

(Applicant name) has filed a permit application with the Oklahoma

Department of Environmental Quality for (Facility Name) facility.

This application involves the land owned by you located at:

Address or Legal Description:

Signed: Date:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **AIR QUALITY DIVISION**  **CLASSIFICATION OF AQ PERMIT APPLICATIONS**  **& APPLICATION FEES** | | | | | | | | | | | | | | Received Stamp  (DEQ Use Only) | | | | | | | | | | | | | | Application Number  (AQD Use Only) | | | | |  | | | | | |
|  | | | | | | | | | | | | | |  | | | | | | | | | |
| Company Name | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Facility Name | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mailing Address | | |  | | | | | | | | | | | | | | City | | | | |  | | | State | | | |  | | | Zip | | |  | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| This form is used to document both a preliminary determination of the Tier classification and any associated Application Fee.  **Step 1: APPLICATION CLASSIFICATION AND TIER DETERMINATION**  DEQ’s “Uniform Permitting” system, under OAC 252:004, categorizes different types of applications as Tier I, II, or III, depending on their complexity and the amount of public interest. The main effect of a Tier classification is the amount of public review given the application. For Air Quality permits, Tier I basically includes minor facilities and most synthetic minor facilities. Tier II covers major sources, and Tier III covers only very large sources such as those requiring PSD review. Additional information to make a preliminary determination of the Tier classification is provided on the next page. This determination will be verified before permit issuance.  Note that all Tier II and III applications require public notice of the application in one newspaper local to the site or facility as soon after the filing date as possible. Other public participation requirements, such as notice of draft and proposed permit, and notice of public meeting may also be required. Contact our office for more information on these requirements. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TIER CLASSIFICATION | | | | | | | **X** | Tier I |  | | Tier II | | | | |  | | | | | Tier III | | |  | | | N/A – AD only | | | | | | | | | | | |
| FACILITY TYPE | | | | | | |  | Major | **X** | | Minor | | | | |  | | | | | Synthetic Minor | | | Confirmed/Corrected by:  (AQD Use Only) | | | | | | | | | | | | |  | |
| **Step 2: APPLICATION TYPE & FEE**  Application fee may be determined according to the following schedule. The emissions level is based on the single criteria pollutant with the highest emissions rate. Fees are subject to change – please refer to OAC 252:100-7-3 or 252:100-8-1.7 for the latest fee schedule. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAJOR SOURCE | | | | | | | | | | Fee | | | | | MINOR OR SYNTHETIC MINOR SOURCE | | | | | | | | | | | | | | | | | | | | | Fee | | |
|  | Applicability Determination (100734) | | | | | | | | | $500 | | | | |  | | | Applicability Determination (100922) | | | | | | | | | | | | | | | | | | $500 | | |
|  | GP- Authorization to Construct (100778) | | | | | | | | | $900 | | | | |  | | | PBR – Construct (100985) | | | | | | | | | | | | | | | | | | $250 | | |
|  | GP- Authorization to Operate (100788) | | | | | | | | | $900 | | | | |  | | | PBR – Operate (100989) | | | | | | | | | | | | | | | | | | $100 | | |
|  | Part 70 Construction (100150) | | | | | | | | | $7,500 | | | | |  | | | GP – Authorization to Construct (100826) | | | | | | | | | | | | | | | | | | $500 | | |
|  | Part 70 Construction Modification (100779) | | | | | | | | | $5,000 | | | | |  | | | GP – Authorization to Operate (100827) | | | | | | | | | | | | | | | | | | $500 | | |
|  | Part 70 Operation (100733) | | | | | | | | | $7,500 | | | | |  | | | Construction (100829) | | | | | | | | | | | | | | | | | | $2,000 | | |
|  | Part 70 Minor Modification (100781) | | | | | | | | | $3,000 | | | | |  | | | Permit Amendment – no emission increase (100830) | | | | | | | | | | | | | | | | | | $500 | | |
|  | Part 70 Significant Modification (100786) | | | | | | | | | $6,000 | | | | |  | | | Operating Permit (100831) | | | | | | | | | | | | | | | | | | $750 | | |
|  | Part 70 Renewal (100787) | | | | | | | | | $7,500 | | | | |  | | | Operating Permit Modification (100833) | | | | | | | | | | | | | | | | | | $750 | | |
|  | Part 70 Relocation (100782) | | | | | | | | | $500 | | | | |  | | | Relocation (100834) | | | | | | | | | | | | | | | | | | $250 | | |
| Application Type Confirmed – (AQD Use Only) | | | | | | | | | |  | | | | |  | | |  | | | | | | | | | | | | | | | | | |  | | |
| GP or PBR Name  (If Applicable): | | | | Emergency Engine | | | | | | | | | | | | | | | Existing Permit Number  (If Applicable) | | | | | | |  | | | | | | | | | | | | |
| **PAYMENT INFORMATION**  Please choose one payment type and attach payment – payable to the Department of Environmental Quality (no cash can be accepted). Please reference the facility name (or existing permit or Authorization number) on the check or money order. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Payment Type | | | | |  | Check | | | | | |  | Money order | | | | | | | | | | Amount/ Receipt Confirmed by:  (DEQ Use Only) | | | | | | | | | | |  | | | | |
| Amount: | | $ | | | | Check or Money Order Number: | | | | | | | | | | | | | |  | | | | | | | | | | Date: |  | | | | | | | |