



O K L A H O M A
DEPARTMENT OF ENVIRONMENTAL QUALITY

*P.O. Box 1677, Oklahoma City,
Oklahoma 73101-1677*

GUIDANCE

MINOR SOURCE GENERAL PERMIT FOR NONMETALLIC MINERAL PROCESSING FACILITIES (NMPF-GP)

THE BASICS

A General Permit is a type of permit issued by the agency that is written for a group or category of sources, rather than for an individual source. All public notice requirements are met for all potentially eligible sources during the issuance process of the general permit. Individual sources then obtain an Authorization to Construct and/or an Authorization to Operate under the terms of the permit through a relatively simple Tier I application and review process.

The sources covered by a general permit must have similar operations and emissions that are subject to the same or similar standards, limitations, and operating and monitoring requirements. The permit must include all requirements that would apply to any activities performed at a covered facility. A goal in issuing a general permit is to provide the broadest coverage to the most applicants. However, some facilities may find that the permit conditions are not well suited to their facility and may choose to apply for a minor source construction or operating permit.

THE SOURCE CATEGORY

This general permit addresses minor source NMP facilities. These typically include various nonmetallic mining, ore-crushing, and dredging operations. Particulate matter is generally the primary criteria pollutant emitted from these facilities. If any engines are utilized then NO_x, CO, SO₂, and VOC and some HAPs would also be emitted. Any tanks used on site would also emit VOCs and possibly some HAPs.

ELIGIBILITY AND STANDARDS

Eligible facilities are those designed and operated for the primary purpose of crushing, screening, transferring, and other miscellaneous processing of nonmetallic minerals. These facilities may include those emissions units subject to NSPS (40 CFR Part 60) Subpart OOO (Non-Metallic Mineral Processing Plants) and Subpart IIII (Stationary Compression Ignition (CI) Internal Combustion Engines (ICE)).

Note that NSPS Subpart OOO generally applies to certain non-metallic mineral processing operations constructed or modified after August 31, 1983 if either (1) they are in a fixed location and have a capacity greater than 25 TPH, or (2) they are portable and have a capacity greater than 150 TPH. However, the NMPF-GP requires all nonmetallic mineral processing equipment (whether or not subject to NSPS Subpart OOO) to meet the NSPS opacity requirements and all such equipment (unless exempted by capacity) to meet the NSPS particulate matter standards.

NSPS Subpart IIII affects stationary compression ignition internal combustion engines (CI ICE) whose construction, modification or reconstruction commenced after July 11, 2005. The date of construction is the date the engine is ordered by the owner or operator. For a facility that utilizes stationary engine(s), eligibility for an Authorization to Construct is limited to those engines that are either (a) not subject to NSPS Subpart IIII, or (b) certified by the manufacturer as compliant with NSPS Subpart IIII. An

individual construction permit must be obtained for any engine that is constructed, modified, or reconstructed so that it is or it becomes subject to the initial testing requirements of NSPS Subpart IIII. Once this is done, an Authorization to Operate can be obtained. NSPS Subpart IIII mandates ongoing periodic testing after initial certification for certain engines.

Storage tanks that are subject to an NSPS (e.g., NSPS Subpart Kb) are not eligible for coverage under the GP. However, the permit includes eligibility and requirements for certain smaller tanks (those most often used at NMPF). Facilities with other emissions units are not eligible for this permit, unless those units qualify as de minimis activities under OAC 252:100, Appendix H, or unless an individual minor source construction permit is first obtained to establish appropriate permit conditions for the other emissions units.

Facilities owned or operated by applicants that have not paid all monies owed to the DEQ or that are not in substantial compliance with the Environmental Quality Code, rules of the Board and the terms of any existing DEQ permits and orders are not eligible for this permit unless they submit an approvable compliance plan to be included in an Authorization issued under this permit.

Some facilities may not be eligible for an Authorization to Construct, but may obtain an Authorization to Operate after first obtaining an individual minor source construction permit. For more information on eligibility, please refer to the NMPF-GP Part 1, Section III.

PERMIT CONTINUUM

This general permit has been developed to include requirements for all minor nonmetallic mineral processing facilities with emissions less than major source levels. Eligible facilities can sequentially obtain an Authorization to Construct and an Authorization to Operate under the permit; or obtain an individual minor source construction permit and then an Authorization to Operate under the permit. Existing minor facilities may obtain an Authorization to Operate under the permit. Site-specific requirements from a previously-issued construction permit or operating permit may be included in an Authorization to Operate. However, such requirements must be equivalent to, or more stringent than requirements established in the general permit. Section IV of the General Permit lists the various application options and requirements for obtaining an Authorization to Construct and/or an Authorization to Operate.

The permit is designed to allow minor sources to fulfill the requirement to obtain a construction and operating permit for new facilities, or for modifications to existing facilities. In addition, although not required, de minimis and/or permit exempt facilities may obtain an Authorization to operate under the general permit (e.g., the facility expects to increase capacity or add new equipment and wants the added flexibility to make the change w/o waiting for a permit by obtaining an Authorization now). An issued minor source construction permit, or receipt by AQD of a Notice of Intent (NOI) to Construct, is required prior to commencing construction or installation of any new facility other than a de minimis facility or a permit exempt facility. Coverage under this permit is effective, and the permittee may commence construction, upon submission of a Notice of Intent (NOI). The Authorization to Construct is issued by the DEQ after confirming that the application is administratively complete, the proper fee has been received, and that the facility is eligible for coverage under the permit. 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, is acceptable documentation of submission of the NOI. An application for an Authorization to Operate must be submitted within 60 days of facility start-up.

EMISSIONS LIMITATIONS

Emissions limitations are established in Authorizations issued under this permit as a facility-wide cap on emissions, not to equal or exceed 100 TPY of any regulated pollutant, nor to equal or exceed 10 TPY of any single HAP or 25 TPY of all HAPs (major source thresholds). These limitations are generally established from specific conditions given in the general permit, or may be incorporated into an Authorization from previously issued permits for the facility so long as they are equivalent or more stringent than those established in the general permit. Thus, minor facilities, for which the permit is valid for the life of the facility, will typically only need a new Authorization when they add a piece of equipment subject to an NSPS requirement under 40 CFR Part 60, other than those addressed by Subpart OOO or Subpart IIII (certified engines only); or subject to a NESHAP requirement under 40 CFR Part 61 or 63. Any other change would require only that the permittee not exceed the major source thresholds, and keep records of all the changes made to the facility.

MAKING APPLICATION

Contact the Air Quality Division or visit the DEQ website for the application forms required for the NMPF-GP. If you are unsure as to whether you need a permit for a facility, you may request an Applicability Determination (AD). An AD is used to determine whether a particular source or operation is subject to the requirements of a rule. The AD generally must contain the same information as a permit application. In addition, you may contact the Customer Assistance Program (405-702-9100 or toll free at 1-800-869-1400) or Air Quality Division (405-702-4100) and request a pre-application conference. Staff will meet with you to identify any areas needing further work. The best way to expedite issuance of your permit is to ensure that the application is administratively and technically complete.

PERMIT FEES

Permitting fees are detailed in OAC 252:100-7-3.

ISSUANCE

All NOI's submitted under a minor facility GP are categorized as Tier I applications under DEQ's "Uniform Permitting" system in OAC 252 Chapter 4, based on their complexity and the amount of public interest. Tier I applications require landowner notification, but public notice is not required for filing the application or issuance of the Authorization.

ANNUAL OPERATING FEES

An annual operating fee is required in accordance with OAC 252:100-5-2.2. The operating fee is based on an annual emissions inventory, which must be submitted to AQD each year by April 1 of the following year and in accordance with OAC 252:100-5-2.1.

MORE INFORMATION

For specific assistance contact the Air Quality Division at (405)-702-4100. In addition forms and other information are now being made available on our website. The address is www.deq.state.ok.us.