

Form Series E Instructions – Regulatory Requirements

Form Series E collects information about applicable requirements. Please review the discussion of applicable requirements below before proceeding. The owner/operator of a major source must identify in the permit application *all* applicable standards to which the stationary source is subject. The forms in this series are structured to capture that information. The forms are as follows.

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APPLICABLE REQUIREMENTS

All existing air quality rules are requirements that may apply to a stationary source. All state and federal standards applicable to the stationary source must be identified. Additionally, requirements established in the stationary source Permit-to-Operate and current Alaska Title I permits must be identified. Information on Alaska standards can be found here: <http://www.dec.state.ak.us/air/ap/regulati.htm>. Current federal standards can be found here: <http://ecfr.gpoaccess.gov/> and/or through hard copy and other electronic media.

The applicability to individual emission units and control devices is not to be completed in the “E” forms, but in the “B” and “C” forms respectively.

Open burning requirements under 18 AAC 50.065 are applicable to all stationary sources, and the requirement is a stationary source-wide requirement. This requirement should be identified by the owner/operator as a stationary source-wide requirement on Form E1.

Owners/operators are required to identify in their Permit applications all requirements that are applicable and non-applicable to their operations. The purpose for doing so is three-fold:

- First, the applicable requirements constitute the skeleton of the permit that the Department will write. As such, the full range of applicable requirements must be identified in the permit application so that the Department will have adequate information to structure the permit correctly.
- Second, if the owner/operator identifies all applicable and non-applicable requirements, the Department can grant a permit shield. If the stationary source is in compliance with all of the conditions in the permit, the shield protects the owner/operator from third-party lawsuits.
- Third, permitted stationary sources are required to certify continuous or intermittent compliance with all applicable requirements annually by March 31. The information used to determine compliance will be based on the monitoring required in the permit, which will be established separately for each applicable requirement. Thus, the owner/operator needs to identify all applicable requirements comprehensively and accurately so that the stationary source’s monitoring activities are appropriate.

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FORM E1 –STATIONARY SOURCE-WIDE REQUIREMENTS

Complete this form *once* for the entire stationary source. This form collects information on stationary source applicable requirements. If the owner/operator has determined such requirements to be applicable, then he/she must address the stationary source's compliance with those requirements on this form.

Instructions

In the table, enter the following information:

- Enter the current Title V operating permit number (if applicable), Permit-to-Operate, or Alaska Title I permit number followed by a dash "--", and the condition number.
- Enter the applicable requirements. If an applicable requirement is a rule, enter the complete citation (e.g., 18 AAC 50.110).
- Enter the parameter, pollutant, or work practice to which the rule condition applies (e.g., for the rule cited above, "air pollution prohibition").
- Enter the limit or standard established by the applicable requirement (e.g., for the rule cited above, "No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.>").
- Write "yes" if the stationary source is currently in compliance with the limit/standard. Write "no" if the source currently is out of compliance with the limit/standard. If the answer is "no," the owner/operator **must** attach a compliance schedule.
- Identify the monitoring, record keeping, and reporting method that is the basis for the compliance determination. If an EPA-granted waiver, exemption, or custom monitoring plan applies, complete form E5.

FORM E2 – PERMIT-TO-OPERATE AND MINOR PERMIT CONDITION CHANGE REQUEST

The owner/operator should complete this form *once* for the stationary source if he/she wishes to change any conditions in the stationary source's current permit-to-operate and/or a stationary source minor permit. If the owner/operator is applying for an initial Title V permit for the stationary source, he/she may request current permit-to-operate, construction permit, or other minor permit changes. Note that generally, only changes that are "minor" in nature may be made using this application. "Minor" changes may include such requests as removing a "one-time" testing or reporting requirement that the owner/operator has fulfilled. Also, increased monitoring or custom reporting schedules, and other administrative requests may be made using this form. **All permitting requirements listed under 18 AAC 50 apply. If the requested permit change triggers permitting requirements under 18 AAC 50, Article 5 (minor permits) or 18 AAC 50, Article 3 (major permits), applicable permitting requirements will be required.**

Background

Conditions in the stationary source's current permit-to-operate and/or a stationary source minor permit will automatically become conditions in the Alaska Title V Operating Permit (Permit) *unless* the owner/operator specifically requests that they be changed or removed. Through this permit application process, the owner/operator may petition the Department to change or remove the conditions by completing Form E2 as described below. The owner/operator should note that, if a limit has been imposed as a result of a New Source Review/Prevention of Significant Deterioration permit, then the limit may **not** be changed. Examples of such conditions are identified below.

Example: For an electric arc furnace, 0.0052 grains/dscf, with a baghouse using Gore-tex bags.

Example: For a hogged fuel boiler, 0.04 grains/dscf and 10 percent opacity.

Example: For a lime kiln, 270 ppm NO_x corrected to 10 percent oxygen.

Example: For a combustion turbine:

PM: 9 lbs/hr as a result of PSD modeling;

NO_x: 4.5 ppm BACT corrected to 15 percent oxygen at ISO conditions; and 30 lbs/hr on a 24-hour average as a result of PSD modeling; and

CO: 15 ppm BACT corrected to 15 percent oxygen at ISO conditions; and 49 lbs/hr on an 8-hour average as a result of PSD modeling.

Instructions

In the table, provide the following information for *each* permit condition that the owner/operator wishes to have changed or removed. If the owner/operator is seeking to *change* a condition, complete all four columns. If he/she is seeking to *remove* a condition, complete all but the last column.

- Enter the Permit-to-Operate or Minor Permit Number.
- Enter the number of the permit condition.
- Indicate (change or remove) what is proposed for the condition.
- Provide the reason for seeking the action identified.

Example 1: (*change*) The current "highest and best practicable treatment and control" condition in the permit is too general and vague for the owner/operator to be able to demonstrate compliance. The owner/operator wants more specific standards by which to measure compliance.

Example 2: (*remove*) The current permit includes conditions addressing the painting operation at the stationary source. The owner/operator has shut down the operation. Thus, he/she does not want the Permit to contain conditions pertaining to a non-existent operation.

- If the owner/operator is seeking to change the condition, he/she should explain what he/she believes the new Permit condition should be.

Example: To comply with highest and best, the owner/operator requests the following operation and maintenance conditions to control emissions from the emissions units in question.

FORM E3 –TITLE V CONDITION CHANGE REQUEST

The owner/operator should complete this form *once* for the stationary source if he/she wishes to change any conditions in the stationary source's current Title V operating permit (note that permit-to-operate and minor permit condition change requests should be completed using Form E2). This form should be used to identify permit hygiene requests, incorporate custom reporting schedules, and other similar items. **All permitting requirements listed under 18 AAC 50 apply. If the requested permit change triggers permitting requirements under 18 AAC 50, Article 5 (minor permits) or 18 AAC 50, Article 3 (major permits), applicable permitting requirements will be required.**

The owner/operator may use this form to propose source-specific revisions to standard operating permit conditions found in 18 AAC 50.346 for those cases in which the standard permit language causes a particular hardship, or is not relevant to the stationary source. Unsubstantiated requests, and/or excessive rewording of conditions without basis will not be considered.

Instructions

In the table, provide the following information for *each* permit condition that the owner/operator wishes to have changed or removed. If the owner/operator is seeking to *change* a condition, complete all four columns. If he/she is seeking to *remove* a condition, complete all but the last column.

- Enter the number of the current Title V permit condition.
- Indicate (change or remove) what is proposed for the condition.
- Provide the reason for seeking the action identified.
- If the owner/operator is seeking to change the condition, he/she should explain what he/she believes the new Permit condition should be.

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FORM E4 – PERMIT SHIELD REQUEST

Complete this form for stationary source-specific permit shields. The shield for individual emission units and control devices is not to be completed in the “E” forms, but in the “B” and “C” forms respectively. The form must be completed and returned even if no shields are requested. If no shields are requested, simply type “NO SHIELD REQUEST” on the first line under “Non-Applicable Requirements”.

This form collects information about stationary source-specific non-applicable requirements at the time of permit issuance. If any of the requirements for which a permit shield is granted becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

On this form, the owner/operator will explain the basis for each permit shield request. In the first column, enter the state or federal citation for which the owner/operator is requesting a permit shield. In the second column, explain why the rule does not apply to the stationary source, and include the citation/basis.

FORM E5 – ALTERNATIVE MONITORING PROCEDURES (AMP) FORM

Complete this form if EPA has granted alternative monitoring requirements (AMP), custom monitoring schedule or waiver of the Federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. Complete the form as applicable and attach a copy of EPA issued monitoring waivers or custom monitoring schedules with the permit application. If this form is being completed as part of a permit renewal application, only those waivers, AMPs, and custom monitoring schedules applicable during the term of the current permit are required to be included in this form and attached to the application.

Instructions

In the table, enter the following information:

- Enter the current Title V operating permit number (if applicable), Permit-to-Operate, or Alaska Title I permit number followed by a dash “-”, and the condition number applicable to the AMP, custom monitoring schedule, or waiver.
- Enter the parameter, pollutant, or work practice to which the AMP, custom monitoring schedule, or waiver applies (e.g., for the rule cited above, “air pollution prohibition”).
- Enter the limit or standard established by the applicable requirement.
- Enter “yes” if the stationary source is currently in compliance with the AMP or custom monitoring schedule. Enter “no” if the source currently is out of compliance with the AMP or custom monitoring schedule. If the answer is “no,” the owner/operator **must** attach a compliance schedule. [Note that the applicant may respond “N/A” for compliance with respect to waivers].
- Identify the monitoring, record keeping, and reporting method that is the basis for the compliance determination.