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| Minnesota Pollution Control Agency (MPCA), 520 Lafayette Road North, St. Paul, MN 55155-4194 | CH-03  Major permit amendment determination  Air Quality Permit Program  *Doc Type: Permit Application* |

**Instructions start on page 2**

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| **1a)** AQ Facility ID number: | |  | **1b)** Agency Interest ID number: |  |
| **1c)** Facility name: |  | | | |

To answer the questions posed in this form, you will have to complete the additional forms referenced in the individual items.

This form refers to proposed **changes** and **modifications**. A “modification” as defined in Minn. R. 7007.0100, subp. 14, includes:

A. any change that constitutes a title I modification …; or

B. any physical change or change in the method of operation of an emissions unit, emission facility, or stationary source that results in an increase in the emission of a regulated air pollutant.

A “change” is a change to permit terms or conditions, in the absence of a modification as described above.

**2)** Is the proposed change an amendment to existing permit requirements related to **monitoring, reporting, or recordkeeping** **otherthan** **(1)** adding new requirements, **(2)** eliminating the requirements if they are rendered meaningless because they apply to emissions that will no longer occur, **(3)** eliminating requirements that are technically incorrect where the elimination does not affect the accuracy of the data generated, or **(4)** eliminating requirements for a piece of equipment that no longer exists (Minn. R. 7007.1500, subp. 1[A])?

Yes. If you answer yes to this question, a major amendment is required. Use and submit form *CD-01* and/or *CD-05* to document the changes to such requirements. If the permit application will include a proposed modification as defined in Minn. R. 7007.0100, subp. 14 or another type of proposed change, go to question 3a; otherwise, you are done with this form.

No. Go to question 3a.

**3)** Is the proposed change or modification a title I modification? It is if the answer to any of the following is “**yes**”:

**3a)** Is the proposed change or modification subject to New Source Review? Use and submit form *CH-04*, either *CH-04a* or *CH-04b*, as applicable, and all other forms referenced therein. Submit all forms used regardless of the outcome.

Yes

No

**3b)** Is the proposed change or modification a modification or reconstruction as defined for New Source Performance Standards? Use and submit form *CH-05*. Submit form *CH-05* regardless of the outcome.

Yes

No

**3c)** Is the proposed change or modification a hazardous air pollutant modification under Part 61 National Emission Standards for Hazardous Air Pollutants (NESHAPs)? Use form *CH-06* to make this determination and submit form *CH-06* regardless of the outcome.

Yes

No

**3d)** Is the proposed change or modification defined as construction or reconstruction of a major source under Part 63 NESHAPs? Use and submit form *CH-07*.

Yes

No

**4)** Reserved for future use.

**5)** Does this change or modification establish or amend any **source-specific permit condition** that is or will be based on a case-by-case determination of an emissions limit or standard, an ambient impacts analysis, visibility, or increment analysis (e.g., a modeling-based limit, the requirement to operate a specific control device for a specific emission unit, specific operating parameters for a control device, a specific control efficiency, Best Available Control Technology (BACT), Maximum Achievable Control Technology (MACT), adding a new fuel to a list of allowable fuels, etc.) (Minn. R. 7007.1500, subp. 1[B])?

Yes. Use and submit form *CD-01* and/or *CD-05* to document such conditions. If you are amending existing New Source Review requirements established through a previously issued New Source Review permit (requirements from a BACT analysis, or ambient impacts, class I impacts, or additional impacts analysis), submit form *CH-04e* and appropriate supporting documentation (revised BACT, ambient impacts, class I impacts, or additional impacts analyses). If you are amending existing requirements based on a case-by-case MACT determination, please contact the MPCA for more information.

No

**6)** Does this change or modification establish or amend any permit terms or conditions for which there is no underlying applicable requirement and that you have assumed to avoid an applicable requirement to which you would otherwise be subject? Such limits are usually synthetic minor limitations such as a limit on hours of operation. Please note that if you would like to add equipment under an existing emissions cap or limit, and the permit does not explicitly pre-authorize such additions, that is considered amending the limit or emissions cap. (Minn. R. 7007.1500, subp. 1[C]).

Yes. Use and submit form *CD-01* and/or *CD-05* to document such conditions.

No

**7)** Does this change or modification establish, amend, renew, or distribute a **Plantwide Applicability Limit** (PAL) under 40 CFR § 52.21(aa)? (This is only available to existing major sources under New Source Review.)

Yes. Use and submit form *PAL-01* (and the forms referenced within *PAL-01*) and *CD-01* to document conditions. (As of the date of this form, the PAL cover page (*PAL-01*) and the form for determination of a PAL (*PAL-02*) have been completed. The remaining forms for renewal, expiration allocation, and increasing a PAL, are not yet available.)

No

**8)** Is this change or modification subject to classification as a **major permit amendment under any *other*****agency rule**?

Yes If yes, please describe below.

No

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**9)** Does this change or modification seek to establish or amend a federally enforceable emission cap (such as a synthetic minor limit which limits hours of operation) which avoids classification as a part 70 source?

Yes. Use and submit form *CD-01* and/or *CD-05* to document conditions.

No

**If you answered** “Yes” **to one or more of the above questions, a major permit amendment is required.**

**Instructions for form CH-03 – Major permit amendment checklist**

**1a) AQ Facility ID number --** Fill in your Air Quality (AQ) Facility identification (ID) number. This is the first eight digits of the permit number for all new permits issued under the operating permit program. If you don’t know this number, leave this line blank.

**1b) Agency Interest ID number --** Fill in your Agency Interest ID number. This is an ID number assigned to your facility through the Tempo database. If you don’t know this number, leave this line blank.

**1c)** **Facility name** -- Enter the facility name.

**2)** Is the request to amend permit requirements related to monitoring, reporting, or recordkeeping? – **Answer yes if you are requesting to make a significant change to any existing monitoring, recordkeeping, or reporting in your permit other than (1)** adding new requirements, **(2)** eliminating the requirements if they are rendered meaningless because they apply to emissions that will no longer occur, **(3)** eliminating requirements that are technically incorrect where the elimination does not affect the accuracy of the data generated, or **(4)** eliminating requirements for a piece of equipment that no longer exists (Minn. R. 7007.1500, subp. 1(A)).

# 3) Is the proposed change or modification a title I modification? – Title I modifications are defined at Minn. R. 7007.0100, subp. 26. A change is a title I modification if the answer to any of questions 3a) – 3d) is “yes.”

# 3a) Is the proposed change or modification subject to New Source Review? – Use form *CH-04* to determine if your existing source is major under New Source Review (NSR), and if your proposed change is exempt from NSR under any specific NSR provisions (if making changes under a PreCap permit limit, form CH-04 does not need to be submitted). If your existing facility is a major source under NSR, use form *CH-04a* to determine if the modification or change is subject to NSR. If your existing source is not a major source under NSR, use form *CH-04b* to determine if the change or modification is subject to NSR. Use form *CH-04d* if so directed in form *CH-04a*, to determine the net emissions increase, Use form *CH-04e* if so directed in form *CH-04d*, to complete the New Source Review requirements.

**3b) Is the proposed change or modification a modification as defined for New Source Performance Standards? –** A change that constitutes a modification as defined at 40 CFR § 60.14 or reconstruction as defined at 40 CFR § 60.15 is a title I modification. Use form*CH-05* to determine if this is the case.

**3c) Is the proposed change or modification a hazardous air pollutant modification under Part 61 NESHAPs? –** A change that constitutes a modification as define at 40 CFR § 61.15 is a title I modification. Use form*CH-06* to determine if this is the case.

**3d) Is the proposed change or modification defined as construction or reconstruction of a major source under Part 63 NESHAPs? –** If your proposed change or modification includes construction or reconstruction of a major source of hazardous air pollutants, then it is a title I modification. Use form*CH-07* to determine if this is the case, and the further steps to take if it is.

# 4) Reserved for future use.

# 5) Is the request to establish or amend a source-specific permit condition? – If the answer is yes, in most cases you will have already determined that you must use the major amendment process through the forms mentioned at the start of the instructions. In addition, establishing or amending permit limits that were determined as part of an ambient impacts analysis also requires a major amendment (e.g., modeling for National Ambient Air Quality Standard [NAAQS] or Minnesota Ambient Air Quality Standard [MAAQS]). Use form *CD-01* to document the proposed permit conditions and compliance methods.

# 6) Is this a request to establish or amend a limit taken to avoid an applicable requirement? – The most common type of limit under this scenario is a federally enforceable emissions cap. This is not the same as a “Plantwide Applicability Limitation” – see item 9). “Federally-enforceable emissions cap” most commonly refers to a limit on hours of operation; on the type or quantity of materials combusted, stored or processed; or conditions that require air pollution control equipment be operated and maintained at a specified frequency to limit the annual amount of emissions. This type of cap is usually proposed so that a stationary source or modification may avoid federal NSR for which applicability is determined based on tons per year. Such caps might also be proposed to avoid a new source or modification being subject to a MACT standard in 40 CFR pt. 63 for which applicability is also determined in tons per year of Total Hazardous Air Pollutants (HAPs) emitted. A cap might also be proposed to limit hourly emissions for a modification to avoid being classified as a modification under NSPS or Part 61 NESHAPs for which applicability is determined in pounds per hour. Adding equipment or processes under the cap when the permit does not specifically preauthorize such additions is amending the cap. Use form *CD-01* to document the proposed permit conditions and compliance methods.

**7) Does this modification establish, amend, or renew a Plantwide Applicability Limit under 40 CFR § 52.21(aa)? –** Plantwide Applicability Limits, or PALs, must be established or revised through issuance of Part 70 permit or the major amendment process. Use form*PAL-01* to determine the appropriate information to include in the application, and   
form *CD-01* to document the proposed permit conditions and compliance methods.

# 8) Is the change classified as a major amendment under any MPCA rule? – The MPCA may by rulemaking classify changes that would not otherwise require the major amendment process as being subject to that process.

# 9) Does the change seek to establish or amend an emission cap to avoid Part 70? -- Similar to the first type of cap discussed in 5) above, a source may establish limits to limit annual emissions of regulated pollutants to below Part 70 thresholds. Use form *CD-01* to document the proposed permit conditions and compliance methods.