



AIR QUALITY CONSTRUCTION PERMITS

CONSTRUCTION ALLOWED PRIOR TO PERMIT ISSUANCE

Under the Clean Air Act (CAA) state and local agencies must conduct a preconstruction review for sources subject to New Source Review (NSR) programs such as Prevention of Significant Deterioration (PSD). These programs do not allow the applicant to begin construction of the project before the appropriate permit is issued. However, certain construction activities are allowed prior to permit issuance. The following table summarizes pre-permit allowed and prohibited activities. Definitions for the "Type of Project" can be found on the back of this document.

SUMMARY OF ACTIVITIES

Table with 3 columns: Type of Project, Allowed Activities, and Prohibited Activities. Rows include PSD and NA NSR, Synthetic Minor, NSPS, NESHAP, and Minor.

NOTE: If there is an activity not specifically mentioned in the above table please contact the Construction Permit Section so it can be evaluated on a case-by-case basis.

PROJECT DEFINITIONS

PSD (Prevention of Significant Deterioration)

– This federal program adopted by State of Iowa, is designed to address the largest sources of emissions in the country in areas that are meeting the health-based National Ambient Air Quality Standards (NAAQS). The PSD program applies to:

- new stationary sources that will have a major and significant amount of any air pollutant subject to regulations under the CAA.
- existing large sources that plan to modify operations in such a way that would lead to a significant increase in emissions.



Under Iowa's rules in the Iowa Administrative Code (IAC), all new or modified equipment and control equipment is required to obtain a construction permit unless the change is exempt [567 IAC 22.1(1)].

NA NSR (Nonattainment New Source Review) – A nonattainment area is considered to exceed the health-based NAAQS for a specific pollutant. The program is similar to PSD permitting. However, unlike PSD, NA NSR applies only to the pollutant considered in nonattainment.

Synthetic Minor – A synthetic minor means limits are necessary to keep an emission unit, a project, or a facility below a threshold that would otherwise trigger review for a state or federal program. The limit could be in the form of add-on control equipment, a production limit, an operational limit, or a combination.

NSPS (New Source Performance Standards) – Section 111(b) of the CAA requires the Environmental Protection Agency (EPA) to establish federal emission standards for source categories which cause or contribute significantly to air pollution which may reasonably be anticipated to endanger public health or welfare. These standards are intended to promote the use of the best air pollution control technologies and apply to new, modified, and reconstructed affected facilities in specific source categories. More than 90 NSPS standards are found in Chapter 40 of the Code of Federal Regulations (40 CFR Part 60).

NESHAP (National Emission Standards for Hazardous Air Pollutants) – Section 112 of the CAA requires EPA to regulate emissions of toxic air pollutants [also called air toxics or hazardous air pollutants (HAP)]. These pollutants are known or suspected to cause cancer or other serious health effects. The first set of NESHAP standards were set on a pollutant-by-pollutant basis for seven (7) air toxics. These standards can be found in 40 CFR Part 61. In 1990, Congress amended the CAA and required EPA to regulate HAP emissions from a published list of industrial sources. These NESHAP standards can be found in 40 CFR Part 63.

Minor – A minor project does not require control equipment or operational restrictions to keep an emission unit, project, or facility below a threshold that would otherwise trigger review for a state or federal program.