

Operating Permits FAQ

Air Quality Permitting Overview

Historically the Iowa Department of Natural Resources has issued air quality construction permits only. The purpose of the construction permit is to evaluate, before equipment installation, whether the proposed equipment or air pollution control equipment has the potential to comply with emission standards and the National Ambient Air Quality Standards.

With the passage of the Clean Air Act Amendments of 1990 (referred to as the Act), states are required to implement an air quality operating permit program. Iowa's Operating Permit Program has three operating permits for facilities which meet the criteria for a major source.

Who is required to get an operating permit?

Facilities that are "major sources" are required to get an operating permit from the department. The requirement for a permit is based upon a determination that a facility meets or exceeds the emissions thresholds set forth below. There are three major source categories under Iowa's operating permit program:

- Title V
- Voluntary permits
- Small source operating

What are the "major source thresholds"?

The major source thresholds are the potential to emit 100 tons per year (tpy) or more of any air pollutant (this may include fugitive emissions); OR the potential to emit 25 tpy or more of any combination of hazardous air pollutants; OR the potential to emit 10 tpy or more of any individual hazardous air pollutant.

What sources are required to obtain a Title V operating permit?

Title V operating permits are required for those facilities with potential and actual emissions that both exceed the major source thresholds.

What sources qualify for voluntary operating permits?

Those facilities which would qualify for a Voluntary Operating Permit are those with after-control potential emissions that exceed the Thresholds, but have actual emissions less than those thresholds for every 12-month rolling period. In obtaining a Voluntary Operating Permit potential emissions are limited through restrictions on hours of operation, process throughput or other means so that plant-wide potential emissions of each regulated air contaminant are brought below the Title V applicability thresholds.

Are there exceptions to the definition of the facilities that would qualify for voluntary operating permits?

There are five major exceptions to the above statement concerning who may be eligible for the Voluntary Operating Permit Program.

1. Any source which is not in compliance with all applicable regulations (other than the requirement to submit construction permits) is not eligible for a Voluntary Operating Permit.
2. Sources subject to Title IV (Acid Rain) and solid waste incinerators subject to Section 129(e) of the Clean Air Act of 1990 are not eligible to apply for a Voluntary Operating Permit.
3. If process equipment or control equipment has been installed, constructed, or modified at your facility since September 23, 1970 and the process is not specifically exempted in the rules from construction permitting, a permit should have been obtained prior to initiating construction. Sources which have not submitted construction permit applications for unpermitted equipment by the application deadline of August 1, 1996, are not eligible for Voluntary Operating Permits and must apply for a Title V Permit.
4. Sources which meet the criteria cited in 22.201(1) and are subject to new source performance standards in the Iowa Administrative Code (IAC) 567 Chapter 23 or Section 111 of the Act are eligible only until five years from April 20, 1994, at which time a Title V Permit will be required.
5. Sources which meet the criteria cited in 22.201(1) and are subject to emission standards for HAPs for source categories listed in IAC 567 23.1(3) and (4) or Section 112 of the Act are eligible only until five years from April 20, 1994, or until the final promulgation of a federal standard under 40 Code of Federal Regulation (CFR) Part 63 to which the source is subject, whichever is earlier. Once either of the above criteria have been met a Title V Permit is required.

What sources qualify for operating permits for small sources?

Facilities which qualify for a Small Source Operating Permit are those whose after-control potential emissions exceed the Thresholds, but whose actual emissions are less than fifty percent of those thresholds for every 12-month rolling period. In obtaining a Small Source Operating Permit the owner agrees to limit plant-wide actual emissions of each regulated air contaminant to below fifty percent of the major source thresholds. Sources eligible for a Small Source Operating Permit may qualify for reduced record keeping requirements through classification as a "de minimus" emissions source (as defined in 567 IAC 22.300(4)).

Are there Exceptions to the above definition of sources which would qualify for small source operating permits?

There are three major exceptions to the above statement concerning who may be eligible for the Small Source Operating Permit.

Sources subject to Title IV (Acid Rain) and solid waste incinerators subject to Section 129(e) of the Clean Air Act of 1990 are not eligible to apply for Small Source Operating Permits.

Sources which meet the criteria cited in 22.300(2) "a" and rule 22.300, and are subject to new source performance standards in the IAC 567 Chapter 23 or Section 111 of the Act are eligible only until five years from April 20, 1994, then a Title V Permit is required.