



AIR QUALITY CONSTRUCTION PERMITS

OTHER STATE CONSTRUCTION PERMITTING PROGRAMS

In an effort to evaluate the existing air pre-construction permitting program administered by the Iowa Department of Natural Resources (Iowa DNR), the Construction Permits Section of the Air Quality Bureau conducted a survey of states in the Midwest. The results of this survey are summarized below.

PERMITTING PROCESS

Today in Iowa, typically one (1) construction permit is issued for each emission point. Back in the 1970’s and 1980’s a permit was issued for an individual emission unit. Some states issue a construction permit for a project/application and others for the whole facility. Also, each state has a different way of amending or modifying their permits. There is no guidance provided by EPA on the right or wrong way to issue a construction permit as long as it is done consistently and in a manner such that a person can find the applicable emission limits and requirements.

The results of the survey on each state’s permitting process is summarized in Table 1 below:

TABLE 1 – SUMMARY OF PERMITTING PROCESS

Table with 3 columns: State, Initial Permit, and Modification. Rows include Illinois, Indiana, Kansas, Minnesota, and Michigan.

| State        | Initial Permit  | Modification  |
|--------------|---|---|
| Missouri     | One permit for the project.   | Depends on significance of change. Small changes might only require a letter to the facility and larger changes might require a new permit that supersedes existing permit. Single pages of existing permit could be replaced if change are not too significant. If a unit is removed from a line they do not modify that permit but reference the removal in the permit under review. As a result emission limits across multiple emission points/units can be listed differently in multiple permits and you need to review all possible permits to find all applicable limits. |
| Nebraska     | One permit for the entire facility.   | Either issues a new permit or modifies the existing permit. When modifying a permit they reissue the Specific Condition that contains the modified EU(s). It is unclear as how the state decided whether to issue a new permit or modify the existing permit.   |
| Ohio         | One permit for each emission unit.  | Amends the permit for that emission unit.   |
| South Dakota | One permit for the project submitted.   | If permitting new unit will write new permit and state that it supersedes previous permit. If changing a condition in a previously issued permit will update entire previously issued permit.   |
| Wisconsin    | One permit for the project. Could also write a permit on an emission point or process line, if appropriate. | The previous permit is not amended. The state reissues a permit for only the modified unit(s) noting it has been updated and previous conditions do not apply   |