

Proposed Amendments to OAC 252:100-8-6

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Motivation for Proposed Revisions

- Non-substantive language improvements to Subchapter 8-6(f), Operational Flexibility
- No changes to DEQ policy on operational flexibility
- Typo corrections in Subchapter 8-6 as a whole

Background on Subchapter 8-6

- Provisions on permit content for Part 70 sources
- Addresses several topics
 - Including operational flexibility under 8-6(f)

Proposed Typo Correction

252:100-8-6. Permit Content

- (a) Standard permit requirements.** Part 70 permits issued under this Chapter shall include all applicable requirements and state-only requirements (as defined in OAC 252:100-8-2) that apply to the permitted source at the time of issuance. Each permit shall include the **elements_in** paragraphs (1) through (4) of subsection (a) of this Section.

OAC 252:100-8-6(a)

Proposed Typo Correction

(5) The permit shall contain requirements for compliance certification with terms and conditions contained in the permit that are federally enforceable, including emission limitations, standards, or work practices. Each permit **shall contain** all of the following specifications and requirements.

OAC 252:100-8-6(c)(5)

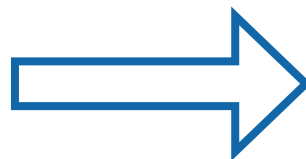
Background on Subchapter 8-6(f)

Federal Clean Air Act (CAA):

- Section 502(b)(10)

Title 40 of the Code of Federal Regulations (CFR):

- 40 CFR 70.4(b)(12)(i)

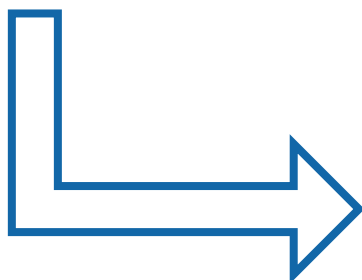


Part 70 facilities may make certain changes without a permit revision if they meet key requirements.

Background on Subchapter 8-6(f)

*Subchapter 8 of the Oklahoma
Air Quality Rules:*

- OAC 252:100-8-6(f)



Requirements for changes resulting in no emissions increases:

- Not a modification under Title I of the CAA;
- No exceedance of any hourly or annual permitted emission rate; and
- Proper notification to both DEQ and EPA.

Proposed Revisions to Subchapter 8-6(f)

(f) Operational flexibility.

(1) **Applicant's duty to apply for alternative scenarios.** A facility may implement any alternative operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the permitting authority. It is incumbent upon the Part 70 permit applicant to apply for any reasonably anticipated alternative facility operating scenarios at the time of initial or renewal permit application.

Proposed Revisions to Subchapter 8-6(f)

(2) **Changes resulting in no emissions increases.** A permitted Part 70 source may make ~~the following~~ changes within the facility without the need for any permit revision, provided (A), (B), and (C) below are met:-

Proposed Revisions to Subchapter 8-6(f)

- (A) ~~Such a source may make~~ The changes ~~that~~ are not modifications under any provision of Title I of the Act.
- (B) ~~Such a source may make~~ The changes ~~that~~ do not cause any hourly or annual permitted emission rate ~~of any existing emissions unit~~ to be exceeded.

Proposed Revisions to Subchapter 8-6(f)

(C) ~~Such a source may make changes that result in a net change in emissions of zero, provided that the~~ The facility notifies the DEQ and EPA in writing at least 7 days in advance of the proposed changes. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The source, DEQ, and EPA shall attach each such notice to their copy of the relevant permit. ~~For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield described in OAC 252:100-8-6(d) does not apply to any change made pursuant to this subsection.~~

(3) Permit shield applicability. The permit shield described in OAC 252:100-8-6(d) does not apply to any change made pursuant to OAC 252:100-8-6(f)(2) above.

Proposed Revisions to Subchapter 8-6(f)

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(3) Permit shield applicability. The permit shield described in OAC 252:100-8-6(d) does not apply to any change made pursuant to OAC 252:100-8-6(f)(2) above.

Proposed Revisions to Subchapter 8-6(f)

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Summary

- No changes to DEQ policy
- Typo corrections throughout Subchapter 8-6
- Non-substantive language improvements in Subchapter 8-6(f)

**Staff requests AQAC recommend revisions of
Subchapter 8-6 to the EQB for adoption.**



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