

22.203(455B) Voluntary operating permit applications.

22.203(1) *Duty to apply.* Any source which would qualify for a voluntary operating permit and which would not qualify under the provisions of rule 567-22.300(455B), operating permit by rule for small sources, must apply for either a voluntary operating permit or a Title V operating permit. Any source determined not to be eligible for a voluntary operating permit shall be subject to enforcement action for operation without a Title V operating permit, except as provided for in rule 567-22.202(455B) and rule 567-22.300(455B). For each source applying for a voluntary operating permit, the owner or operator or designated representative, where applicable, shall present or mail to the Air Quality Bureau, Iowa Department of Natural Resources, 7900 Hickman Road, Suite 1, Windsor Heights, Iowa 50324, an original and one copy of a timely and complete permit application in accordance with this rule.

a. Timely application. Each source applying for a voluntary operating permit shall submit an application:

(1) By July 1, 1996, if the source is existing on or before July 1, 1995, unless otherwise required to obtain a Title V permit under rule 567-22.101(455B);

(2) At least 6 months but not more than 12 months prior to the date of expiration if the application is for renewal;

(3) Within 12 months of becoming subject to rule 567-22.101(455B) for a new source or a source which would otherwise become subject to the Title V permit requirement after July 1, 1995.

b. Complete application. To be deemed complete, an application must provide all information required pursuant to subrule 22.203(2).

c. Duty to supplement or correct application. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to

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the source after the date it filed a complete application but prior to the issuance of a permit. Applicants who have filed a complete application shall have 30 days following notification by the department to file any amendments to the application.

d. Certification of truth, accuracy, and completeness. Any application form, report, or compliance certification submitted pursuant to these rules shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under these rules shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

22.203(2) *Standard application form and required information.* To apply for a voluntary operating permit, applicants shall complete the Voluntary Operating Permit Application Form and supply all information required by the Filing Instructions. The information submitted must be sufficient to evaluate the source, its application, predicted actual emissions from the source, and the potential to emit of the source; and to determine all applicable requirements. The applicant shall submit the information called for by the application form for all emissions units, including those having insignificant activities according to the provisions of rules 567-22.102(455B) and 567-22.103(455B). The standard application form and any attachments shall require that the following information be provided:

a. Identifying information, including company name and address (or plant or source name if different from the company name), owner's name and agent, and telephone number and names of plant site manager or contact;

b. A description of source processes and products (by two-digit Standard Industrial Classification Code);

c. The following emissions-related information shall be submitted to the department on the emissions inventory portion of the application:

(1) All emissions of any regulated air pollutants from each emissions unit and information sufficient to determine which requirements are applicable to the source;

(2) Emissions in tons per year and in such terms as are necessary to establish compliance consistent with the applicable standard reference test method, if any;

(3) The following information to the extent it is needed to determine or regulate emissions, including toxic emissions: fuels, fuel use, raw materials, production rates and operating schedules;

(4) Identification and description of air pollution control equipment;

(5) Identification and description of compliance monitoring devices or activities;

(6) Limitations on source operations affecting emissions or any work practice standards, where applicable, for all regulated pollutants;

(7) Other information required by any applicable requirement; and

(8) Calculations on which the information in (1) to (7) above is based.

(9) Fugitive emissions sources shall be included in the permit application in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source.

d. Requested permit conditions sufficient to limit the operation of the source according to the requirements of rule 567-22.201(455B).

e. Requirements for compliance certification. This shall include the following:

(1) Certification of compliance for the prior year with all applicable requirements with an exception for violations of subrules 22.1(1) and 22.105(1);

(2) A list of the emission points, control equipment, and emission units in violation of subrule 22.1(1);

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(3) Construction permit applications for emission points and associated equipment listed in subparagraph 22.203(2) "e"(2); and

(4) Compliance certification certified by a responsible official consistent with 22.203(1) "d."

EPA Rulemakings

CFR: 40 C.F.R. 52.820(c)(63)(i)(A)
 FRM: 61 FR 18958 (04/30/96)
 PRM: 60 FR 39907 (08/04/95)
 State Submission: 12/08/94
 State Proposal: IAB 08/17/94 (ARC 5035A)
 State Final: IAB 11/09/94 (ARC 5230A) (Effective 12/14/94)
 APDB File: IA-45
 Description: The EPA approved Iowa's voluntary operating permit program to serve as an alternative for sources otherwise subject to Title V of the Clean Air Act.

CFR: 40 C.F.R. 52.820(c)(63)(i)(C)
 FRM: 61 FR 18958 (04/30/96)
 PRM: 60 FR 39907 (08/04/95)
 State Submission: 02/16/96
 State Proposal: N/A
 State Final: IAB 03/15/95 (ARC 5489A) (Effective 02/24/95)
 APDB File: IA-45
 Description: This revision amended subparagraph 22.203(1)a(1) by extending the date by which applicants for voluntary operating permits must file applications, March 1, 1995, until 90 days after the Department receives program approval from the EPA.

CFR: 40 C.F.R. 52.820(c)(67)(i)(A) and (D)
 FRM: 63 FR 34601 6/25/98
 PRM: 63 FR 34618 6/25/98
 State Submission: 1/21/98 and 10/21/97
 State Proposal: IAB 1/17/96 1182 and IAB 11/20/96
 State Final: IAB 5/8/96 1767 and IAB 4/9/97 1681
 APDB File: IA-58
 Description: This revision deleted reference to "Within 90 days . . ." in section (1)a(1) of the rule and clarified the duty to apply for a permit in section (1).

CFR: 40 C.F.R. 52.820 (c)
 FRM: 64 FR 17548 (4/12/99) and 65 FR 32030 (5/22/00) (correction)
 PRM: 64 FR 17592 (4/12/99)
 State Submission: 8/12/98
 State Proposal: 1/14/98
 State Final: IAB 4/8/98
 APDB File: IA-71
 Description: This revision updates the current address for the IDNR and removes a no longer applicable submittal date.

CFR: 40 C.F.R. 52.820(c)
 FRM: 64 FR 67784 (12/3/99)
 PRM: 64 FR 25855 (5/13/99)
 State Submission: 12/11/98
 State Proposal: IAB 6/17/98
 State Final: IAB 9/9/98
 APDB File: IA-74
 Description: This revision redefines the parameters for timely application.

CFR: 40 C.F.R. 52.820(c); and 40 C.F.R. 70, Appendix A, Iowa (c)
 FRM: 67 FR 9591 (03/04/2002)
 PRM: 67 FR 9640 (03/04/2002)
 State Submission: 01/29/2001
 State Final: IAB 09/09/1998
 APDB File: IA-79
 Description: This revision updated the address for the Air Quality Bureau, and subparagraph 22.203(2)"e"(1) was revised to exclude violations for the requirement to obtain a Title V operating permit from the compliance certification for voluntary operating permits.

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CFR: 40 C.F.R. 52.820(c); and 40 C.F.R. 70 Appendix A, (n)
FRM: 78 FR 63887 (10/25/2013)
PRM: 78 FR 63937 (10/25/13)
State Submission: 3/7/2008, 1/11/2010, 3/1/2011
State Final: ARC 8215B, IAB 10/7/09, effective 11/11/09
APDB File: IA-141 and IA 143; EPA-R07-OAR-2012-0410 (effective 12/24/13)
Description: This revision amends the postal code (zip code) for IDNR's mailing
address.

Difference Between the State and EPA-Approved Regulation

None.