



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAY 29 2018

Ms. Jayme Graham
Air Quality Program Manager
Allegheny County Health Department
301 39th Street, Building #7
Pittsburgh, PA 15201

Dear Ms. Graham,

Enclosed is the final report for the Title V program evaluation conducted by my staff on August 15, 2017 at your Allegheny County office. I would like to thank you and your staff for the cooperation and support given to my staff in conducting the evaluation, and I look forward to a continued collaboration in the Title V program.

If you have any questions regarding the report, please do not hesitate to contact me at 215-814-2178, or have your staff contact Mary Cate Opila of my staff at 215-814-2041.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cristina Fernandez".

Cristina Fernandez, Director
Air Protection Division

Enclosure

Allegheny County Health Department Title V Program Evaluation – August 15, 2017

I. Introduction

On August 15, 2017, the U.S. Environmental Protection Agency (EPA) conducted an evaluation of the Allegheny County Health Department's (ACHD) approved Title V Operating Permit Program. Representatives from the EPA Region III Air Protection Division, Office of Permits and State Programs (OPSP) travelled to ACHD's office located in Pittsburgh, PA. Present from EPA were David Campbell (Associate Director), David Talley, and Mary Cate Opila, all from OPSP. Present from ACHD were JoAnn Truchan (Air Quality Program Permitting Branch Chief) and Jayme Graham (Air Quality Program Manager). The evaluation was conducted as a part of EPA's routine oversight of state/local permitting activities. EPA thanks ACHD for their hospitality and cooperation.

II. Background

EPA granted full approval to ACHD's title V program effective on December 17, 2001.¹ Subsequent to the full approval, EPA conducted a title V program evaluation in 2011. The report from the 2011 program evaluation concluded that ACHD's process to prepare title V permits, periodic monitoring requirements, and the public participation process were adequate. However, a backlog in initial and renewal title V permits was noted in the report. ACHD managers expected the permit backlog to improve in the period following the 2011 program evaluation.

The Pennsylvania Department of Environmental Protection (PA DEP) is responsible for submitting the State Implementation Plan (SIP) and title V air permitting programs for Pennsylvania to EPA for approval. In addition to PA DEP, local air quality control agencies within the Commonwealth of Pennsylvania are operated by ACHD and the City of Philadelphia. State law and delegation agreements describe the roles and responsibilities of each agency and delineate jurisdiction of sources between PA DEP and local air quality agencies.

III. Evaluation

Because EPA routinely reviews proposed title V permits which are submitted to EPA during the course of their regular issuance, EPA did not conduct a file review during this current evaluation. Rather, EPA and ACHD engaged in a focused dialogue about the following topics: title V permit preparation and content, monitoring and recordkeeping, public participation and outreach, permit issuance, compliance, resources and internal management support, and title V fees. The conversation addressed a number of specific program issues and the results of these discussions are described in this report.

¹ See "Clean Air Act Full Approval of Partial Operating Permit Program; Allegheny County; Pennsylvania." 66 Fed. Reg. 212 (November 1, 2001), pp. 55112-55115

A. Title V Permit Preparation and Content

1. Overview and Improvements

In the ACHD permitting office, there are one branch chief, seven permit engineers, and one clerk. Having been in the position for less than one year, the permitting branch chief is relatively new to the position.

In the year prior to Title V Program Evaluation, the permitting office has worked to improve the title V permit issuance process through workload management and tool development. For instance, title V facility responsibilities were reassigned/redistributed to the permit engineering staff to more equitably balance workload and to better develop and leverage experience. Spreadsheet tracking tools were updated to improve tracking of the permit review and issuance process. A “permit engineer’s handbook” geared towards enhancing the consistency of the permit review and issuance process was created and will soon be finalized by the permitting staff (see Appendix 1 for the Table of Contents of this document).

Other tools that are available to permitting staff include an “Air Quality Permit Application Checklist,” (Appendix 2) and “IP/OP Processing Checklist,”² (Appendix 3) which were developed in 2008. Additionally, a “Permit Review & Permit Decision Guarantee” flowchart (Appendix 4a), and associated policy document (Appendix 4b) were developed in 2013. A “Permitting Process” (Appendix 5) flowchart details the required steps within ACHD from the receipt of the application to the issuance of the permit. A “Permit Application Package Checklist” was developed to assist facilities in ensuring applications include all required documentation (Appendix 6). In addition to this checklist, ACHD permitting staff conduct pre-issuance site visits and/or communication with the source to assure application and permit accuracy.

Facilities permits are divided and assigned to permit engineers by the permitting branch chief largely on a sector basis. The permit engineer is responsible for determining whether an application is administratively and technically complete, preparing a technical support document, and preparing a pre-draft permit.

After preparing a pre-draft permit, the permit engineer sends the permit to the permitting branch chief. The permitting branch chief either reviews it and/or sends the pre-draft permit to another senior engineer for review and assessment. The pre-draft permit is sent to the company for a one-week review. Next, the draft permit is made available for public review and for review by EPA. After the public comment period, ACHD develops a response-to-comments document that addresses any comments that are received and makes any appropriate revisions to the draft permit as a result of those comments. Once that process is complete, ACHD sends the response-to-comments document and a proposed permit to EPA for the Agency-only 45-day review period. If EPA supports the manner in which ACHD addressed the public comments and any related changes to the draft permit and, thus, does not object to the issuance of the permit, ACHD issues the final permit.

² IP refers to installation permit, and OP refers to operating permit

In addition to regular reviews of AHCD's draft and proposed title V permits, EPA and ACHD participate in tri-weekly phone calls. The status of title V permits, permit-specific issues, and other salient issues are discussed during these calls. Additionally, changes to and questions about EPA guidance and policy are discussed during these calls.

2. Opportunities for Further Improvement

ACHD has made recent changes to address some issues regarding the title V permit preparation process. However, the continued backlog (as discussed in the "Permit Issuance" section of this document) indicates that ACHD must further improve its process of title V permit preparation. The main areas for improvement include more efficient data management, improved tracking of information, and a more strategic integration of the multiple permit types so as to minimize delay in title V permit issuance.

A primary challenge to ACHD's ability to adequately implement the title V permitting program is that the current permitting workload exceeds existing staffing levels. Though process improvements may help permit writers become more efficient in issuing permits, permit engineers staffing levels should be increased to a level sufficient for current workloads (see "Resources and Internal Management Support" section of this document for a detailed discussion).

In addition to increasing staffing levels, other areas were also identified where ACHD can improve the permitting process. For instance, the software tools for tracking active permits should be enhanced. An Oracle tracking system was previously developed, but the system did not fulfill the needs of the permitting staff. Instead, the Oracle tracking system is used for some data elements, and two additional spreadsheets (one for title V sources, and the other for minor and synthetic minor sources) are used to track other necessary data elements. The redundancy of entering permits into multiple tracking tools is an area for improvement.

The tracking of additional information, such as the time lapse in a facility's response to requests and the types of equipment in each permit could be used in expediting the permitting process. ACHD spends a significant amount of time seeking information from the applicants, which slows the permit processing. A best practice employed by other permitting authorities with some success is the establishment of formal due dates for the provision of the identified additional application information. By tracking the time lapse in a facility's response to requests, ACHD would be able to set and monitor deadlines for a facility's responses. Additionally, if the types of equipment in each permit were tracked, permit engineers could use this information to facilitate modeling permits on previously issued permits.

The permit preparation process could also be further improved through a more strategic integration of the multiple permit types so as to not delay title V permit issuance. Installation permits have historically been prioritized, and renewals of title V permits have been delayed if modifications are pending. However, this approach has contributed to a backlog of title V permits. Given the number and age of outstanding title V permit applications, a more sustained focus on eliminating the backlog of title V permits is warranted than has historically occurred.

For instance, even if an installation permit for a source is pending, a renewal or initial title V permit should nevertheless be issued in a timely manner. The title V permit could later be modified to incorporate the requirements of the installation permit. In addition to prioritizing backlogged title V permits, developing permit templates for specific sources and permit types could also be beneficial in facilitating efficient permit processing. EPA encourages ACHD to continue to develop and utilize additional tools or templates useful in making the permitting process more efficient.

B. Monitoring and Record Keeping

Federal regulations require that each title V permit contain sufficient monitoring to ensure compliance with each applicable requirement in the permit. The permitting agency should supply a rationale in the statement of basis (SOB) accompanying the permit that justifies the type of monitoring chosen. A similar process is followed for recordkeeping and reporting requirements. EPA did not conduct a file review as part of this evaluation. Rather, EPA routinely reviews proposed title V permits. The sufficiency of monitoring is evaluated on a case by case basis during EPA permit reviews.

ACHD's implementation of Compliance Assurance Monitoring (CAM) was discussed. ACHD performs a review of CAM applicability when a permit application is received, and there is an item on the application checklist stating that CAM needs to be addressed. ACHD stated that they have encountered very few permit applications from sources where CAM is required. If CAM is required, the permitting group coordinates with the enforcement group to develop requirements on a case-by-case basis.

C. Public Participation and Outreach

Public participation is a crucial component of any well-functioning title V permitting program. ACHD employs a number of methods for informing the public of opportunities to comment on draft title V permits. Permit information, including the receipt of complete applications, public comment notices, and notices of issued permits, are published on ACHD's website as well as in the *Pittsburgh Post-Gazette*. In addition to displaying the notices of current permitting actions, ACHD's website also includes a document outlining the status of the title V operating permits for all title V facilities in Allegheny County. For title V permits, a public hearing is automatically scheduled. These hearings typically take place during an evening at the end of the public comment period.

Parties interested in reviewing draft title V permits may do so in person or online on ACHD's website. Comments on draft permits may be submitted electronically, by mail, or in person during a hearing. The public comment period for both title V permits and minor source operating permits typically extends for 30 days. ACHD may grant requests to extend the 30-day public comment period if there is an extenuating circumstance, although this has only happened once.

D. Permit Issuance

ACHD continues to have a significant percentage of title V permits which are administratively extended or backlogged. At the time of the evaluation, ten permits were expired and beyond the 18-month review period, and three title V permittees awaited initial permits. This results in 13 out of 32 sources (41 percent) with backlogged permits. Across permitting authorities in EPA Region III, the outstanding permit renewal percentage is approximately 15 percent.

Though ACHD has shown some promising signs in the year prior to the evaluation (between September 1, 2016 and August 31, 2017)- such as issuing five title V renewal permits and four initial title V permits, EPA continues to have concerns about ACHD's ability to issue timely title V permits. Initial permits for three title V sources remain unissued, and many of the backlogged permits are for complex facilities. Additionally, ACHD stated that the issuance of minor source permits suffered as a result of efforts to attempt to reduce the title V permit backlog, indicating that permitting workloads exceed staffing levels. Understanding competing priorities of types of permits, and recognizing that additional staff are required, a sustained focus on eliminating the backlog of title V permits remains necessary.

E. Compliance

ACHD maintains separate permitting and enforcement programs. After a permit is issued, the compliance is monitored and enforced by the enforcement group. If the enforcement group finds that permit conditions are not enforceable as a practical matter, this information is communicated to the permitting group and a note is placed in the facility's file. The permitting group is beginning to set up a process to track compliance issues so the issues can be resolved prior to issuance of renewal permits.

There are situations when compliance issues or consent decrees impact the issuance of permits. For instance, ACHD has delayed the issuance of both the Eastman Chemicals and Resins and the Allegheny Ludlum Corporation permits due to enforcement issues. EPA encourages ACHD to expediently issue these permits while recognizing that all enforcement issues may not be resolved prior to permit issuance. The title V permit provides opportunities to address on-going non-compliance while allowing for the permitting process to proceed. EPA may provide assistance to help navigate around these obstacles to timely title V issuance.

F. Resources and Internal Management Support

Currently, the permitting staff include six (out of seven) engineers with at least six years of experience - indicating that experience level of permit engineers is not an issue. However, the permitting staff has lost multiple engineers and a data systems programmer recently, and some of these positions have not been replaced. One engineering position was recently filled with a new hire. The previous permitting branch chief was reassigned to another group in the past year, and the position was recently filled with JoAnn Truchan, who was previously a permit

engineer. This realignment resulted in the reduction of the permitting staff by one permit engineer, a position that has not been filled or advertised. ACHD cited a hesitancy in filling positions due to title V budgetary considerations. For instance, dwindling title V fees was identified by ACHD as the reason for the delay in replacing the system programmer. Title V fees are discussed in more detail in the 'Title V Fees' section of this report.

Once positions are advertised, finding qualified applicants for openings is challenging. For instance, the permit engineering position most recently advertised only received one qualified applicant for the position.

Prior to the recent losses of permit engineers, ACHD had backlog of title V permits. It is an unreasonable expectation that current staffing levels are sufficient to manage workloads across all air permitting programs and to make a significant impact on the permit backlog. During the summer of 2017, interns were utilized to assist with minor source permitting and other tasks under the supervision of more experienced personnel. Though the interns assisted with permit issuance in some instances, this strategy alone is unlikely to adequately address the workload issue.

EPA strongly recommends that ACHD should increase permit engineers staffing levels to a level sufficient for current workloads. In addition, strategies to redirect some of the work currently performed by permit engineers to non-engineers should also be considered. These strategies could include strategies previously utilized by ACHD, such as using interns with oversight by permitting staff, but additional strategies should be considered - such as increasing the administrative support available to the permitting group. This administrative support person(s) could act as a permit process manager responsible for tracking permit status and workflow, as well as other program implementation-related administrative tasks. It is expected that this type of support would provide the technical staff greater time to focus on the more substantive activities related to permit development and relieve some of the permitting branch chief's current administrative burden. EPA would like to reiterate that even with supplemental program support, the hiring of permitting engineer(s) should be prioritized by ACHD.

G. Title V Fees

According to ACHD, the revenues generated by emissions-based title V fees are diminishing as a result of emissions reductions from stationary sources in the county. Maintaining adequate permit program revenue to support current title V related expenses will be an ever-increasing challenge. Reductions in title V fee revenue is not unique to ACHD. According to a 2014 US EPA Office of Inspector General report³, "...annual Title V program expenses often exceed Title V revenues, and both had generally been declining over the five-year period we reviewed (2008-2012)." Title V revenues have been decreasing nationwide because of improved source performance, more restrictive emissions requirements, and source closures. ACHD title V fees are based on the PA DEP's title V fees detailed in the Air Pollution Control Act at 25 Pa. Code

³ U.S. Environmental Protection Agency, Office of Inspector General, "Enhanced EPA oversight Needed to Address Risks from Declining Clean Air Act Title V Revenues," Report No. 15-P-0006, October 20, 2014.

§127.705.a.⁴ PA DEP's regulations require owners or operators of title V sources to pay a base fee of \$85 (in 2013 dollars) per ton of regulated pollutant per year, to be adjusted annually by the increase in the Consumer Price Index. PA DEP is considering revising title V fees.

EPA recommends that ACHD work with PA DEP to modify the title V fee program to ensure revenues are adequate for current and future ACHD title V program implementation requirements. Additionally, EPA Region III intends to periodically audit state and local Title V programs' fee revenue practices.

IV. Conclusions

EPA again thanks ACHD for their hospitality and cooperation in conducting this evaluation. EPA remains concerned about the backlog of title V permits. This represents an area in need of considerable attention and resources by ACHD.

EPA identified best practices employed by ACHD, which are outlined in the following sections. Also enumerated are a number of areas where ACHD should improve its implementation of its title V permitting program. Though areas for improvement are identified in this report, they do not amount to a determination of a finding of deficiency. EPA has identified deliverables which ACHD should submit to EPA to demonstrate that ACHD is resolving the identified issues. If ACHD does not demonstrate adequate progress on resolving the identified issues, EPA will consider issuing a notice of deficiency in the future.

A. Best Practices by ACHD

- Routine engagement with EPA to discuss permit issuance status and broader program implementation challenges.
- In the year prior to the evaluation, ACHD has worked to improve title V permit issuance timelines through the following workload management and tool development activities:
 - Recently reassigned/redistributed title V facility responsibilities to distribute title V permits more evenly across permit engineers.
 - Modified spreadsheet tracking tools to better track permit review and issuance process.
 - Worked on finalizing a "permit engineer's handbook" to improve the consistency of the permit review and issuance process.
- Posting of draft permits on-line during the public comment period to facilitate greater public access.

⁴ See §2103.41 of ACHD Rules and Regulations, Article XXI

- Conducting pre-issuance site visits and/or communication with the source to assure application and permit accuracy.

B. Areas for Improvement

- ACHD continues to have a significant backlog of title V permits. At the time of the evaluation, 10 permits were expired and outside the 18 months since receiving title V applications. 3 title V sources await initial permits. This results in 13 out of 32 sources (41 percent) with backlogged permits.
- In some cases, title V permit issuance has been unnecessarily delayed due to pending installation permits and installation permit modifications.
- Workload exceeds current staffing levels.
 - Issuance of operating permits is often delayed due to prioritization of installation permits and inadequate staffing levels.
 - As a result of recent focus on reducing the backlog of title V permits and inadequate staffing levels, minor source permit issuance has been impacted.
- Improve data management systems and data entry processes. Currently, multiple programs are being used to track information.
- The existing fee structure is not situated to adapt to future circumstances and could possibly undermine long-term program sustainability.

C. Follow-up: ACHD Actions and Deliverables

- Eliminate the backlog of title V permits.
 - For each permit that is backlogged, ACHD shall develop a corrective action plan which specifies the final dates by which backlogged title V permits will be issued, along with interim deadlines. Interim deadlines should include deadlines for issuing modified pre-construction permits, if required as part of the title V process. This document shall be submitted to EPA within 30 calendar days of the issuance of this Title V Evaluation report.
- Increase permit engineers and administrative staffing levels to a level sufficient for current workloads.
 - ACHD shall develop a workload assessment, including the projected number of hours required for each task of implementing its title V program and the corresponding number of full-time employees required. If individual engineers are assigned both title V and non-title V sources, the assessment should include a plan to ensure adequate resources are directed to title V sources. This document

- shall be submitted to EPA within 90 calendar days of the issuance of this Title V Evaluation report.
- Additionally, ACHD shall develop an implementation strategy that identifies the dates by when ACHD will acquire appropriate staff to achieve the staffing levels identified as adequate in the workload assessment report. This document shall be submitted to EPA within 90 calendar days of the issuance of this Title V Evaluation report.
 - Improve data management systems and data entry processes:
 - ACHD shall develop a plan to implement a software application that adequately addresses the permitting program's operational needs. The plan should identify the necessary capabilities of the software application, identify possible vendors/developers of the software, and include a strategy and timeline for evaluating and implementing the software application. This document shall be submitted to EPA within 120 calendar days of the issuance of this Title V Evaluation report.
 - Ensure collected fees are sufficient to fund the title V program:
 - ACHD shall provide an analysis of title V expenditures and revenue to determine whether the fee schedule used by ACHD results in the collection and retention of fees in an amount sufficient to meet the fee requirements of 40 CFR Part 70. The analysis should evaluate whether fee revenue required by 40 CFR Part 70 is used solely to cover the costs of the title V permit program. Additionally, ACHD shall evaluate all reasonable (direct and indirect) costs of the permit program and compare the costs of the title V permit program to the revenue generated by title V fees. This analysis shall be performed on the most recently completed fiscal year. Please refer to the document, "Updated Guidance on EPA Review of Fee Schedules for Operating Permit Programs Under Title V" issued on March 27, 2018 for additional details.⁵ This analysis shall be submitted to EPA within 120 calendar days of the issuance of this Title V Evaluation report.
 - If the title V fees are determined to be insufficient, ACHD shall work with PA DEP to modify the title V fee program for current and future ACHD title V program implementation requirements. A schedule for modifying fees, if required, shall be submitted to EPA within 180 calendar days of the issuance of this Title V Evaluation report.
 - If any major title V obligations/expenditures are planned for the next two years, please provide details, explanation, and analysis demonstrating sufficient funding. This information shall be submitted to EPA within 180 calendar days of the issuance of this Title V Evaluation report.

⁵ https://www.epa.gov/sites/production/files/2018-03/documents/fee_schedule_2018.pdf

- Continue improving permitting process, still with the understanding that additional staff and tracking software are required to manage the workload.
 - Work with EPA Region 3 throughout the development of title V permits and installation permits. Particularly for complex sources, ACHD should communicate with EPA staff early in the permit development process.
 - Better track facility response time, and establish firm response dates.
 - Develop permit templates for specific source and permit types.
 - Develop a database to track the types of equipment in each permit to facilitate modeling permits on previously issued permits.

V. Follow-up: EPA Actions

- EPA will review the deliverables submitted by ACHD and will monitor ACHD's progress on meeting deadlines outlined in this report and outlined in documents submitted by ACHD.
- EPA will continue to coordinate with ACHD permitting management on a tri-weekly basis regarding permit issuance status and overall program implementation.
- EPA will provide permit-specific support, as necessary and as requested by ACHD.
- EPA will provide timely support on emerging and new permit program-related regulations, guidance and policy objectives.
- EPA will continue to provide support as ACHD works with PA DEP to pursue changes to its permit fee program and related changes to its overall permit program regulatory infrastructure.

APPENDIX 1

Permit Engineer's Handbook, Table of Contents

PERMIT ENGINEERS' HANDBOOK

01 Permitting Process Flowchart

- 1) Permitting Flowchart
- 2) Clean Air Act Breakdown Chart

02 Application Package and Review

- 1) Permit Application Checklist
- 2) Permit Processing Checklist
- 3) Permit Decision Guarantee
 - (1) Policy
 - (2) Flowchart
- 4) CAM Review Flowchart
- 5) Short-Form Boiler/ Emergency Generator Application
- 6) PSD Applicability Schematic

03 Technical Support Document

- 1) Calculations
 - (1) Air Calculations & Conversions Guide
 - (2) AP - 42 Table of Contents
 - (3) Guidance- Estimating Emissions from Equipment Leaks
 - (4) FIRE Factor
- 2) TSD Templates

04 Permit Templates

- 1) Installation Permit
- 2) Minor/ Synthetic Minor Operating Permit
- 3) Title V Operating Permit
- 4) Comment Response Template
 - (1) Comment Response
 - (2) No Comments received

05 Standard Conditions

- 1) Baghouses
- 2) Scrubbers
- 3) Condensers
- 4) Thermal Oxidizers

06 BACT Analysis

- 1) BACT Guidance Document
- 2) OAQPS Cost Control Manual
- 3) BACT Useful Information
- 4) BACT Analysis Samples
 - (1) ELRP Generators

07 Regulations

- 1) List of CFR Subparts
- 2) Article XXI
- 3) Exemptions - 25 Pa. Code
- 4) Useful Links

08 Correspondence Templates

- 1) RFD Response
- 2) Permit Application Package
- 3) Completeness Review
- 4) BACT Analysis Request
- 5) Pre Public Comment Notice
- 6) Public Comment Response
- 7) Transmittal
- 8) Expired IP, Renewal OP and TVOP
- 9) Current Letterhead

09 Air Toxic Guideline

- 1) Policy
- 2) Guide to the Policy
- 3) AERSCREEN User's Guide

10 Sample Language

- 1) Ad Language
- 2) Hearing Statement

11 Miscellaneous

- 1) Air Permitting Acronyms and Other Abbreviations
- 2) Seitz Memo- PTE for Emergency Generators
- 3) Seitz Memo- MACT Guidance on Timing Issues
- 4) Source Testing Useful Information
- 5) Miscellaneous - Useful Information

April 20th, 2015
Amended August 18, 2017

APPENDIX 2

Air Quality Permit Application Checklist

ALLEGHENY COUNTY HEALTH DEPARTMENT

Air Quality Permit Application Checklist

Facility: _____ Permit No.: _____
 Source Type: Major Minor Syn. Minor
 Permit Type: Operating Installation Modification
 Date Received: _____ Date Reviewed: _____
 Reviewed By: _____

Application Reviewed & Deemed Complete Date: _____
Technically Complex? <input type="checkbox"/> Yes <input type="checkbox"/> No
Subject to PDG? <input type="checkbox"/> Yes Due: _____ <input type="checkbox"/> No

The application review must be completed within 10 business days of receipt of the application.

Administrative Review and Follow-Up	Yes	No	n/a
Has the application been entered into the electronic tracking system?			
Does the application contain any confidential business information (CBI)?			
Was a pre-application meeting held? Date: _____			
Permit Review Process <i>(This section to be completed after the application has been reviewed)</i>			
Does the Permit Decision Guarantee timeframe apply? <i>(Installation Permits only)</i>			
Is the application information sufficient to begin Permit and Technical Support Document (TSD) draft?			
<i>If the deficiencies are minor and can be resolved with an email or telephone call, do so before moving further in the permit review process. Allow 1 week.</i>	Date Requested	Due Date	Date Received
Person Contacted: _____			
<i>If the deficiencies are not minor, a deficiency letter must be sent.</i>			
First deficiency letter – Allow 1-2 weeks Person Contacted: _____			
Second deficiency letter <i>(major source & technically complex only)</i> – Allow 1-2 weeks Person Contacted: _____			
Recommend Elevated Review Process to Permit Chief <i>Decision must be made within 15 business days of notification to the facility.</i>			

Review For Administrative Completeness	Yes	No	n/a
Section 1: Is the checked permit type correct for this application?			
Section 1: Is there a process description (including relevant process flow diagrams) included in the application?			
Sections 2 & 3: Is the source information provided, including an address for the facility?			
Section 3: Are location coordinates and SIC codes provided?			
Section 4: Is information for an Environmental or Facility Contact provided?			

Review For Administrative Completeness	Yes	No	n/a
Section 5: Have all applicable requirements, including all NSPS, NESHAP, and MACT requirements, been addressed?			
Section 5: Is justification given for any requirements that are determined to not be applicable?			
Section 6: Does the source provide a method of demonstrating compliance?			
Section 7: Is the source in compliance? <i>Verify compliance status with the Enforcement Section</i>			
Section 7: If the source is not in compliance, is there a compliance plan, and is the compliance plan being followed? <i>(see §2102.04.k)</i>			
Section 8: Did the applicant submit a completed Compliance Review Form, either with this application or within the past 12 months?			
Section 9: Is the Certification of Compliance signed?			
Section 10: If the source is requesting a synthetic minor permit, have appropriate limits been taken?			
Section 11: Is information for installation permits provided? <i>(Installation Permits only)</i>			
Section 11: Has NSR/PSD applicability been addressed?			
Section 12: Have alternative operating scenarios been addressed?			
Section 13: Are all additional submittals noted in this section included in the application?			
Section 13: Is there a complete BACT analysis? <i>(Installation Permits only)</i>			
Section 13: Has the installation been reviewed for air toxics via the Air Toxics Review Policy? <i>(Installation Permits only)</i>			
Section 13: Has the source determined CAM applicability? If CAM applies, has a CAM plan been provided? <i>(Title V renewal applications only)</i>			
Section 14: Was the correct fee received?			
Section 15: Is the Certification of Completed Application signed by the Responsible Official, and is contact information provided?			
Section 15: Does the name of the Responsible Official match the Certificate of Corporate Authority? <i>If the Certificate of Corporate Authority is not completed, verify from previous permit applications.</i>			
Form A – Process Operations: Proper number; complete?			
Form B – Fuel Burning/Combustion Equipment: Proper number; complete?			
Form C – Solid Waste Incinerators: Proper number; complete?			
Form D – Storage Tanks: Proper number; complete?			
Form E – Dry Bulk Materials: Proper number; complete?			
Form F – Roads & Vehicles: Proper number; complete?			
Form G – Miscellaneous Fugitives: Proper number; complete?			
Form K – Emissions Summary: Proper number; complete?			

Review For Administrative Completeness	Yes	No	n/a
Form M – Source Out of Compliance: Is one included?			
Form N – Alternative Operating Scenarios: Proper number; complete?			
Notes:			

Review For Technical Adequacy	Yes	No	n/a
Are calculations provided for each emission source?			
If necessary, have live spreadsheets of calculations been provided?			
Have vendor guarantees been provided?			
Have applicable emission limits from Article XXI or federal regulations (e.g. NSPS, NESHAP, MACT) been addressed?			
Is the calculation methodology for each emission source consistent with acceptable engineering methods?			
Is justification given for any emissions factors used, other than those from AP-42?			
If stack test data is being used to calculate emissions, was the test observed by the ACHD, and is the stack test report in the AQ Documents folder?			
If stack test data from a test not observed by the ACHD is being used to calculate emissions, is the relevant data (including operating conditions during the test) provided?			
Is a review of emissions per the Air Toxics Review Policy, including copies of any relevant modeling data, provided?			

Review For Technical Adequacy	Yes	No	n/a
Notes:			

Recommendation of Technically Complex Application <i>(Installation Permits only)</i>	Yes	No	n/a
Is the facility a major source subject to 40 CFR Part 63?			
Are there any NSR/PSD netting calculations? <i>Note: NSR/PSD need not actually apply.</i>			
Is the IP for a new facility that would qualify as a major source?			
Is the facility shown to be out of compliance with the Air Toxics Review Policy?			
Is the facility claiming synthetic minor status for reasons other than an hourly limit on an emergency generator?			
Is the application for a major modification?			
<p><i>If any of the above are checked "yes", it should be recommended to the Permit Chief that the application be considered "technically complex", and therefore not subject to the timelines in the Permit Decision Guarantee.</i></p>			
Notes:			

APPENDIX 3

IP/OP Processing Checklist

IP/OP PROCESSING CHECKLIST (Internal use only)

COMPANY NAME: _____ Permit No. _____

APPLICATION RECEIPT

- Review for administrative completeness: responsible official & signatures; correct fee included; all emission sources are included; calculations include all pollutants including HAPs and CO₂;
- Review for technical completeness: are calculations reasonable and correct (no inflated PTEs)? For synthetic minor sources have physical limits on PTE been provided? BACT analysis provided for IPs? Do you agree with the analysis?
- Is CBI claimed? Is it properly identified? Was a justification provided? Accepted?
- For TVOPs - complete TVOP checklist and email to EPA

DRAFT PERMIT

- Use the most recent template from the x-drive.
- Restrictions – are there physical limits on PTE for syn-minor permits? Are BACT/manufacture’s guarantees/requirements in permit?
- Monitoring – are CAM requirements incorporated into the permit?
- Testing – are the pollutants & test methods specified? Are the process operating parameters to be recorded specified?
- Record keeping – are both a parameter and frequency specified?
- Reporting – is Condition III.15 referenced; is the information reported required to be recorded? is it clear you are requesting all the data or a summary?
- Check permit before transmittal to Chief Engineer:
 - “Error”
 - “Subpart”
 - “Section”
 - “You”
 - “Will”
- Headers/footers and cross references correct throughout document?
- TSD (for OPs) does it include information on units from prior requests for determinations? Are the exempted units included in the permit?
- TSD – have you verified the compliance status? Is §2102.04.k applicable (IPs only)?
- Name files according to file naming convention; remove all highlighting.
- Email files to Chief Engineer & notify Carl the 1st draft was transmitted.

REVISIONS TO DRAFT

- Make revisions as appropriate and respond to comments in the document.
- Email files to Chief Engineer & notify Carl the 2nd draft was transmitted.

DRAFT TO/FROM PERMITTEE

- Email draft (without markup) to permittee for comments/corrections. Give a deadline for their review.
- Use track changes to indicate your accepted revisions to the permit.
- Email the files with the changes indicated to Chief Engineer. Provide ad language.
- Revise the permit to address Chief Engineer comments.
- Check permit for "Error" and other cross-reference problems before transmittal to Chief Engineer.

DRAFT TO/FROM PUBLIC COMMENT

- Email proposed draft permit & TSD to permittee. Email date for end of comment period.
- TVOPs: Email draft TVOP and TSD to EPA on or before the first day of the public comment period.
- TVOPs: Email public comments received to EPA at the end of the comment period.

BEFORE ISSUANCE

- Use track changes to draft a revised permit (and TSD) and prepare comment response/document.
- Email the files with the changes indicated to Chief Engineer.
- TVOPs: Email revised proposed TVOP and comment/response document to EPA. Resolve issues and get EPA written approval or wait 45 days.

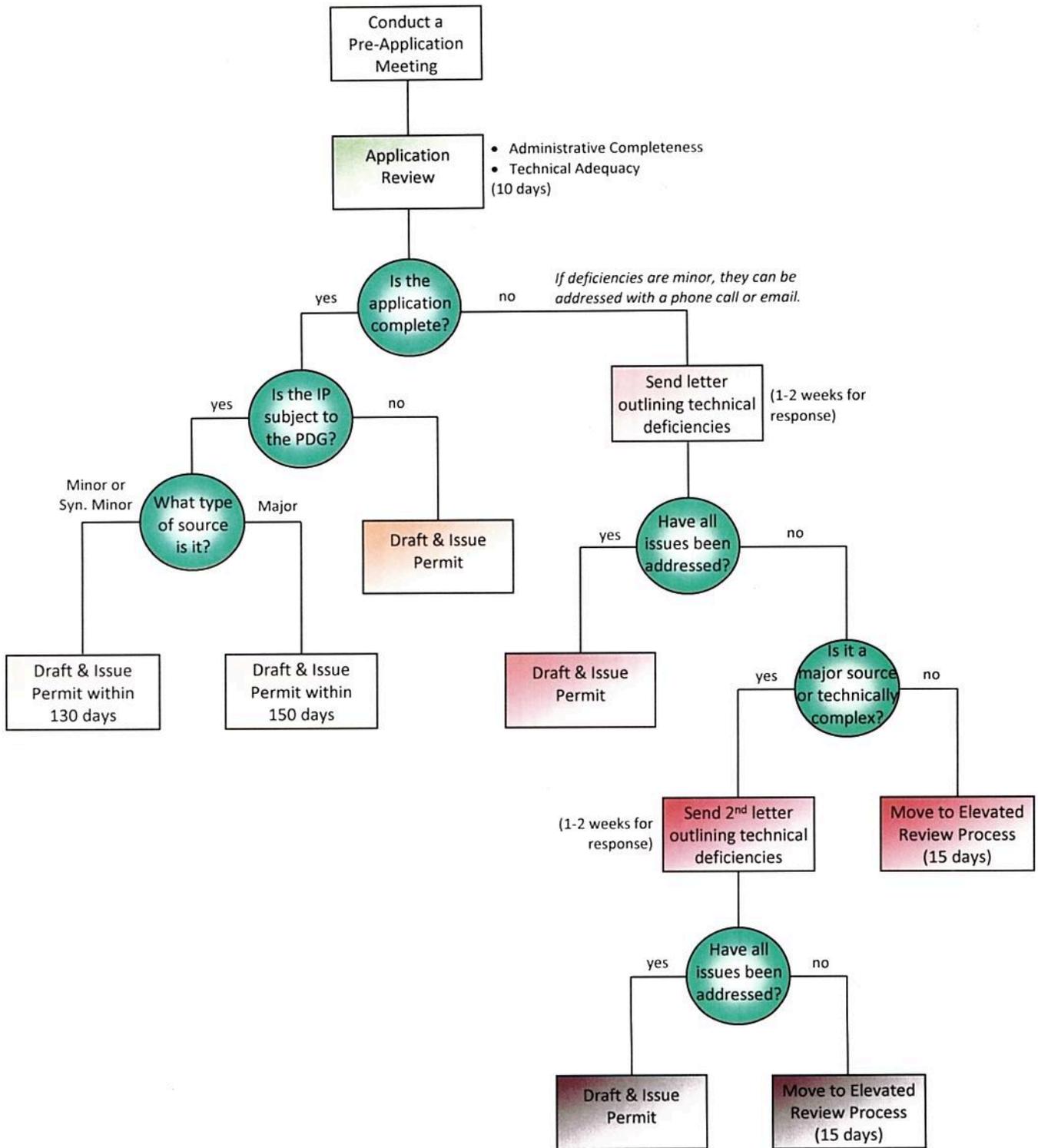
ISSUANCE

- ALWAYS use the files on the x-drive (waiting to be issued or in public comment)
- Remove draft watermarks and revise footer to "Issued: mmm dd, yyyy"; check dates on front page.
- Review report due dates to make sure they make sense (conditions III.12 & III.15)
- Print (2-sided) final permit, TSD (including calcs) and comment response documents.
- Create PDF permit, TSD, calcs and comment response documents
- Scan signed cover page.
- Replace cover page of permit with the scanned, signed cover page.
- Email all final files (PDF, Word and Excel) to the Chief Engineer.
- Email all PDFs to permittee with standard language re: appeals and report due dates.
- Mail hard copies to permittee with transmittal letter.
- Mail/email comment/response document to commenters with a letter.
- Print 2-sided documents (majors & syn minors) for internal use (provide to Chief Engineer).
- Inform (via email) emissions inventory if facility-wide emissions of any pollutant are greater than or equal to 25 tons/yr or if major for HAP.
- TVOPs: Email issued TVOP, TSD and comment/response documents to EPA.

APPENDIX 4A

Permit Review & Permit Decision Guarantee Flowchart

ALLEGHENY COUNTY HEALTH DEPARTMENT
 Permit Review & Permit Decision Guarantee (HPA #210)



APPENDIX 4B

Permit Review & Permit Decision Guarantee Policy Document

ALLEGHENY COUNTY HEALTH DEPARTMENT

Air Quality Program

POLICY & PROCEDURE HPA#210

Effective: January 14, 2013

Reviewed:

POLICY FOR IMPLEMENTING THE

Revised:

ACHD AIR QUALITY INSTALLATION

Approved By:

J. E. Simpson 1/14/2013

PERMIT REVIEW PROCESS AND

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POLICY

This policy establishes a standardized review process and processing times for Air Quality Program installation permits. For the permits contained in the Permit Decision Guarantee, the Department guarantees to provide permit decisions within the published timeframes, provided applicants submit complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission. Staff will follow a Program-wide standard process for receiving, prioritizing, accepting, reviewing, denying, and approving applications for permits or other authorizations.

PURPOSE

To establish a standard process for permit application reviews that:

- provides certain and predictable review timeframes for applicants who submit complete, technically adequate applications that address all applicable regulatory and statutory requirements;
- articulates clearly and concisely expectations for applicants that result in complete, technically adequate applications that address all applicable regulatory and statutory requirements;
- establishes expectations for Department staff aimed at achieving greater efficiency, clarity and consistency; and
- improves the Department's internal tracking and coordination of installation permit applications.

APPLICABILITY

This policy is intended to provide a standard review procedure for all Department Air Quality Program installation permits (IPs). All applications for IPs are subject to the Permit Review Process outlined in this Policy regardless of their inclusion in the Permit Decision Guarantee. The Permit Decision Guarantee shall apply only to those applications listed in Appendix A that are complete, technically adequate, and address all applicable regulatory and statutory requirements. Appendix A of the policy provides the guarantee timeframes for those Department permits that are contained in the Permit Decision Guarantee. The policy is not to be applied where it conflicts with statutory or regulatory requirements.

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DISCLAIMER

The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the ACHD to give these guidelines that weight or deference. This document establishes the framework within which the ACHD will exercise its administrative discretion in the future. ACHD reserves the discretion to deviate from this policy statement if circumstances warrant.

PROCEDURE

I. General Information

A. Definitions

1. *“Accepted”* – The term for an application status, when after conclusion of the Completeness Review, Department staff determine an application to be complete and technically adequate. Once accepted, an application will move to the Technical Review.
2. *“Applicant”* – For the purpose of this policy, it is the entity (i.e., an individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or an agency of Federal or State government) that submits an application to conduct an activity authorized by the Department, such as the person responsible for owning, maintaining, and/or operating all or part of the overall project.
3. *“Complete and Technically - Adequate Application”* – An application package that includes all necessary documents and information, which is provided in sufficient detail to perform a Technical Review.
4. *“Completeness Review”* – Process by which Department staff will review applications to determine if they are complete and technically adequate, addressing all applicable regulatory and statutory requirements.
5. *“Elevated Review Process”* – Process whereby staff will raise issues, requests for clarifications and instances in which applications failing to appropriately respond to

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technical deficiencies arise, to superiors, including Permit Chief, Air Quality Program Manager, and if merited to the Department Director.

6. *"Final Action"* – Issuance or denial of an Installation Permit.
7. *"Permit Decision Guarantee Timeframe"* – The length of processing time that a permit decision will be guaranteed by the Department, provided an applicant submits complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission. This length of time and included permits are outlined in Appendix A.
8. *"Permits"* – Authorizations issued by the Department, giving approval to perform a regulated activity. For the purpose of this policy, "permits" means installation permits.
9. *"Permit Engineer"* – The specific Department staff member that will be responsible for the processing and review of an application and will be the permit writer.
10. *"Permit Decision Guarantee"* – The guarantee from the Department that a permit application that falls under a category included in Appendix A will be reviewed as expeditiously as possible within the Permit Decision Guarantee timeframe, which is applicable only to those complete, technically adequate applications that address all applicable regulatory and statutory requirements.
11. *"Processing Time"* – The total number of business days beginning with the acceptance of a complete and technically adequate application and ending with the final action by the Department. The length of time does not begin until the application passes completeness review and it moves forward for technical review.
12. *"Renewal Application"* – An application to continue an activity authorized under an existing permit in its current form with no proposed changes that is submitted within the renewal timeframe required by the permit. Applications to recommence existing permits where changes are proposed, or for which new statutory or regulatory requirements necessitate a change to the current permit, shall be considered new applications.
13. *"Substantive Project or Design Changes"* – This would be a design change at the desire of an applicant mid-stream, while under technical review. A new application will have to be submitted with new fees. Substantive project or design changes resulting from technical deficiency letters will not require new applications or fees.
14. *"Technically Complex Application"* – An application that by its nature is more complex than a standard application. These applications receive more flexibility in terms of the

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review process than standard applications and are not subject to the Permit Decision Guarantee.

15. “*Technical Review*” – The in-depth technical review, conducted by Department staff, whereby a determination is made whether an application meets all regulatory and statutory requirements required for issuance.

II. Process Guidance

The policy of the Department is to minimize processing time while ensuring adherence to all applicable regulatory and statutory requirements and prioritizing permit applications. The Department’s performance, and that of its staff, will be measured by time lapsed for Department processing.

A. Possible Processing Delays

Ancillary activities required or in addition to the Department’s review of the permit application that may delay the final permit decision. Examples of these activities include:

1. Resolution of outstanding violations or compliance actions against the applicant, where Health Department regulations require those violations be resolved before permits are issued or renewed. This includes, but is not limited to, the provisions of §2102.04.k;
2. Reviews due to the need for approval by or coordination with the U.S. Environmental Protection Agency or Federal Land Managers, including related decisions by those agencies;
3. Other complex, but necessary factors, such as the need for air modeling, risk assessments, the completion of a harms-benefits analysis or permit coordination;
4. Circumstances where public meetings or hearings are held, or draft final permits are issued and additional public comment is needed;
5. Time necessary to address additional public comment opportunities for areas of special concern;
6. Factors outside of the Department’s control, e.g. natural disasters or emergency responses that may require immediate use of resources or render Department resources unavailable; and,

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7. Applications submitted pursuant to a Consent Order and Agreement, Department Order, consent decree or Order of a judicial body.

Many permits decisions cannot be made until the above actions have been taken and resultant issues resolved. To the greatest extent possible, the Department will complete its review of permit applications expeditiously, however, the above situations may delay the Department's final permit decision.

B. Permit Review Hierarchy

1. The Department, unless required by law or regulation, will not review permit applications solely on a "first-in-first-out" basis. When an application is received, the Permit Chief, in consultation with the Air Quality Program Manager, will provide direction to staff on the priority of the permit application.

The prioritization or hierarchy of permit applications for review will be as follows:

- i. Applications necessary for the protection of public health, safety or the environment from imminent threats or that are necessary to support the restoration of the environment or that support broader environmental improvement goals.
- ii. Applications necessary for economic development projects that create and/or retain jobs in Allegheny County, leverage private investment in Allegheny County, and/or provide significant economic benefit to Allegheny County communities.
- iii. Applications within the Permit Decision Guarantee that do not meet any of the criteria in 1. (i.) and (ii.) above.
- iv. Applications for which the Permit Decision Guarantee is voided.
- v. All other applications that do not meet the above criteria will be completed on a "first-in-first-out" basis.

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2. Application Types – The following application types will be reviewed in hierarchical order as listed:
 - i. New applications that meet the criteria of B.1. (i. – v.) above, in order.
 - ii. Amendment, Modification, Transfer, or Change of Ownership applications that meet the criteria of B.1. (i. – v.) above, in order.
 - iii. Requests for Installation Permit extensions that will expire without action by the Department that meet any of the criteria in B.1. (i. – v.) above, in order.
 - iv. All others.

C. Permit Coordination

The Department will coordinate with other agencies in any situation where permit coordination is required.

D. Permit Review and Approval

All installation permits will be reviewed following the process detailed in this policy. The Permit Decision Guarantee shall apply only to those applications listed in Appendix A that are complete, technically adequate and address all applicable regulatory and statutory requirements.

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III. Accountability

A. Applicant Responsibilities

1. Request a Pre-Application Conference

A pre-application conference is the foundation for improved understanding and communication between the potential applicant and the Department. The pre-application conference allows the Department, consultant and applicant to discuss project details and seek clarification on applicable regulatory and statutory requirements. Upon request, the Department will schedule pre-application conferences. If an applicant chooses to forego a pre-application conference when one is advised by the Department, the Permit Decision Guarantee may be voided.

In many cases, permit applications are complicated and challenging, due to the relationship of the numerous and overlapping environmental laws and regulations. Therefore, it is strongly recommended that applicants employ consultants with expertise in the areas of environmental permitting sought to aid in completion of permit applications.

Under this policy, Applicants and their Consultants are responsible for:

- i. Contacting the Department as soon as it is possible to provide a description (such as a project summary, preliminary emissions estimates, maps, etc.) of the proposed project, and requesting a pre-application conference. The applicant should provide the Department with the project description at least three (3) business days prior to the scheduled pre-application meeting.
- ii. Remaining in contact with the Department throughout the development of the project details and technical design. This will enable a thorough understanding by the Department and identify potential regulatory concerns that could delay permit issuance. Applicants and their consultants will work with the Department to identify solutions.

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2. Submit a Complete and Technically Adequate Application

The Applicant is responsible for submitting a complete and technically adequate application which meets all applicable regulatory and statutory requirements and contains all information needed by the Department to make a final permit decision. Failure to do so will void any Permit Decision Guarantee. Applications that fail to meet Department requirements for completeness will be denied, unless stated otherwise in applicable statutes and regulations. Applications that require revisions, additions, corrections or supplements take much longer to review, and thus the Department cannot provide certainty regarding the permit processing timeframe.

Once an application has been accepted by the Department as complete, any substantive project or design changes to that application made by the applicant will require a new application package to be submitted following appropriate program requirements and procedures and, as applicable, will void the Permit Decision Guarantee. Substantive project or design changes resulting from technical deficiency letters, or from information or input taken through public comment or hearings, will not require new applications or fees.

3. Track Progress and Provide Information

Applicants and their consultants may track the progress of their review by contacting the appropriate Permit Engineer or the Permit Chief. Applicants are also responsible for providing timely responses to requests for information and to deficiency letters. Applicants must ensure that responses provided are technically accurate and respond fully to the request for additional information. Applicants are responsible for ensuring that responses to information requests meet all applicable regulatory and statutory requirements.

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B. Department Responsibilities

1. Maintain Technical Guidance, Permit Forms and Fact Sheets

The Air Quality Program will be responsible for developing and maintaining all technical guidance, permit forms, fact sheets, application checklists and other materials necessary to provide clear and concise expectations for applicants. All permit applications will include a checklist outlining required application materials and information.

All public documents such as technical guidance, permit forms, fact sheets and application checklists will be periodically reviewed and if necessary, revised and posted on the Air Quality website.

2. Provide Frequent and Focused Training

All Permit Engineers will be trained to implement this policy for application and permit reviews. Training will focus on, but will not be limited to, program expectations and performing accurate and consistent permit reviews. Training for the regulated community and other stakeholders will be provided as needed.

3. Maintain Open Lines of Communication

The Department will ensure that throughout the application review process, communication is maintained with the applicant, other regulatory partners, local officials and the public. This communication may include notification of major milestones to the applicant and their consultants, and communicating as early as possible upon the determination of a deficiency.

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4. Schedule and hold Pre-Application Conferences

Department staff will:

- i. Encourage Applicants and their consultants to participate in pre-application conferences.
- ii. Schedule pre-application conferences when they are requested and deemed to be necessary. The Permit Engineer will arrange these conferences in most cases. Conference attendees must include the applicant, the applicant's consultant, and the Permit Engineer. For very large, high-priority economic development projects, the Permit Chief and Air Quality Program Manager may also be invited.
- iii. Seek as much information as necessary prior to the pre-application conference to ensure that all appropriate staff are present and the outcome of the conference effectively outlines expectations and communicates next steps. The Permit Engineer will review the materials provided by the Applicant prior to the meeting.
- iv. Provide an explanation of the type of permit required for the project, an explanation of the permitting process; discuss the need for or potential for public meetings or hearings; and, provide the applicant with the Permit Decision Guarantee timeframe for processing the permit if a complete, technically adequate application addressing all applicable regulatory and statutory requirements is submitted.
- v. Respond to all inquiries from the Applicant regarding the permit process to assure a thorough understanding by the Applicant of the regulatory requirements that could impact permit issuance.
- vi. Provide the Applicant with a clear understanding of what is expected for a complete application.

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5. Completeness Review

Completeness reviews determine whether a submitted application package is complete and technically adequate, contains the necessary information, maps, fees and other documents, and whether these items are of sufficient detail for technical review of the application. This review should ensure that a complete application that addresses applicable regulatory and statutory requirements has been received. The permit application completeness checklist will routinely serve as part of the Department's internal guidelines for determining completeness.

Completeness reviews will be conducted as quickly as possible, and should take no longer than ten (10) business days, unless otherwise indicated by regulatory and statutory requirements. Even when Article XXI or federal law or regulation provides for a longer time period, it will be the Department's policy to complete the review as quickly as possible.

Under this procedure, the Department will complete in order the following steps:

- i. Applications will be received by administrative staff and logged into the electronic tracking database, assuming any applicable fees are submitted.
- ii. Checks accompanying applications will be processed by administrative staff in accordance with the fee processing policy.
- iii. Applications will be delivered to the Permit Chief and Permit Engineer for the completeness review. The completeness review will be performed by the Permit Engineer as quickly as possible, and should take no longer than ten (10) business days, unless otherwise indicated by regulatory and statutory requirements. In making a completeness determination, the Department will rely on specific applicable regulatory and statutory requirements in addition to the permit application completeness checklist.

Minor deficiencies or omissions that can be easily corrected should be addressed through a telephone call or email to the applicant and consultant. The expeditious correction of minor deficiencies may negate the need for an application to be denied as incomplete. The Permit Chief will be responsible for making that decision.

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- iv. If complete, notification will be provided to the applicant via letter or email. Further, upon acceptance of an application, the Department will complete any necessary public notices.

The processing time for the application does not begin until it is deemed by the Permit Engineer to be a complete application.

- v. If the application is deemed incomplete, the Permit Engineer will prepare a letter to deny the application. The letter will specify where the permit application fails to provide the information necessary to document that applicable regulatory and statutory requirements will be achieved. This letter will include specific applicable regulatory and statutory citations and will be reviewed and approved by the Permit Chief.

Should an Applicant choose to amend the application and resubmit the package, following appropriate program requirements and procedures, the Department will treat the resubmitted package as a new application.

6. Technical Review

Complete applications will be subject to a detailed technical review. Applicants will be notified in writing of technical deficiencies discovered during the Department review. Applicants will have one opportunity to correct technical deficiencies. More technically complex projects and applications may receive additional deficiency letters as appropriate prior to a decision point. Technical deficiencies will void the Permit Decision Guarantee.

Technical reviews are to determine whether an application package contains the necessary scientific and engineering information and project design to address specific regulatory requirements.

In completing the technical reviews, Department staff will:

- i. Ensure that all applicable regulatory and statutory requirements are adequately addressed by the application. Specific and applicable regulatory and statutory requirements will be used to conduct these reviews.
- ii. When and if there are technical questions or alternate engineering designs proposed, the Permit Engineer will expeditiously elevate these to the Permit Chief for consultation and resolution.

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- iii. Not rely on personal preference or opinion. Staff should confer with the Permit Chief as necessary.
- iv. Process technically adequate and scientifically sound applications for final approval to minimize elapsed time in accordance with the Permit Decision Guarantee.
- v. If the technical information submitted with the application does not meet published technical guidance or standards, the application must provide the scientific or engineering basis to support the application. Note that deviations from technical guidance can generally be approved by the Permit Chief, when warranted, provided acceptable justification has been submitted. Minor deficiencies that can be easily corrected should be addressed through a telephone call or email to the applicant and consultant, and may negate the need for a deficiency letter. The Permit Chief will be responsible for making that decision.
- vi. If an application fails to provide the technical information necessary to document that applicable regulatory and statutory requirements will be achieved, it is technically deficient and the Permit Engineer will prepare a technical deficiency letter. Again, all deficiencies noted must cite the statutory or regulatory obligation that the application has failed to meet and the Permit Chief will routinely review these letters. One technical deficiency letter will be sent. More technically complex projects and applications may receive additional deficiency letters as appropriate prior to a decision point. Each deficiency cited must note the statute, regulation or technical guidance provision. Technical guidance provides a means to compliance, but may not be used or cited when issuing a permit denial. The letter will state, as necessary, that the Permit Decision Guarantee is no longer applicable and offer the applicant an opportunity to meet and discuss the deficiencies. The letter will include a deadline for submission of the deficient information.
- vii. Applicant responses that do not make the application technically adequate within the established response timeframe will be subject to the Elevated Review Process below. Applications that are made technically adequate within the established response timeframe will proceed to processing for final action.

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7. Elevated Review Process

Applications that are technically deficient, and for which the deficiencies have not been resolved satisfactorily within the established response timeframe, for any reason, will be subjected to the elevated review process. This process will include the following:

- i. The Permit Chief will notify the Air Quality Program Manager of the elevated review, and arrange a time to discuss the details of the application and the noted deficiencies. The Permit Chief and Air Quality Program Manager may contact the Director for advice or assistance.
- ii. Complex projects involving multiple permit applications with multiple deficiencies may require a face-to-face meeting of all staff involved.
- iii. Staff will agree on a direction for final review of the permit application(s), which may include a face-to-face meeting with the Applicant and the consultant(s) or a telephone call with the Applicant and the consultant(s) to discuss the deficiencies. If the meeting or call results in a resolution, the Permit Chief may provide the applicant with an additional ten (10) business days to respond. If resolution cannot be reached, the deficiencies must be elevated to the Air Quality Program Manager for review. The Air Quality Program Manager will provide direction on the permit decision.
- iv. The Elevated Review Process will receive a high priority and will be completed within fifteen (15) business days of first notification of elevated review by the Permit Chief or Air Quality Program Manager.

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8. Permit Decision

i. Permit Decision Guarantee

The Permit Decision Guarantee will apply only to those applications listed in Appendix A that are complete, technically adequate applications that address all applicable regulatory and statutory requirements in the first submission.

Should the Department fail to meet the established Permit Decision Guarantee Timeframe, a decision on the application shall be the next actionable application. Specifically, upon failing to meet the established Permit Decision Guarantee Timeframe, the Permit Chief or Air Quality Program Manager will have five (5) business days to make an appropriate decision from the options listed in (ii.) through (iii.) below. If that timeline is not met, a meeting will be scheduled with the Director to determine why the deadline was missed.

ii. Approval

Applications that are complete and adequately demonstrate that they meet all applicable regulatory and statutory requirements with no remaining deficiencies will be approved in accordance with the applicable program procedures.

iii. Denial

Applications may be denied if they continue to possess technical deficiencies after two technical reviews, and cannot adequately demonstrate that they meet all applicable regulatory and statutory requirements. Applications that are denied will forfeit all fees. Denied applications will need to be re-submitted following appropriate program requirements and procedures and will be considered a new application.

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9. Permit Application Tracking

The Department will maintain an internal application processing system for tracking applications covered by this policy. The Department will track the specifics of each application identifying dates associated with receipt, Completeness Review, Technical Review, the Elevated Review Process (if necessary), and finally Permit Decision.

To review and monitor progress made on application processing for the permits:

- i. Weekly permit tracking reports will be generated for the Permit Chief and Permit Engineers. The Permit Chief and Permit Engineers will meet bi-weekly to discuss processing times and address actions to avoid backlogs.
- ii. Bi-weekly meetings will be held by the Permit Chief and Air Quality Program Manager to discuss processing times and address actions to avoid backlogs.
- iii. With approval of the Air Quality Program Manager, frequencies of reporting and meetings may be changed.

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Appendix A

Permits included in the Permit Decision Guarantee (PDG)

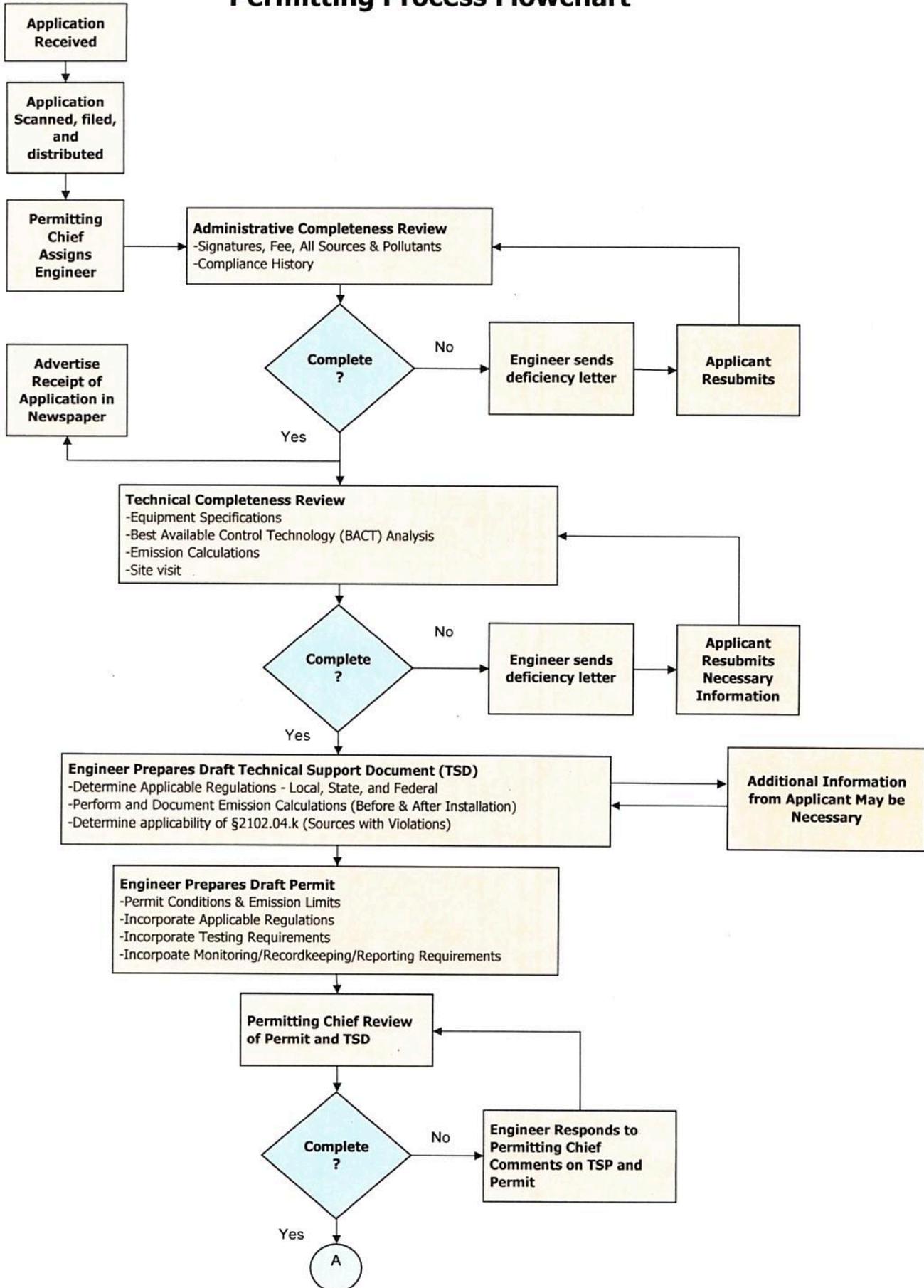
Authorization Type Description	PDG Timeframe (Business Days)¹
Minor Facility Installation Permit, Article XXI	130
Minor Facility Installation Permit, New Source Performance Standards (40 CFR Part 60)	130
Minor Facility Installation Permit, National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)	130
Minor Facility Installation Permit; MACT Hazardous Air Pollutants (40 CFR Part 63)	130
Major Facility Installation Permit, Article XXI	150
Major Facility Installation Permit, New Source Performance Standards (40 CFR Part 60)	150
Major Facility Installation Permit, National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)	150

1. Permit Decision Guarantee Timeframe listed may differ from applicable statutory or regulatory requirements due to the change from calendar days to business days.

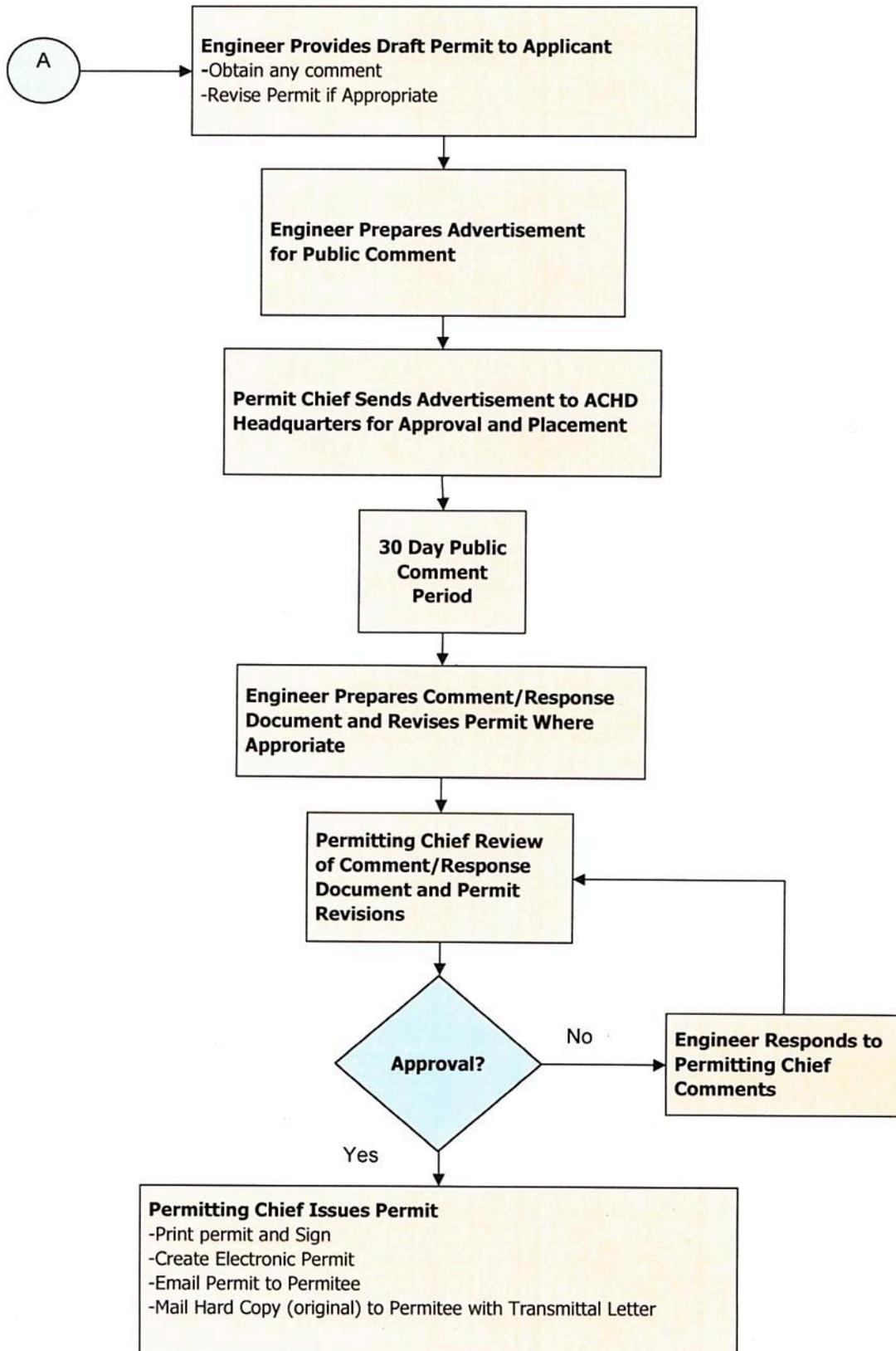
APPENDIX 5

Permitting Process Flowchart

Air Quality Program Permitting Process Flowchart



**Air Quality Program
Permitting Process Flowchart
(Page 2)**



APPENDIX 6

Permit Application Package Checklist



Air Quality Permit Application Package Checklist

To ensure timely processing of your permit application, the following checklist is provided as a list of items required for a complete application. If at any time you have questions about your application, please call 412-578-8115 or the permitting engineer.

Your permit application package should include:

	A cover letter with a description of the installation (for installation permits) or process description (for operating permits)
	Completed Permit Application Form (http://www.achd.net/air/permitting.html)
	BACT analysis (IP applications only)
	Air Toxics Review (IP applications only)
	Calculations
	Process flow diagrams
	Any relevant manufacturer specifications or guarantees
	Any appendices containing additional information such as Sources of Minor Significance
	Completed Compliance Review Form (http://www.achd.net/air/permitting.html)
	Application fee

Please note that if any of these items are missing or incomplete, the permit application may be deemed 'incomplete' and will result in a delay of processing.

APPENDIX 7

Air Quality Program Organization Chart

AIR QUALITY PROGRAM ORGANIZATION CHART

