Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services

STATEMENT OF BASIS

Multiple Facilities
Part 70 General Operating Permit Initial or Renewal
Multiple Companies
Municipality, Multiple Parish, Louisiana
Agency Interest Number: Varies
Activity Number: PERYEAR00XX
Draft Permit XXXX-XXXXX-VX or XXXX-VX

Preamble

This is a revision to the current Louisiana Department of Environmental Quality General Permit.

The original General Permit was printed in the following newspapers requesting public comment on the General Permit: *the Louisiana Register*, on September 20, 1996; *The Advocate*, Baton Rouge, on September 5, 1996 and September 13, 1996; *The Times-Picayune*, New Orleans, on September 5, 1996, and September 14, 1996; *The News-Star*, Monroe, on September 10, 1996, and September 23, 1996; *The Lake Charles American Press*, Lake Charles, on September 5, 1996, and September 25, 1996; *The Times*, Shreveport, on September 7, 1996, and September 25, 1996; and in *The Advertiser*, Lafayette, on September 8, 1996. Several comments were received and considered prior to approval.

The current General Permit requested public comment by being published in *The Louisiana Register*, on October 20, 2004, *The Advocate,* Baton Rouge; *The Times-Picayune*, New Orleans; *The News-Star*, Monroe; *The Lake Charles American Press*, Lake Charles; *The Times of Shreveport*, Shreveport; *The Advertiser*, Lafayette; the *Town Talk of Alexandria*; Alexandria and in the *The Courier of Houma*, Houma on October 14, 2004. Several non-technical comments were received and considered prior to approval on April 5, 2005.

The Louisiana Part 70 General Operating Permits that are issued to facilities are specific to those sites as covered by the regulations associated with coverage under the General Permit program. As such, those issued permits continue to remain effective until such time as the facility is required to submit a permit modification or permit renewal application. Any proposed change in equipment, operation or regulatory change such as new promulgated NESHAPS that affect the applicability coverage under the issued permit must be handled through the appropriate permitting action procedures.

This revised General Permit adds the following regulations to those previously included:

- 40 CFR 60 Subpart CCCC - Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1,

2001. **This just pertains to the portion of the regulations for Air Curtain Incinerators. Specifically 40 CFR 60.2245 through 2260 and as referenced.**

- 40 CFR 60 Subpart IIII - Stationary Compression Ignition Internal Combustion Engines
- 40 CFR 60 Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
- 40 CFR 63 Subpart YYYY—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
- 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
- 40 CFR 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters

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The full list of regulations covered in this revised General Permit is in the attached Appendix A. The types of facilities that can be covered by this General Permit are any facilities or portion thereof, that are subject to the regulations covered by this General Permit. If a facility or source is subject to any regulation not listed in Appendix A, then a General Permit cannot be issued for that facility. An exception to this is when there is a specific condition that meets all of the requirements of being a state only requirement, such as an emission cap to provide operational flexibility. This excludes federally enforceable specific conditions or limitations, used for example, to exclude the facility from being subject to PSD, NNSR or MACT. It should be noted that LAC 33:III Chapter 51 state MACT is a state only requirement, and therefore a state enforceable condition can be added to restrict Toxic Air Pollutants (TAPS), that are not Hazardous Air Pollutants (HAPs), such that the source would not be applicable to the state MACT regulations. See the glossary for those TAPS that are not HAPS.

Description and Explanation of the General Permit

The General Permit consists of four major sections:

- The General Permit Briefing Section
- The General Information Section
- The Inventories Section
- The Specific Requirements Section including the emission rate summary

The General Permit Briefing Section contains the specific facility information, the equipment, operating process overview, and details about any modifications or changes at the facility. Some facilities will need to address contiguity issues. LDEQ has updated the information with regards to Louisiana's interpretation of oil and gas contiguity and posted it to the LDEQ web page effective June 15, 2006. The briefing sheet for the permit will address any contiguity issues related to the proposed permit.

The General Information Section is a report that contains information specific to the facility such as the responsible official, the physical address, the mailing address, etc.

The Inventories Section is a listing of the equipment, fugitives, sources and groupings that are regulated within the permit document. Each subject item listed should have some type of requirement associated with that subject item, or at a minimum, a relationship to another subject item. For example, the listing might have several storage tanks that have the emissions controlled by a flare. The tanks and the flare will be listed separately and under the relationship section of the report, that emission control relationship will be indicated.

The Specific Requirements Section contains a summary table of the emission rates by criteria pollutants and a separate table for any and all reportable toxic air pollutant emission rate. The second portion is a report of all the regulations that the facility is subject to. Each requirement is associated with the regulated equipment, control device, or emission source. To better understand this report it is important to understand some background information.

Two key concepts in the Specific Condition Section that are used to describe the regulated entities are Agency Interest and Subject Item. It is important to understand these two concepts before proceeding.

An Agency Interest is that regulated entity of interest to the department, such as facilities, plants, cleanup sites, people, organizations, etc., on which the department maintains information.

Subject Items (SI) are that data about the components comprising an Agency Interest (AI), which are subject to regulation (i.e., those parts of an AI that emit pollutants, part of a process, or some other item that the department places requirements on). Examples of Subject Items are individual pieces of equipment, release points, and control devices. In addition, Subject Items can be optionally grouped to form larger Subject Items, such as entire plants, process lines, or Units. An Agency Interest is always the largest Subject Item group by default. For larger facilities that have multiple permits, a Group would be the largest Subject Item group.

Subject Items fall into various categories, for example, equipment, release points, and control devices. Within the system, a Subject Item is identified by the category into which it falls (e.g., EQT for equipment, FUG for fugitives, and RLP for release point).

- "Facility-wide requirements" in the regulations are used for regulations that apply to the entire "affected source" (submittal/actions, general recordkeeping requirements, good operating practice requirements, etc); "affected source" is defined differently by each section/subpart (facility, unit, AI, source, stationary source, plant, group of equipment, etc.)- this type of regulation uses the terminology of the individual regulation to determine its description (source-wide requirements, plant-wide requirements, etc.).
- "Facility-wide requirements" will USUALLY be selected for the AI SI (depends on the individual subpart - or could be selected for a group used to represent the facility as a whole).

Selecting Standard Regulations

The specific conditions attached to this general permit contains the universe of regulations that may apply to the facility and associated equipment. The permit writer selects / edits / creates specific requirements from the available regulations in those chapters/sections/subparts as needed. If any regulation applies to any facility or associated emission source, and is not part of the attached specific conditions, then that facility cannot be granted a General Permit. An

exception to this is when there is a specific condition that meets all of the requirements of being a state only requirement. This excludes federally enforceable specific conditions or limitations, used for example, to exclude the facility from being subject to PSD, NNSR, or MACT.

An example of a regulation that is only partially applicable is LAC 33:III Chapter 11 for Control of Emissions of Smoke. All regulations from that chapter are currently listed in the attached specific conditions for the emission source. Two main subsections in Chapter 11 are 1101.B, which is for the Emission of Smoke from any combustion unit other than a Flare, and 1105, which is Smoke from Flaring shall not exceed 20 percent opacity. Both of these requirements are listed, but only one can apply to any given emission source. If it is a flare, then 1101.B does not apply and will not be in the facility specific conditions of the issued general permit. If it is not a flare, then 1105 does not apply and will not be in the facility specific conditions of the issued general permit.

For each regulated emission source, more than one regulation or requirement may apply. However, the regulations sometimes provide for different means (options) to comply. The facility can choose which of these options they wish to use for compliance. The attached specific conditions list all of the options. The permit writer will then review the permit application and choose the option requested by the applicant. The other options will not print in the proposed or final signed version of the facility specific General Permit.

Some regulations may be only partially applicable to an emission source. For example, a source may be exempt from the substantive provisions of the regulations, but recordkeeping and reporting requirements may still apply. The permit writer will not list the non-applicable requirements, but will leave the required recordkeeping and reporting requirements to print out in the proposed and final General Permit.

Some regulations may have different requirements based on the type of pollutant being emitted. The permit writer will not list the pollutant specific regulations that do not apply to that source, but will leave the applicable regulations.

Therefore, this General Permit contains the complete listing of all regulations, regulation options, and all regulations related to being subject to the substantive provisions as well as to just the exempt provisions. What will be issued on a facility specific General Permit will be only those regulations that actually apply to the specific facility. Naturally, any facility that does not have a specific type of emission source, such as a flare, will not have regulations for that emission source in the General Permit.

Appendix B of this Statement of Basis contains a general list of the most common various equipment types. This list is not intended to be all inclusive, as other types of equipment may be contained in an application that is not covered by this listing. The associated regulations on a per equipment type basis are the most common regulations for that general type of equipment. The equipment types are not limited to those regulations and the regulations are not limited to those types of equipment. The General Permit is limited by whether any equipment is subject to regulations not listed on Appendix A.

The Louisiana Department of Environmental Quality is following the regulations for the issuance of a General Permit in accordance with LAC 33:III.513.

- The applicant for a General Permit must include all information necessary to determine qualification for and to assure compliance with the General Permit.

- The owner or operator shall publish a notice of the application in a newspaper of general circulation in the local area where the source is or will be located.
    - LDEQ provides two opportunities for an applicant to comply with this requirement.
        - For new facilities and substantial permit modifications, the application must undergo a completeness review by LDEQ. Upon being determined to have submitted a complete application, the applicant must publish a notice in a major local newspaper. The applicant can wait for the completeness review response from LDEQ and then publish one notice to cover both requirements, using a form sent by LDEQ.
        - For permit applications that are not required to undergo a completeness review, LDEQ provides a sample public notice form on LDEQ's web page that the applicant can use to satisfy this requirement.
- The permitting authority may approve an owner or operator's application for authorization to operate under the general permit without repeating the public participation procedures.
- General permits may also be issued for a source or sources that meet the criteria for a minor modification as specified in LAC 33:III.525.

What follows is a standardized format Statement of Basis for this generic General Permit. It describes each of the sections of the General Permit Briefing Sheet.