

## ROP Renewal Technical Review Procedures

Every ROP application needs to have a complete technical review conducted. This means that information previously incorporated into the ROP from various sources needs to be confirmed upon each renewal cycle. In addition, pay close attention to new emission units, changes in existing emission units, new PTIs, new regulations, etc. This document will guide you through the technical review process for an ROP Renewal. The technical review picks up where the administrative completeness determination ends. This document assumes that you are reviewing an administratively complete ROP renewal application. You will be guided through each Part in the ROP application as well as the mark-up copy of the ROP and advised on how to incorporate information from the application into the actual permit. As you develop the ROP, refer to specified guidance that is referenced in these procedures for additional details.

This document should be used in conjunction with the Staff Report Instructions. The staff report should mention all significant changes that are made to the ROP as well as history and enforcement actions related to the source.

**NOTE:** Where instructions indicate that you should **document your technical review in MACES**, this should be done via Compliance Activity (**ROP Tech Review Notes**). All of the review notes may be done in the same document.

### I. Information to have on hand for ROP Renewal Application Technical Review

1. Source's current ROP
2. ROP Manual
3. Permits to Install (PTIs) issued to the company (**incorporated** as well as **not incorporated** into the ROP)
  - a. ROP Look-Up: This tool shows what PTIs have been rolled into the ROP, what PTIs have been issued and need to be incorporated into the ROP, and what modifications may need to be added to the renewal. This tool can be used to verify which PTIs need to be incorporated into the ROP.
4. Any management and work practice plans associated with the ROP and/or PTIs (i.e., MAP, Nuisance Minimization, Fug. Dust, O&M, PMP, SSM, etc.)
5. Any Rule 216 modification applications that the company has submitted but AQD hasn't acted on (look in MACES to see if any have been submitted). Also see ROP Look-Up.
6. Any Rule 215 off-permit notifications (should have been submitted to the district office and should be in the yellow ROP file). Also see ROP Look-Up.
7. ROP reports from the company (Annual Certification, Semiannual Reports, NSPS, MACT, EER, CAM, etc.)
8. MACES reports, including the most recent inspection report.

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9. Consent Orders/Consent Judgments (incorporated as well as not incorporated into the ROP – note these may be State or Federal Consent Orders/ Judgments/Decrees)
  - a. Existing Consent Orders (CO) – determine if the existing CO has been incorporated into the ROP. If yes, discuss any consent orders with company, including if AQD deems appropriate for termination. However, the facility is still required to formally request termination before any conditions may be removed from the ROP.
  - b. New Consent Orders – These may not be in the existing ROP but need to be rolled in. Reference the ROP Manual (3.F) and (3.G) for details on incorporating Consent orders into the ROP.
10. Unresolved Violation Notices.
11. Responses to Violation Notices.
12. MAERS information for the source.
13. AQD rules and regulations.
14. Federal rules and regulations that apply to the source.
15. Staff notes of changes and corrections to be made to the ROP upon renewal. This should be a running list of any items that are noticed in between ROP renewals that need to be addressed/updated/fixed/changed, but could wait until the renewal.

**Only management and work practice plans required in special conditions in the ROP need to be posted. Also, make note of these plans for posting separately from the ROP application.**

## II. Developing the ROP and Verifying Completeness

The secretary should have already created the Working Draft and will have saved many of the required documents into a folder on the District S drive. Please review this with the secretary if more information is required.

1. Developing the Working Draft ROP
  - a. Go to the S:/drive and open the electronic copy saved by your secretary from the mark-up of the ROP that the company submitted. The file will be named “SRN Working Draft {MM-DD-YY}.doc.” Be careful to not alter the official copy submitted by the company
  - \* **Please Note: DO NOT** begin writing the ROP yet. This is the review process of the Application, to verify it is complete.
  - b. If the company submitted only a hard-copy mark-up of the ROP, open the “SRN Working Draft {MM-DD-YY}.doc” created by the secretary from the current final ROP. Add or change the information as you proceed to develop the conditions in the Working Draft ROP.

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2. Begin your review of the application. Enter information and make changes as instructed as you proceed through Sections III - XIII below while developing the Working Draft ROP.
3. As your review of the application progresses, you should send a single letter or email to the company if additional information is needed for more than one issue. Use the template letter "ROP App Additional Info Letter." If possible, the entire application should be reviewed before a request for additional information is sent to avoid a piecemeal approach.
  - a. An email should be used only if there is a small amount of information being requested. Be sure to use the format of the "ROP App Additional Info Letter" for requesting the information.
4. Companies can submit additional information using the C-001 and AI-001 forms.

### **III. Part A: General Information**

1. Source Information
  - a. Verify that the NAICS Code is correct for the source. Compare to the NAICS Code listed in MAERS and MACES.
  - b. Compare the source address provided in the application with the address on the current ROP to confirm that it is the same, even if the applicant didn't check the box indicating that the source address is different than what is on the current ROP.
2. Owner Information
  - a. Compare the owner name with that on the current ROP and update the Cover Page according to the "ROP Shell Instructions" in the ROP Manual (3.B.2) if this was not done in the company's mark-up of the ROP.
3. Confidential Information
  - a. If the applicant has indicated that the application contains confidential information, refer to AQD – 010 "Procedure for Handling of Confidential Materials & FOIA Requests for Confidential Materials" in the ROP Manual (2.1) (under EGLE Active Policy and Procedures, select "Air Quality Division").
4. Contact and Responsible Official Information
  - a. Verify that information for at least one contact and one Responsible Official has been provided in the application. Also verify that the Responsible Official meets the requirements for a Responsible Official in Rule 118(j). Update MACES to reflect the current contact person and responsible official, as appropriate.
5. Additional Information
  - a. If the box is checked that an AI-001 form is provided for additional information for Part A, verify that the AI-001 form is included in the application and review the information.

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### IV. Part B: Application Submittal Information

1. Compliance Statement
  - a. If any boxes have been checked “no” in the Compliance Statement area, conduct a thorough review of the AI-001 forms to determine if an adequate compliance plan and schedule of compliance has been submitted (see the “ROP Shell Instructions” in the ROP Manual (3.B.2) for guidance on what is required in a compliance plan and the schedule of compliance). Determine if a Violation Notice (VN) should be sent.
  - b. **Document your review in your ROP Tech Review notes**, and include a request for any missing information in the additional information letter sent to the company. If the application indicates non-compliance, that was not previously identified, an additional site inspection may be warranted to evaluate the non-compliance issue, determine whether a VN should be sent, and evaluate whether the submitted compliance plan is adequate.
2. Confidential Information
  - a. If the applicant has indicated that the application contains confidential information, refer to AQD – 010 “Procedure for Handling of Confidential Materials & FOIA Requests for Confidential Materials” in the ROP Manual (2.1) (under EGLE Active Policy and Procedures, select “Air Quality Division”).

### V. Part C: Source Requirement Information

This part of the application requires the source to indicate if it is subject to one or more specific regulations and to include any additional information. Review the source’s answers, and document in your technical review notes, so it is clear that these areas have been addressed in regard to the regulations. Provide as much information as necessary to convey relevant information to someone who has no background on the facility. For example, if the facility has never been subject to CSAPR/Acid Rain, this section may be as short as simply indicating that it is not applicable. **Review each requirement and document your review in your ROP Tech Review notes.**

1. C1. MAERS: ALL emission units at an ROP source that are included in the ROP must report emissions to MAERS. If emissions were not reported to MAERS (check the most recently reported MAERS), the MAERS activity and emission forms must be included in the ROP application. If these forms were not included with the application but should have been, include a request for the forms in the additional information letter sent to the company.
2. C2. Federal ozone-depleting substances program: 40 CFR Part 82 has not been delegated to the State. However, since the permit is a federally-enforceable permit, the company must state whether or not it is subject to these requirements. If the company is subject to Part 82, you do not have to incorporate specific requirements into the ROP. Part 82 requirements are referenced in the ROP General Conditions.

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3. C3. Federal Chemical Accident Prevention Provisions – Section 112(r): Verify if the source operates an emission unit that is subject to Section 112(r) of the Clean Air Act (40 CFR Part 68). If the source is subject to Section 112(r), you do not have to incorporate specific requirements into the ROP but ensure that the source has checked that a Risk Management Plan (RMP) has been submitted to the USEPA. Section 112(r) requirements are referenced in the ROP General Conditions.
4. C4. PTE – Criteria Pollutants: Has the source previously submitted a potential to emit (PTE) demonstration for criteria pollutants (CO, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, VOC, lead) emissions that is still accurate? If no, ensure the source has included the potential and emission calculations for each pollutant on an AI-001 Form. If yes, be sure the applicant included the PTI or ROP application numbers or other references for the submitted demonstrations on an AI-form. Check to see if the source belongs to one of the categories listed in Rule 116(n) and 40 CFR 70.2, as fugitive emissions MUST be included in the PTE calculations for these sources. Make sure these references are correct and no emission units have been modified or missed. Also make sure that the USEPA class and pollutants that are marked as major are accurate on the MACES Regulatory Summary Screen. Include this information in your technical review notes and in the staff report.
5. C5. PTE – Hazardous Air Pollutants: Has the source previously submitted a PTE demonstration for Hazardous Air Pollutants (HAPs) regulated by Section 112 of the Federal Clean Air Act that is still accurate? If no, ensure the source has included the potential and emission calculations for identified each pollutant on an AI-001 Form. If yes, be sure the applicant included the PTI or ROP application numbers or other references for the submitted demonstrations on an AI-form. Make sure that Fugitive Emissions are included in the HAP calculations. Fugitive Emissions MUST be included. Make sure these references are correct and no emission units have been modified or missed. Also make sure that the USEPA class and pollutants that are marked as major are accurate on the MACES Regulatory Summary Screen. Include this information in your technical review notes and in the staff report.
6. C6. CSAPR: If the source is subject to CSAPR, the source should indicate on the form that they are subject and list the subject emission units. Notify the Acid Rain Specialist (**Brian Carley**) that the source is subject and coordinate the incorporation of these regulations in the renewal ROP. Refer to “Procedures for Issuance of Non-ROP Renewable Permits (Acid Rain) and Incorporation into ROPs” in the ROP Manual (3.1).
7. C7. Acid Rain: If the source is subject to the Acid Rain Program, they should identify the subject emission units and renewal application(s) for the permit(s) must be included. Copy any applications received for this program to the Acid Rain Specialist (**Brian Carley**) for review and coordination in issuing the renewals in conjunction with the renewal ROP. Refer to “Procedures for Issuance of Non-ROP Renewable Permits (Acid Rain) and Incorporation into ROPs” in the ROP Manual (3.1).

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8. C8. If the source indicates that there are emission units identified in the existing ROP as subject to CAM, review the identified list of emission units and pollutants the source has listed as being subject to CAM on the AI-001 form. Make sure the list is complete by reviewing ALL emission units for CAM applicability to ensure that all CAM subject emission units (and all subject pollutants) have been properly identified.
  - a. Review any CAM Plan submitted with the ROP application, or any previously submitted CAM plan, to ensure that it is complete and meets the minimum requirements specified in 40 CFR Part 64. Refer to the “CAM Guidance” in the ROP Manual (3.C) for procedures for reviewing and incorporating CAM Plans into the Working Draft ROP.
  - b. If a CAM Plan is required for an emission unit but was not included in the ROP application, request the submittal of the required CAM Plan for that emission unit in the additional information letter to the company.
  - c. If the source indicated that there is Presumptively Acceptable Monitoring (PAM), CAM must still be included in the ROP. Refer to page 13 of the “CAM Fact Sheet” in the ROP Manual (3.C.2).
  - d. All CAM Plans and CAM special conditions must be reviewed by the CAM Specialist.
9. C9. Required management and work practice plans: If the source indicates that they have required plans, verify that the plans are included with the application and review them for the following information:
  - a. Ensure that each plan is the most recently approved version and review any submitted plans to ensure all requirements have been appropriately addressed.
  - b. Ensure that any recent changes in equipment or operational scenarios have been addressed in the plan. If any updates are needed, include the specifics in the additional information letter to the company. If the source does not indicate that plans are required, check your resource materials (see Section I – Information to have on hand for ROP Renewal Application Technical Review) to see if the source should have included plans that we are aware of. If so, include a request for those plans in the additional information letter sent to the company. **Make sure that any special conditions requiring the plan are in the ROP.**
10. C10. Non-Applicable Requirements: If the source identifies any requirements within the ROP that are non-applicable or any NSPS or MACT standard is not applicable, review their justification on the attached AI-Form. Document your agreement or disagreement in your technical review notes. If you don't agree with their justification keep the required conditions in the ROP, or add the conditions, as appropriate. Do NOT use this section to document obvious non-applicable regulations. ONLY use this section to identify regulations where a thorough, detailed review has been done on a specific regulation and the source will not become subject to this regulation.

Additional Information: If the box is checked for having an AI-001 form for additional information for Part C, verify that the AI-001 form is included in the application and review the information.

**NOTE: If your source has any issues with the above documents/regulations, document it in your ROP Tech Review notes.**

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### VI. Part D: ROP Exempt Emission Unit Information

This part of the application is used to identify emission units that are exempt from being included in the final ROP pursuant to Rule 212(4). Emission units identified here should not be subject to any process specific emission limitations (e.g. Rule 331, NSPS, MACT, NESHAP, etc.).

1. Review each exempt emission unit listed in Part D for the following ***and document your review in your ROP Tech Review notes:***
  - a. Verify that the listed Rule 201 exemption applies to the emission unit.
  - b. Verify that the Rule 201 exemption is one of the rules listed under Rule 212(4).
  - c. Determine if the emission unit is subject to a process specific emission limitation or standard (e.g. Rule 331, NSPS, MACT, NESHAP, etc.). Use the “Rule 212 Support Tables” in the ROP Manual (2.B).
2. Depending on the results of your review, one of the following actions will be taken (***and documented in your ROP Tech Review notes:***):
  - a. If the emission unit is exempt pursuant to Rule 212(2) or Rule 212(3), then do not include it in the draft ROP Staff Report.
  - b. If the emission unit is truly exempt under Rule 212(4) and is not subject to a process specific emission limitation, identify it in the Exempt Emission Unit Table in the draft ROP Staff Report.
  - c. If the emission unit is exempt pursuant to Rule 212(4) but is subject to a process specific emission limitation or standard (e.g. Rule 331, NSPS, MACT, NESHAP, etc.), then include a request for the appropriate ROP application forms to be submitted for the emission unit in the additional information letter sent to the company. This emission unit is not an ROP-exempt emission unit and needs to be included in the ROP.
3. Review the list of exempt emission units in the most recent ROP Staff Report. If there are emission units listed in that Staff Report that are not in the renewal application, include a request in the additional information letter sent to the company asking for an explanation as to why the emission unit(s) is/are not included in the renewal application, unless you verified removal in the most recent inspection. This section should include any exempt emission unit that does not have any applicable requirements or limits. Any emission units that do have applicable requirements or limits need to be included in Parts G or H.

### VII. Part G: Emission Unit Exempt Under Rule 281(2)(h), 285(2)(r)(iv), 287(2)(c), or 290

Although this is out of sequence in the application form, for technical review, it makes sense to review these exempt emission units before reviewing the changes to the non-template emission units in Part E.

This part of the application is used to identify emission units that are exempt from Rule 201 pursuant to Rule 281(2)(h), Rule 285(2)(r)(iv), Rule 287(2)(c), or Rule 290. Although these emission units are otherwise exempt from the ROP pursuant to Rule 212(4), they must be included

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in the final ROP because they are subject to process-specific emission limitations or standards. To ensure consistency in adding the applicable requirements, templates were created to provide standardized conditions for these specific PTI-exempt categories.

1. Review each exempt emission unit listed in Part G for the following ***and document your review in your ROP Tech Review notes***:
  - a. Determine if the emission unit identified is truly exempt from Rule 201 in accordance with the rule identified.
  - b. Verify whether or not the emission unit is in compliance. This can be done by requesting records from the company or by reviewing recent AQD inspection reports.
    - i. If the emission unit is not in compliance, a violation notice and/or consent order should be in the file, a compliance plan should be included in the ROP application (if the source expects to not be in compliance at the time of ROP issuance), or a violation notice should be sent to the source if the noncompliance has not been addressed.
    - ii. If a compliance plan was required but was not submitted, include a request for a written compliance plan in the additional information letter or email to the company.
  - c. Verify whether or not emissions from this emission unit were reported to MAERS.
    - i. If emissions were reported in MAERS, use the information to help determine if the emission unit is in compliance with the Rule 201 exemption.
    - ii. If emissions were not reported in MAERS, the MAERS activity and emission forms must be included in the ROP application. If these forms were not included, include a request that the forms be submitted in the additional information letter to the company. Once the forms have been submitted, be sure to enter the information into MAERS.
2. For each emission unit or group of emission units included in the Part G table, enter or verify the Emission Unit ID in the Emission Unit Summary Table in the Working Draft ROP. Also enter or verify the Flexible Group ID in the Flexible Group Summary Table of the Working Draft ROP.
3. Incorporate the standardized template requirements for each rule identified in the Part G table into the Working Draft ROP (using the ROP Add-in Toolbar) if they are not already in the ROP.

**NOTE:** It is recommended that you now work through Parts E, F and H by emission unit, so you can follow the changes for each emission unit through the parts of the application that apply to it. ***Document your review in your ROP Tech Review notes for each emission unit.***

### VIII. Part E: Existing ROP Information

This part of the application addresses a wide variety of issues relating to the emission units in the ROP. The source's answers to the questions in this part will lead you to which emission units have experienced changes since the last ROP was issued that were not incorporated into the permit. Changes identified in this part will be further explained in other sections of the application.



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1. E1. If the source proposes changes to terms, conditions, or UARs, verify that adequate justification is provided in the following parts of the application. Also document whether or not you agree with the proposed changes.
2. E2. If stacks with applicable requirements were not reported in MAERS, the appropriate MAERS forms must be included in the ROP application. If these forms were not included, request that the forms be submitted in the additional information letter to the company. Once the forms have been submitted, be sure to enter the information into MAERS.
3. E3. If the source indicates that any emission units have been modified or reconstructed, there should be information about the PTI included in Part F, item F2.
4. E4. If any emission units have been dismantled, confirm that they have been marked as dismantled in MAERS. If they have not been marked as dismantled in MAERS, update the information in MAERS as necessary. Also verify during facility inspection that the emission unit is physically dismantled

### IX. Part F: Permit to Install (PTI) Information

This Part applies to PTIs issued for new emission units (that have not been incorporated into the ROP) or emission units already in the ROP that were revised by a PTI, but the revisions haven't been incorporated into the current ROP. ***Document your review in your ROP Tech Review notes for each emission unit.***

1. F1. For any new emission units that are not in the current ROP, check to see if they have been added to MAERS. If they haven't, add them to MAERS with the same information contained in the PTI. Enter or verify the emission unit ID in the Emission Unit Summary Table in the Working Draft ROP. Verify the emission unit has been constructed and add the constructed date to the Emission Unit Summary Table. If the new emission unit is in operation and isn't in MAERS, MAERS activity and emission forms must be included in the ROP application. If these forms were not included, include a request that the forms be submitted in the additional information letter to the company. Check to make sure the PTI conditions were correctly added to the ROP mark-up. Additionally, be sure that the company has submitted a 215(3) notification of change to the district for the new Emission Unit.
2. F2. If any of the PTIs listed in F1 make changes to existing emission units, review the listed emission units/flexible groups affected, and compare the PTI conditions to the changes made in the mark-up of the ROP for accuracy. Determine if the PTI conditions have been adequately addressed and are enforceable. Check to make sure that a modification application was submitted on an M-001 form by the source to allow it to legally operate the change authorized by the PTI. Make sure all modification requests received from the source match up with changes listed in either Part F or Part H.

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3. F3. If any of the PTIs listed in F1 identify any new emission units that need to be incorporated into the ROP make sure the PTI was submitted as part of the application. If the PTI was not included as part of an AI-001 Form, request the forms be submitted. If this new emission unit was submitted as part of a Modification application, make sure it was submitted on an M-001 form, so the source is legally allowed to operate the emission unit authorized by the PTI. Incorporate the new emission unit(s) into the appropriate emission unit table, or flexible group. Determine if the PTI conditions are all enforceable and have been accurately incorporated into the ROP. Make sure all modification requests received from the source match up with changes listed in either Part F or Part H.
4. F4. If stacks with applicable requirements were not reported in MAERS, the appropriate MAERS forms must be included in the ROP application. If these forms were not included, include a request that the forms be submitted in the additional information letter to the company. Once the forms have been submitted, be sure to enter the information into MAERS.
5. F5. If the source makes administrative changes to any emission unit names or descriptions, update the name or description in the Emission Unit Summary Table and specific emission unit table in the Working Draft ROP if the source did not do that in its submitted electronic mark-up. Also update the emission unit name or description in MAERS.
6. For each PTI listed in the Part F Table, enter the PTI number, description, and the emission unit(s) it pertains to in Appendix 6 of the Working Draft ROP.

### X. Part H: Requirements for Addition or Change

Part H is used to identify changes or additions to the ROP that have **not** been identified in Parts F or G of the ROP application. Often, these will be new federal regulations that the company has become subject to or minor changes to conditions in the ROP that were not changed via a Permit to Install. A separate Part H *may* be completed for each change or addition. ***Document your review in your ROP Tech Review notes for each Part H change/addition.***

1. H1. Review each Part H separately, determining if all information is included for the change or addition. If not, include a request for the missing information in the additional information letter to the company.
2. H2. If the source makes administrative changes to any emission unit names or descriptions, update the name or description in the Emission Unit Summary Table and specific Emission Unit Table in the Working Draft ROP if the source did not do that in its submitted electronic mark-up. Also update the emission unit name or description in MAERS.

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3. H3. If the source proposes adding a new emission unit or flexible group, enter or verify the emission unit or flexible group description under the DESCRIPTION heading in the appropriate Emission Unit or Flexible Group Table in the Working Draft ROP. The description should be the same as the description entered in the Emission Unit or Flexible Group Summary Table and MAERS.
4. H4. If the source proposes changes to an existing emission unit or flexible group due to state or federal regulations, enter or verify any changes to the entry in the Emission Unit Summary Table or Flexible Group Summary Table. Review the regulation that the source has identified to determine if it applies to the emission unit identified (and if it applies to other emission units at the source not identified in the application). If the proposed changes have already taken place, be sure that the company has submitted a modification request (M-001 and C-001 forms) for the changes. Verify that this has been received.
5. H5. If the source has a consent order or consent judgment that has not been incorporated into the ROP, you need to review the order/judgment and refer to the “Procedure for Identifying and Incorporating Applicable Requirements from Existing Consent Orders and Judgments into Renewable Operating Permits” in the ROP Manual (3.F) and the procedure for “Incorporating Permanent Federal Consent Decree Requirements into ROPs” in the ROP Manual (3.G) for how to properly identify the applicable requirements in the order/judgment and properly incorporate them into the ROP. ***Document your review in your ROP Tech Review notes for each consent order/ judgment/decree.***
6. H6. If the source proposes any change(s) to the Source Wide Table, enter or verify the proposed change(s) and the justification provided by the source for the change(s).
7. H7-H17. Continue your review of the new or changed emission unit or flexible group by reviewing the requirements. New or changed limits or restrictions should be identified under the appropriate entry in Part H. Any proposed or changed monitoring, recordkeeping and/or reporting requirements should also be identified under the appropriate entry in Part H. Make sure the change or addition is acceptable, and **document that in your ROP Tech Review notes**. Conditions established through the PTI process must be changed through a PTI revision. However, some minor modifications to original permit conditions may be acceptable. Examples of this may be deleting out obsolete conditions or updating testing requirements. Further information on determining how and or when to modify conditions may be found in the ROP Manual (2.A) for “Identifying Underlying Applicable Requirements.”
  - a. Check to see if a modification application was submitted on an M-001 form by the source prior to operating any change in existing limits, restrictions, monitoring, recordkeeping or reporting.
  - b. Carefully read the proposed or changed requirement and make sure that it is practically enforceable. It may be necessary to rewrite or reword a requirement to make it more practically enforceable. Note – some items cannot be changed through the ROP process and may only be changed via a new PTI. Discuss changes with your supervisor, where appropriate.

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- c. Determine the underlying applicable requirement(s) (UARs). Refer to “Identifying Underlying Applicable Requirements” in the ROP Manual (2.A). Every effort should be made to identify all underlying applicable requirements. This includes all state rules and federal regulations.
    - i. Streamlined Requirements: In cases where there is more than one similar requirement under different regulations, it could be possible to streamline requirements by subsuming less stringent requirements under the most stringent requirement with the concurrence of the company. **EXAMPLE:** If Rule 301 limits opacity to 20% and the NSPS limits opacity to 10%, then compliance with Rule 301 is guaranteed through compliance with the NSPS limit. Therefore, the Rule 301 limit is subsumed under the NSPS limit. Both UARs must be identified and a footnote with the language for streamlined requirements must be added to the requirement. See the “Staff Guidance on Streamlined-Subsumed Requirements” in the ROP Manual (3.D) for more detailed instructions on how to incorporate such requirements into the Working Draft ROP. Be sure to adequately describe both limits in the technical review notes and in the Staff Report. If an emission limit is streamlined, review the associated testing, monitoring and reporting requirements for each subsumed and streamlined limit to see if there is an opportunity to streamline any of these requirements as well. If the facility is requesting to streamline conditions, be sure they have submitted a stringency analysis to justify the streamlining.
  - d. Compliance Verification: Verify whether or not the emission unit will be in compliance with the proposed requirement when the renewed ROP is issued. This can be done by requesting records from the source or by reviewing recent AQD inspection reports or MAERS.
    - i. If the emission unit is not currently in compliance, a violation notice and/or consent order should be in the file, a compliance plan should be included in the ROP application (if the source expects to not be in compliance at the time of ROP issuance), or a violation notice should be sent to the source if the non-compliance has not been addressed.
    - ii. If a compliance plan was required but was not submitted, include a request for a written compliance plan in the additional information letter to the company.
8. H13. Adequate Monitoring and Recordkeeping: Refer to the “Periodic Monitoring Guidance” in the ROP Manual (2.C). Every limit or restriction must have at least one enforceable requirement that is used to demonstrate compliance.
9. H6-H17. If the source asks to delete or change a requirement, you must decide if the requirement can in fact be deleted or changed through the ROP process. For example, requirements that originated in a PTI cannot be deleted or changed through the ROP process unless the emission unit or process has been dismantled, or the requirement is determined to be obsolete. If a PTI condition is removed from an ROP for any reason, the rationale for the removal should be documented in the Staff Report. **Document any requirements that were deleted or changed in your ROP Tech Review notes.**
- a. If a source insists that a condition originating in a PTI be deleted or changed, you must inform the source to submit a PTI application requesting the deletion or change. Once the Permit Section makes the change, the source can request the approved change be made to the ROP. If the change is small, and does not involve any emission limits, you

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may make the change only after discussing the change with the Permit Section and they agree the change is acceptable. Document this change in MACES and provide supporting information for the file.

10. Confirm or enter the requirement into the Working Draft ROP under the appropriate outline heading (emission limit, material limit, operational restriction, etc.).
11. If there is another Part H change or addition request in the application, continue reviewing the next Part H information using the same procedures as outlined above.

***Document your review for each change or addition in your ROP Tech Review notes.***

### **XI. Compliance Plans (Appendix 2)**

1. If the application indicates that the source is not in compliance with all of its applicable requirements in the ROP, the source must identify the specific requirements for which it is out of compliance. The source should also include a plan and schedule for coming back into compliance with the ROP.
  - a. The non-compliance issues should be reviewed, along with the plan and schedule for coming back into compliance to determine if it is acceptable.
  - b. Refer to “Completing a Schedule of Compliance in Appendix 2 of an ROP” in the ROP Manual (3.H). This guidance will assist you in properly incorporating a source’s compliance plan and schedule for coming back into compliance into Appendix 2 in an enforceable manner.
  - c. If the AQD was not previously aware of the non-compliance issue(s), the ROP, PTIs, consent orders/judgments, or other documents should be reviewed to determine if escalated enforcement is indicated. Work with enforcement staff to determine the appropriate course of action.

### **XII. Review of Working Draft ROP (from company’s mark-up)**

After completing all of the previous steps, it is important to review the entire AQD Working Draft ROP created by the secretary from the source’s mark-up submittal in its renewal application. If the company has submitted only a hard copy of the mark-up, you need to review the hard copy and add the changes/additions/deletions to your working draft as appropriate. Also, make sure all of the applicable requirements from all PTIs, state rules, consent orders, federal regulations, and any references to management and work practice plans submitted have been added into the appropriate sections.

1. Begin with reviewing the Source-Wide Table for any changes identified in the ROP Renewal Application Form. Ensure that the changes identified on the form have been made to the ROP mark-up.

**NOTE:** If an FGFACILITY Table in a PTI contains Source-Wide limits, (i.e., permitted, grandfathered and/or exempt equipment), it should be moved to the Source-Wide Table in the ROP.

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2. Next, review the Emission Unit Summary Table and make sure all emission units in the Working Draft ROP are listed in the table – and no emission units that were removed are listed there. Check that any flexible groups listed are correct for each emission unit. Do the same review on the Flexible Group Summary Table. Confirm, based on your knowledge of the source, that all EUs/FGs are included in the Working Draft ROP.
  - a. Review every emission unit and compare them to old PTIs be sure that all emission units and applicable requirements have been addressed.
  - b. General emission units or flexible groups for future installations for Rule 287(2)(c), Rule 290, or Rule 281(2)(h) may be included, but are not required.
3. For EACH emission unit, review the description, control equipment, and any flexible groups listed at the top of the table to ensure that the correct information is listed.
4. Review the emission limits and material limits. Look at the method of compliance and determine if it accurately demonstrates compliance with the limit.
  - a. General Condition 13 should not be used as the only method of compliance for an emission limit.
  - b. Make sure that all requirements are enforceable. Remember it is you, in the district that is enforcing these conditions. Testing, monitoring and recordkeeping requirements may be added using Rule 213(3), as appropriate, to ensure enforceability.
5. Review the rest of the categories in the Emission Unit Table. Make sure that all monitoring equipment is required to be installed (Design/Equipment), as well as the requirement to operate the equipment (Process/Operational) and at what interval monitoring should occur and any recordkeeping is also included (Monitoring/Recordkeeping).
6. Adequate Testing, Monitoring and Recordkeeping: Refer to the “Periodic Monitoring Guidance” in the ROP Manual (2.C). Every limit or restriction must have at least one enforceable requirement that is used to demonstrate compliance.
7. Take a close look at the wording of ALL conditions. Carefully read the requirement and make sure that it is practically enforceable. It may be necessary to add additional requirements using Rule 213(3), as appropriate, to ensure enforceability.
8. Check for any management and work practice plans referenced in the ROP and review the plans to ensure they are updated as necessary and are ready for public comment. **Be sure that all plans adequately address all requirements and have all the pertinent information for each emission unit.**
9. Review the UARs on all conditions to make sure they are accurate. Are there additional UARs that should be added? Refer to the “Identifying Underlying Applicable Requirements” guidance in the ROP Manual (2.A). Every effort should be made to identify all UARs. This includes all state rules and federal regulations.
10. Streamlined Requirements: In cases where there is more than one underlying applicable requirement, it could be possible to streamline requirements by subsuming less stringent requirements under the most stringent requirement. **EXAMPLE:** If Rule 301 limits opacity

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to 20% and the NSPS limits opacity to 10%, then compliance with Rule 301 is assured through compliance with the NSPS limit. Therefore, the Rule 301 limit is subsumed under the NSPS limit. Both UARs must be identified and a footnote with the language for streamlined requirements must be added to the requirement. See the “Staff Guidance on Streamlined-Subsumed Requirements” in the ROP Manual (3.D) for more detailed instructions on how to incorporate such requirements into the Working Draft ROP.

11. Review the emission units and determine if there are any new requirements such as new Federal Standards (NSPS or MACTS) that may have not been previously addressed. This could apply to any new or modified emission units, or any exempt emission units that should now be included.
12. Review all emission units, including any new emission units, and determine if any of their emissions are subject to CAM for any pollutants. If they are, make sure that the source has included a CAM plan for these emission units.
  - a. Review any CAM Plan submitted with the ROP application to ensure that it is complete and meets the minimum requirements specified in 40 CFR Part 64. Refer to the “CAM Guidance” in the ROP Manual (4.F) for procedures for reviewing and incorporating CAM Plans into the Working Draft ROP.
  - b. If a CAM Plan is required for an emission unit but was not included in the ROP application, request the submittal of the required CAM Plan for that emission unit in the additional information letter to the company.
13. Review each Appendix to ensure that all information that should be listed is included, that it is accurate, and that the appropriate emission unit or flexible group that it applies to is identified. Also make sure that the emission unit or flexible group table has the appropriate Appendix or Appendices referenced. For Appendix 6, include ONLY the PTIs that have not previously been incorporated into the source’s ROP. PTIs that have previously been listed in Appendix 6 should be listed in the PTI Table in the Staff Report.
14. Follow these same steps for each emission unit and flexible group in the Working Draft ROP.
15. Be sure to verify that every mention of a changed item is identified throughout the ROP and modified as needed.

***Make sure your entire technical review has been documented in your ROP Tech Review notes.***

### **XIII. Completing the Staff Report**

Create the staff report as outlined in the ROP Staff Report procedures. Additional instructions for completing the Staff report can be found in the ROP Manual (3.B.1). Please note: It may be helpful to complete the staff report in parallel or in conjunction with the technical review.

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**Note: All major changes noted in the technical review also need to be documented in the staff report, along with a history of any changes at the source, and a discussion of all applicable regulations and those regulations that may be expected to apply to the source, but do not.**