

Procedures for Issuance of Non-ROP Renewable Permits (Acid Rain) and Incorporation into ROPs

All non-ROP renewable permits (e.g. Acid Rain) for the Air Quality Division (AQD) are legally required to be independently issued as stand-alone permits. These permits are also required to have a 5-year lifespan. As the statewide specialist, Brian Carley is currently responsible for review and issuance of these permits.

AQD expedites the process of integrating Acid Rain into ROPs by synchronizing each stage of the permit issuance processes. Under other circumstances (e.g. a Permit to Install), a separate permit would be issued first before being addressed in an ROP. However, special provisions were established to allow non-ROP renewable permits to go through the public participation process and review by Region 5 of the Environmental Protection Agency (EPA) concurrently with a source's ROP so that all of these permits are issued at the same time and will therefore be on the same renewal schedule.

In effect, permit development steps that might appear to be redundant actually improve efficiency. Although the non-ROP permits are being issued as stand-alone permits, as legally required, they are simultaneously being incorporated into the ROP as each issuance step progresses.

The ROP writers are responsible for coordinating with Brian to ensure that the steps for the issuance of the Acid Rain progress concurrently with the steps for the issuance of the ROP. If the necessary steps are not followed, the ROP writer must reopen the ROP to incorporate the Acid Rain permits. (See "Public Participation Procedures – Reopenings" in Tab 5.B of the ROP Manual for details on those procedures.)

These procedures will address the non-ROP renewable operating permits currently required. However, these same procedures will apply to new types of renewable permits that will need to be incorporated into the ROP as separate but attached permits (e.g. GHG Permits??) that may be required in the future.

1. District staff – ROP/Acid Rain reminder letter

- a. Staff will send an ROP renewal reminder letter that includes Acid Rain language to each subject facility 18 months before applications are due.
- b. The ROP writer will contact Brian Carley to find out who is/are the Acid Rain Designated Representative(s) (DR) for the subject units. If the Responsible Official(s) is/are not also the DR, the reminder letter is also addressed to the DR.
- c. Brian is also copied on the renewal reminder letter if the facility is subject to the Acid Rain programs.

2. Company – Submittal of ROP/Acid Rain applications

- a. The company will complete the Acid Rain permit application(s).
- b. These applications are to be included as attachments to the ROP renewal application submittal, which is sent to the district office where the facility is located.

3. District Staff – Receipt of Applications

- a. When an ROP renewal application is received by the district ROP writer, Brian will be notified if there is/are Acid Rain application(s) included.
- b. These applications will either be copied and sent by inter-office mail or scanned and emailed to Brian.

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4. **Statewide Specialist – Acid Rain tracking**
 - a. Brian will log the Acid Rain renewal applications into his tracking database.
 - b. Brian will submit that database to the designated AQD Internet author at the beginning of each month to be made available through the AQD Internet website at <http://www.deq.state.mi.us/aps/downloads/acidrain/acidrain3.shtml>.

5. **District Staff – Coordinate preparation of Working Draft permits**
 - a. Brian will be notified when the District ROP writer is starting to work on the ROP renewal.
 - b. Once the timeline for the ROP renewal has been finalized between the source and permit writer, Brian will work with the ROP writer to synchronize each stage of the Acid Rain permit(s) issuance, sending the permit(s) to the ROP writer to be attached as appendix/appendices to the ROP. (See Tab 4.B. in the ROP Manual – “ROP Shell Instructions” for specific Acid Rain instructions.)
 - c. The district secretary will format the Acid Rain permit(s) in the ROP appendix/appendices.

6. **District Staff – Working Draft ROP to company**
 - a. When the ROP is ready for company comment, the ROP writer will send to the DR(s) an Acid Rain Working Draft letter and copy Brian on the letter.
 - b. Before sending the letter with the permit, the ROP writer will contact Brian to verify who is/are the Acid Rain DR(s) for those units. The DR(s) must be included on all letters to the company. Use the “ROP Letter to Company for WD review, 30&45-day notice.dot” template letter.

7. **District Staff – Coordinate preparation of Draft permits**
 - a. After the company comment period has ended and all comments (if any) are incorporated (as appropriate), the ROP writer will notify Brian of the proposed start of the 30-day comment period.
 - b. When writing the letter to the company about the start of the public comment period, the ROP writer will contact Brian to verify who is/are the Acid Rain DR(s) for those units. The DR(s) must be included on all letters to the company. You have the option of not sending a hard copy of the Draft Acid Rain permit(s) and public notice to the company, but instead direct the company to the AQD website for the documents. Use the “ROP Letter to Company for WD review, 30&45-day notice.dot” template letter.

8. **Statewide Specialist – Public comment for Draft Acid Rain permit(s)**
 - a. Brian will prepare the 30-day public comment documents for the Acid Rain permits.
 - b. Brian will send the DEQ Calendar notice for the Acid Rain permits to AQD’s DEQ Calendar Coordinator.
 - c. Brian will place the electronic files on the ftp site.
 - d. Brian will then prepare and send the email to notify EPA, ROP writer, District Supervisor, AQD Internet author, Field Operations Supervisor, and affected states when the 30-day public comment period will commence.
 - e. The AQD Internet author will post the notice on the Acid Rain “Recent Actions” webpage.
 - f. During the public participation process, Brian will update the Acid Rain database as necessary and forward it to the AQD Internet author to post on the website.

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9. District Staff - Coordinate preparation of Proposed permits

- a. After the 30 day comment period has ended and all comments (if any) are incorporated (as appropriate), the ROP writer will notify Brian of the proposed start of the EPA 45 day comment period.
- b. When the ROP is ready for the EPA 45-day comment period, the ROP writer will include the DR(s) on the letter to the company and copy Brian on the letter. You have the option of not sending a hard copy of the Proposed Acid Rain permit(s) to the company, but instead direct the company to the AQD website for the documents.
- c. Before sending the letter with the permit, the ROP writer will contact Brian to verify who is/are the Acid Rain DR(s) for those units. The DR(s) must be included on all letters to the company. Use the "ROP Letter to Company for WD review, 30&45-day notice.dot" template letter.

10. Statewide Specialist – EPA review of Proposed Acid Rain permit(s)

- a. Brian will place the electronic files on the ftp site.
- b. He will then prepare and send the email to EPA, ROP writer, District Supervisor, AQD Internet author, Field Operations Supervisor, and affected states to start the 45-day review period for the Acid Rain permits.
- c. The AQD Internet author will post the notice on the Acid Rain "Recent Actions" webpage.

11. District Staff - Coordinate issuance of permits

After the end of the 45-day comment period, the ROP writer will contact Brian to inform him of the date that the ROP will be issued and in effect.

12. Statewide Specialist – Preparation of Final Acid Rain permit(s)

- a. Brian will prepare the final version of the Acid Rain permit(s) and will draft the appropriate cover letter for the district to finalize.
- b. Brian will email the Acid Rain permit(s) and cover letter to the ROP writer, District Supervisor, and district secretary.
- c. Brian will update the Acid Rain database with the issuance and the expiration date(s) of the permit(s).

13. District Staff – Issue Final ROP and Acid Rain Permit(s)

- a. The ROP writer must ensure that the final version(s) of the Acid Rain permit(s) is/are attached in the appropriate appendix/appendices in the ROP before it is made final and sent to the company.
- b. In addition to finalize the ROP letter, the district secretary will finalize the cover letter for the Acid Rain permit(s) for the District Supervisor's signature.
- c. Once the District Supervisor has signed the letter, the district secretary will mail the final Acid Rain permit(s) and cover letter to the facility's DR(s) and a copy of the cover letter to Brian.
- d. The final Acid Rain permit(s) and the cover letter may be sent in the same package to the company with the final ROP.
- e. The final Acid Rain permit(s) should be filed in a separate yellow folder so they can be easily located.