

State-Only Modifications (Rule 216(4))

Overview

Rule 216(4) describes a state-only modification (SOM) to an ROP as one that involves changes to terms and conditions in the ROP that are designated pursuant to Rule 213(5) as not enforceable under the CAA. If the change results in new applicable requirements that must be enforceable under the CAA, then the change cannot be a state-only modification. If there are any other underlying applicable requirements that are federally enforceable, a condition cannot be removed using a state-only modification.

PROCEDURES	
	➤ SOM Application Received
	1. Application Screening
	a. Application is date stamped and scanned.
	b. Verify that the applicant's request for change meets the criteria. If the application does not meet the criteria, send a letter to the company (ROP Rev Denial Letter.doc and save as SRN SOM Denial.doc on T:\FLD\ROP\ROP-MOD\MODIFICATIONS). Return applications that do not qualify with the letter. The company may be contacted via phone call if deemed appropriate by the District Supervisor or Permit Writer.
	c. Verify that the application is complete. If the application is incomplete, send an additional information letter to the company (ROP Rev Additional Info Letter.doc and save as SRN SOM Additional Info.doc).
	2. MACES
	The application is logged in MACES as a new application. Write the application number from MACES on the paper application.
	3. Save Application
	The application SRN SOM {Application No.} {MM-DD-YY}.pdf is uploaded to the ftp site.
	4. Notifications
	Within 5 days of receipt of a complete application, send an e-mail (ROP Rev Application Received E-mail.doc and save as SRN SOM App Received {MM-DD-YY}.doc) to the District Supervisor and EPA that application has been received.
	➤ Final ROP
	Within 90 days of a receipt of an application:
	1. Prepare Staff Report Addendum
	a. Create a Staff Report addendum by opening the existing final Staff Report and clicking on the "Insert Amendment/Modification" button on the Toolbar and selecting State Only Modification, Final. It is important to include appropriate detail regarding the change(s).
	b. Add the "Amended Date" on the cover page. The amended date is the date that the Staff Report is revised, which is the date that the amendment is final. If there is a previous amended date, add a comma and add the new date.
	c. Update the Table of Contents and save the Staff Report as SRN Staff Report {MM-DD-YY of Final ROP}.doc . The date in the file name is the same as the amended date on the Staff Report.
	2. Prepare Final ROP
	a. Save SRN FINAL {MM-DD-YY}.doc (existing final ROP) from ftp site as SRN Final {MM-DD-YY}.doc .
	b. Add the small letter in sequential order to the ROP number on the certification page to indicate that the ROP has been revised, e.g. MI-ROP-Z9999-2003a. Do likewise to the Source-Wide PTI, e.g. MI-PTI-Z9999-2003a.
	c. On the ROP certification page, insert "Revision Date: {date of approval}" on a new line between the "Effective Date" and "Expiration Date."

	d. Make the appropriate or requested changes to the ROP. Do not forget to update related tables such as the Emission Unit Summary and Flexible Group Summary tables, and any related appendices including Appendix 6 if a PTI is to be voided.
	e. Add the small letter in sequential order to the Source-Wide PTI number in the existing Appendix 6 paragraph, e.g., ...is being reissued as Source-Wide PTI number MI-PTI-Z9999-2003a.
	f. Update the Table of Contents and save as SRN Final {MM-DD-YY}.doc . The date in the file name is the same as the “Revision Date” on the ROP certification page.
	3. District Review
	Provide copy of the SM Working Draft ROP and Draft Staff Report to the appropriate District Supervisor and assigned District staff for review and comment. Incorporate changes as a result of that review.
	4. Company Review (Optional)
	a. Provide optional company review, if appropriate, by e-mailing the SOM draft Final ROP and Staff Report to the company for comments (ROP Rev 7 Day Co Review Email.dot and save as SRN SOM Company Review E-mail.doc).
	b. Make any changes to the Final ROP based on company comments.
	5. Prepare Approval Letter to Responsible Official
	Prepare the approval letter to send to the Responsible Official(s) (ROP Rev AA5, MM, SM, SOM Approval Letter.dot and save as SRN SOM Approval {MM-DD-YY}.doc).
	6. Prepare Final ROP Package
	a. Send e-mail to the District Secretary that the modified ROP, Staff Report and approval letter are ready to be finalized. If the ROP was sent to the company and changes were made, the District Secretary/FITT Rep must make sure that all “track changes” in Word files have been accepted and saved properly before creating .pdf files. The final ROP must be put in Password Protect Track Changes.
	b. Upload the modified ROP and updated Staff Report to the ftp site.
	7. Mailings and Notifications
	a. Prepare an e-mail to EPA (ROP Rev AA1 EPA Notice for Issued E-mail.dot and save as “ SRN SOM E-mail.doc ”) to inform them that the State-Only Modification has been issued.
	b. The Permit Writer should then forward the e-mail to EPA and others as follows: <ul style="list-style-type: none"> ➤ blathras.constantine@epa.gov ➤ damico.genevieve@epa.gov ➤ blanchard.brian@epa.gov ➤ myottb@michigan.gov ➤ orentk@michigan.gov ➤ District Supervisor ➤ Company Contact
	c. Print e-mail for file.
	d. The District Secretary sends the approval letter to company along with the Staff Report and the amended ROP signed by the District Supervisor. The District Secretary will notify the Permit Writer when the approval is signed.
	e. The District e-mails a copy of the documents to the company contact so they are aware that the permit is effective. {add if you want to be consistent with MM}
	f. E-mail a copy of the approval letter and the Internet address of the modified ROP to Sue Thelen of the Permit Section if a PTI has been incorporated via the SOM process.
	8. MACES
	Update status in MACES with the issuance date under “Permit – Effective Date.” The Permit Writer will add a, b, c extension to the ROP permit number in MACES.
	9. File
	Send the hard copy modification file to the District. The District Secretary will copy the final ROP and staff report for the District file.