



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Air Quality Division

Renewable Operating Permit Technical Review Procedures

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Overview

A technical review is conducted to confirm the validity of information incorporated into the ROP from various sources. Close attention needs to be paid to new emission units, changes in existing emission units, new PTIs, new regulations, etc. During the Administrative Completeness Check, you should have filled out the “Review of Application/Source Information” section of your Technical Review Notes. This document picks up where the administrative completeness determination ends and will guide you through completing your **Technical Review Notes**. Always ensure you are using the most recent templates in MiEnviro. Do not download documents and work on them outside of the MiEnviro system.

ROP Technical Review Resources

Note: You may not have all this information for an initial ROP.

- ROP initial or renewal application
- ROP Manual
- Active Permits to Install (PTIs) issued to the company and PTI Evaluation documents
 - All PTIs that have been issued and voided (“terminated”) are in MiEnviro > Permits. Look for PTIs with the Permit Status of “In Effect” for PTIs that need to be incorporated into the ROP.
 - PTI evaluation documents may be located in MiEnviro in the Documents Functional Area or Submission Functional Area for the Source Permit.
- Any management and work practice plans associated with the ROP and PTIs (i.e., MAP, Nuisance Minimization, Fug. Dust, O&M, PMP, SSM, etc.)
 - Only management and work practice plans that are required as special conditions in the ROP need to be posted online for public viewing. Make note of these plans.
- Compliance and inspection reports (especially on-site inspections)
- Consent Orders/Consent Judgments (note these may be State or Federal Consent Orders/ Judgments)
 - Old Consent Orders – Discuss any consent orders with the company including if any should be terminated. The company is required to formally request termination
 - New Consent Orders – Reference the ROP Manual (3.F and 3.G) for details on incorporating Consent orders and Permanent Federal Consent Decrees into the ROP.
- Unresolved Violation Notices
- Responses to Violation Notices

- SLEIS Equipment inventory and Annual Emissions Report
- AQD rules and regulations
- Federal rules and regulations that apply to the source

Documenting Correspondence

As your technical review and development of the Working Draft progresses, you may send a correction request or email (pre-MiEnviro application) to the company if additional information is needed. Use the template letter “ROP – Letter - App Additional Info” but this is not required particularly if there is a small amount of information being requested.

Emailed responses from the company can be uploaded directly to MiEnviro. Only upload the most complete email chain.

- Document Category: Email
- Security Classification: Internal
- Document Date: Date correspondence was received
- Add clear description of what is in the email for reference
- Finalize document

Compliance Statement and Confidential Information

If any boxes were checked “no” in the Compliance Statement area of the application, you already verified if a compliance plan and schedule of compliance were submitted with the application during the Administrative Completeness Check. Now you will check them for adequacy. If the application indicates a non-compliance issue that was not previously identified, an additional site inspection may be warranted to evaluate the non-compliance issue. You will need to determine whether a VN should be sent.

Confidential Information

- If 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 Policies and Procedures, select “Air Quality Division”).

Correction Requests/Additional Information Requested

Document requests for information you made during your Administrative Completeness Check (application review) or at any point during your technical review. This may also include information in the AI-001 section of the application.

Sectioned ROP Information / Rule 216 Mods and Rule 215 Notifications

If the source has determined that the ROP should have more than one section, each section will need to have an application form filled out.

Explain any applications or notifications received since the last ROP was issued for Rule 216 Modifications or Rule 215 Off-Permit Notifications. Refer to the Submissions or Documents Functional Areas of MiEnviro for this information.

Compliance Review

Use information from your experiences with the facility as well as evaluations, compliance and enforcement actions, and submissions to describe:

- Any compliance issues documented during inspections
- Annual/Semiannual Report history
- Outstanding VNs, Consent Orders/Judgements

Refer to the ROP Manual (3.F and 3.G) for how to incorporate Consent Orders/Judgements into the ROP.

Site Requirement Review

For initial ROPs, section S-003 of the application requires the source to indicate if it is subject to one or more specific regulations and to include additional information. For ROP renewals, this information is found in Part C of the application. Review the source's answers and document appropriately in your technical review notes so it is clear these regulations have been addressed. In the Staff Report, you will provide relevant information as necessary for a well-rounded background of the facility to the public. The more details you include in your Technical Review Notes, the easier it will be to complete the Staff Report.

1. 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.
2. 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. Section 112(r) requirements are referenced in the ROP General Conditions. If the source is subject, they should have indicated in their application if a Risk Management Plan was submitted to EPA. Document this in your notes.

3. Source Category with Regulated Fugitive Emissions: If the source belongs to one of the source categories that require quantification of fugitive emissions per Rule 116(n) and 40 CFR 70.2, list what the source category is and verify that fugitive emissions were included in any PTE provided. If the source belongs to one of the listed categories, the PSD major source threshold for the source is 100 tpy instead of 250 tpy.
4. Acid Rain and/or CSAPR: If the source is subject to Acid Rain and/or CSAPR, the emission units subject should have been identified in the application. Assign the “Acid Rain and/or CSAPR” task in the workflow to the Acid Rain/CSAPR Specialist for review and coordination in incorporating these requirements into the ROP. Refer to the “Procedures for Issuance of Non-ROP Renewable Permits (Acid Rain) and Incorporation into ROPs” in the ROP Manual (3.I).
5. NOx SIP Call: If subject, list the emission units **OR** The facility **is not** subject as a NOx SIP Call stationary source per Rule 810. Please refer to the AQD website for [Rule 810](#) for the list of subject sources or contact the Acid Rain/CSAPR Specialist for more information.
6. Rule 801: If subject, list the emission units **OR** The facility **is not** subject as a non-SIP Call stationary source per Rule 801. Provide the analysis for any fossil fuel-fired emission unit which has a maximum rated heat input capacity of more than 250 MMBTU/hr and does or does not have the potential to emit more than 25 tons of NOx each ozone control period (May 1 through September 30). Emission units subject to the Acid Rain Program, CSAPR, and the NOx SIP Call (Rule 810) are not subject to this rule.
7. If the source indicates that there are emission units subject to CAM, review the list of emission units and pollutants the source has listed as being subject to CAM in their application. 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 a CAM Plan submitted with the application.
 - Review the 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 (3.C) for procedures for reviewing and incorporating CAM Plans into the Working Draft ROP.
 - 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 / correction request to the company.
 - If the company indicated that there is Presumptively Acceptable Monitoring (PAM), refer to the “CAM Fact Sheet” in the ROP Manual (3.C.1) for guidance on how to evaluate PAM.

- The CAM Plan and all CAM conditions in the ROP must be reviewed by the CAM Specialist. Assign the “CAM Peer Review (as needed)” task in the MiEnviro workflow to the CAM Specialist for their review and coordination in incorporating these requirements into the ROP.
8. Required management and work practice plans: Any management or work practice plan that is required by a permit condition is posted online for the public to access along with their ROP application materials. You may need to request that the facility upload the current plans to MiEnviro using the applicable schedule for the corresponding permit if a digital copy does not exist or was not included with the application. Review the required plans for the following information:
- Ensure that each plan is the most recently approved version and that all requirements have been appropriately addressed in each plan.
 - 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 request to the company.
9. Non-Applicable Requirements: Non-applicable requirements must be requested by the facility in every renewal application and agreed to by AQD during every renewal cycle. They are not automatically granted without a request from the facility in their application even if they exist in the current ROP. Requirements that are obviously not applicable are not listed in Section E of the ROP even if the facility requested them in their application. If the source indicates that specific requirements or regulations are not applicable, be sure the company has included a justification.
- Review each justification and document in your Technical Review Notes any agreed upon non-applicable requirement to include in Section E of the ROP or why something is not agreed upon.

Potential to Emit (PTE)

If this is an ROP renewal and the source did not include a PTE demonstration with their application, it may be possible to find a previously submitted demonstration that is still accurate. Tip: check previous PTI applications, ROP applications, and Technical Review Notes in our database files. Be mindful of how much time you spend trying to track down what you need. You can always communicate with the facility to obtain the most recent demonstration available.

Criteria and Regulated Pollutants: CO, NOx, PM, PM10, PM2.5, SO₂, VOC, lead

- Verify the accuracy of any included PTI or ROP application numbers or other references for the submitted demonstration. Make sure no emission units have been modified or missed.

- Make sure that the EPA class and pollutants that are marked as major are accurate in the Program Components tab of the Site Details Functional Area of MiEnviro.
- If the site is a source listed in Rule 116(n) and 40 CFR 70.2, verify they have included fugitive emissions in their PTE calculations.

Hazardous Air Pollutants: HAPs regulated by Section 112 of the Federal Clean Air Act

- The “Summary of HAP PTE” table in your Technical Review Notes asks you to list individual HAPs. You may need to communicate with the facility for specific HAPs information if they only provided an aggregate HAPs total. Only list the most significant individual HAPs and add a row for “All Other HAPs” if necessary.
- Check that the EPA HAPs class is accurate in the Program Components tab of the Site Details Functional Area of MiEnviro.

Include this information in your technical review notes and in the staff report. Refer to the blue text under the PTE section of your Technical Review Notes for more details on how to complete this section.

Exempt Emission Units

Rule 212(2) identifies insignificant activities that do not need to be included in an administratively complete ROP application. Rule 212(3) identifies processes or process equipment that do not need to be included in an administratively complete ROP application unless it is subject to applicable requirements that include a process-specific emission limitation or standard. Rule 212(4) identifies processes or process equipment that needs to be included in an administratively complete application and if it is subject to applicable requirements that include a process-specific emission limitation or standard, it must also appear in the ROP.

Examples:

- Surface coating equipment exempt per Rule 287(2)(c)) must be listed in the application and would be added to the ROP using “ROP Template for Rule 287(2)(c)” but would not be listed in the Staff Report. (Rule 212(4)(f))
- A 500-gallon propane storage tank exempt per Rule 284(2)(b) must be listed in the application, would not be added to the ROP, and would be listed in the Staff Report. (Rule 212(4)(d))
- Welding equipment exempt per Rule 285(2)(i) does not need to be listed in the application. (Rule 212(3)(f))

For Initial ROP applications, section EU-001 identifies emission units that are exempt from PTI requirements and are not required to be included in the final ROP pursuant to Rule 212(4). For ROP renewal applications, this information is found in Part D. These units must be listed in the ROP Staff Report under the section titled, “Processes Not Included in the Draft ROP.”

1. Review each PTI exempt emission unit listed in the application for the following **and document your review in the table in your ROP Technical 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. NSPS, MACT, NESHAP, etc.). Use the “Rule 212 Memo & 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 the table in your ROP Technical Review notes**:
 - a. If the emission unit is exempt from PTI requirements and is listed in Rule 212(2) or Rule 212(3), then do not include it in the draft ROP Staff Report.
 - b. If the emission unit is exempt from PTI requirements, is listed in Rule 212(4), and is not subject to a process specific emission limitation, list it in the table for “Processes Not Included in the Draft ROP” in the ROP Staff Report.
 - c. If the emission unit is exempt from PTI requirements and is listed in Rule 212(4) but is subject to a process specific emission limitation or standard (e.g. NSPS, MACT, NESHAP, etc.), then this emission unit is not an ROP exempt emission unit and needs to be included in the ROP. Any emission units that have applicable requirements or limits need to be added to the Working Draft ROP.
3. For renewal ROPs: Review the list of exempt units in the most recent ROP Staff Report. These are units that must be included in the application per Rule 212(4). If there are emission units listed there that are not in the application, verify if the unit has been removed since the most recent inspection. Request additional information from the facility if necessary.

Rule 281(2)(h), 285(2)(r)(iv), 287(2)(c), or 290 Exempt Units: For Initial ROP applications, section EU-002 identifies 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 not required to be included in the ROP pursuant to Rule 212(4), they must be included 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 Rules. For ROP renewal applications, this information is found in Part G.

1. Review each emission unit listed on the application for the following ***and document your review in the table in your ROP Technical Review notes:***
 - a. Determine if the emission unit identified truly meets the requirements of the rule identified.
 - b. Verify that 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 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 or email to the company.
 - c. Verify that emissions from this unit were reported in SLEIS.
 - i. If emissions were reported, use the information to help determine if the emission unit is in compliance with the Rule.
2. For initial ROPs or for units not previously included in the current ROP: For each emission unit or group of emission units included in the application, enter the Emission Unit ID in the Emission Unit Summary Table in the Working Draft ROP. Also enter the Flexible Group ID in the Flexible Group Summary Table of the Working Draft ROP.
3. For initial ROPs or for units not previously included in the current ROP: Incorporate the standardized template requirements for each rule identified in the application into the Working Draft ROP. See the ROP Shell Instructions (ROP Manual 3.B.2) for more information on incorporating templates into your Working Draft.

Permit to Install (PTI) Information

These tables should be perpetuated through all future technical review notes. This information can be found by reviewing the Permits Functional Area of MiEnviro, permit databases, and historical files in the District Offices.

PTIs with active conditions in the ROP: Document all PTIs that have been rolled into the ROP as a reference for where the current ROP conditions originated. For ROP renewals, refer to previous technical review documents, Appendix 6 from previous ROPs, or the Permits Functional Area of MiEnviro. Use the information from this table for the “Source-Wide Permit to Install (PTI) section of the Staff Report. The status for these permits should be “Terminated

(Rolled into ROP)” in MiEnviro. If equipment is removed from the facility and no conditions from the PTI exist in the ROP, move the PTI to the Superseded/Terminated list below.

PTIs to incorporate in this ROP: For Initial ROPs, this is Section EU-003 of the application. For ROP renewals, Part F of the application contains information about PTIs or PTI revisions that have not yet been incorporated into the ROP and should be listed in this table of your Technical Review Notes. This information will also be listed in Appendix 6 of the ROP.

Terminated/Superseded PTIs: List PTI versions that have been terminated or superseded along with a brief description of the emission units or processes and why the PTI is no longer active or relevant.

Applicable Federal Regulations

List all applicable federal regulations for all equipment source-wide here. Your description should include the **emission unit/flexible group name, why the specific unit/flexible group is subject (i.e. engine size, install date, major/area source of HAPs, etc.), and what requirements from the regulation are included as conditions in the ROP** (refer to the UARs of existing ROP conditions for help with this). This information will also be included in the Staff Report so the more information you include here, the better.

Those federal regulations that may be expected to apply to an emission unit, but do not, should be documented. Include why the regulation is not applicable.

PSD / Nonattainment NSR

PSD (Part 18 or 40 CFR 52.21): First, note what the major source threshold is for the site. If the source belongs to one of the source categories that require quantification of fugitive emissions per Rule 116(n) and 40 CFR 70.2 (noted previously in the Technical Review Notes), then the prevention of significant deterioration (PSD) major source threshold for the source is 100 tpy. It is 250 tpy for all other sources. See R 336.2801(cc) and [40 CFR 52.21\(b\)\(1\)\(i\)](#). Note whether the source is an existing major for PSD, and for what pollutant(s).

If the source is major for PSD, explain specific Major NSR projects at the site that underwent a PSD review or note if no emission units have gone through PSD. Identify the emission units and the pollutants involved. List the PTI number. PSD review includes a best available control technology (BACT) review (BACT UARs include 40 CFR 52.21(j) when delegated, Rule 1810 when SIP approved) and a public participation period. This information can be found in PTI evaluation and public participation documents.

If emission units avoided PSD review through netting or an applicability analysis demonstrating no significant emissions increase, identify the emission units and the project. List the PTI number.

Non-Attainment NSR (Part 19, Rescinded Rules 220, 221, or 40 CFR Part 51, Appendix S):

Use this section to explain non-attainment NSR and major modifications that occurred at the site while the area was considered a non-attainment area. Non-attainment NSR permitting actions include a lowest achievable emission rate (LAER) review (UAR Rule 1908(3)), emission offsets (UAR Rule 1908(5)), and a public participation period. All this information can be found in PTI evaluation and public participation documents.

If emission units avoided non-attainment NSR review through netting or an applicability analysis demonstrating no significant emissions increase, identify the emission units and the project. List the PTI number.

Starting Development of the ROP Working Draft

Follow the ROP Shell Instructions in the ROP Manual (3.B.2) to create the Working Draft ROP.

Changes Made to the ROP

Sections EU-003, EU-004, AR-001 and AR-002 of initial ROP applications and Parts E, F and H of renewal applications contain information about changes the facility would like to make to their ROP. It is recommended that you work with the ROP Shell Instructions (ROP Manual 3.B.2) and proceed one emission unit and flexible group at a time to incorporate EU or FG conditions into your Working Draft and make necessary changes. **Document the changes in your technical review notes under the specific headings for each summary table, emission unit, or flexible group.**

1. Review each emission unit for the following:
 - a. Add the emission unit ID and description to the Emission Unit Summary Table in the Working Draft ROP.
 - b. Verify the emission unit has been constructed and add the install date to the Emission Unit Summary Table. Install dates must be in the 00-00-0000 format. Ask the facility if you need clarification on install dates. If only a year can be established, use 01-01 for the month and day.
2. If the source is proposing any administrative changes to emission unit names or descriptions, or control devices from the current PTI, review the proposed changes and if acceptable, make sure that the changes are reflected in SLEIS (Equipment Inventory).

3. The source may propose changes to conditions that were established in a PTI. The ROP process is not an appropriate time to make significant changes to these conditions. Do not change conditions that were established in a PTI unless the condition is obsolete (expired requirement) or a typo. These proposed changes must be reviewed carefully to maintain the intent of the condition and avoid reducing stringency. You may need to tell the facility that their proposed change requires New Source Review (NSR) to be completed.
4. If the source is proposing to add any monitoring, testing, recordkeeping or reporting to demonstrate compliance with any applicable requirements in the PTI, review the proposed conditions to determine if they should be added to the ROP. Review the PTI yourself for any monitoring, testing, recordkeeping or reporting conditions that should be added to demonstrate compliance. Review whether the conditions are enforceable but if a PTI condition is missing monitoring, testing, recordkeeping or reporting requirements that we now include as template language in current conditions, do not change the existing PTI condition. Instead, insert an additional condition using the UAR of 213(3) that contains the missing information. See the ROP Shell Instructions (ROP Manual 3.B.2) for more information.
5. For each PTI being rolled into the ROP (initial and renewal), enter the PTI number, description, and the emission unit(s) it pertains to in Appendix 6 of the Working Draft ROP.
6. Insert template EU and/or FG conditions into the Working Draft for each EU or FG in the PTI. Incorporate all conditions with the appropriate footnote. See the ROP Shell Instructions (ROP Manual 3.B.2) for more information.

Initial ROP Applications: Section EU-004 – Other Emission Units

This section is used to identify emission units that have not been addressed in the previous sections, including EUs that are grandfathered or exempt from requirements to obtain a PTI but have applicable requirements.

1. Review each emission unit listed for the following ***and document your review in the “Changes Made to the ROP” section of your ROP Tech Review notes:***
 - a. If the emission unit is in operation and emissions haven’t been reported to SLEIS verify if the unit is not required to report.
 - b. Add the emission unit ID, description and installation/modification dates to the Emission Unit Summary Table in the Working Draft ROP (if it isn’t already included).
 - c. Verify the emission unit has been constructed and add the constructed date to the Emission Unit Summary Table.

- d. Verify that the AR-001 or AR-002 section of the application has been completed for each emission unit listed.
2. Develop EU and/or FG conditions for each emission unit if they do not already exist.
3. Review ALL emission units at the source for any applicable MACT, NESHAP or NSPS regulations or applicable State rules that have not already been identified in the EU-004 section or in a PTI.

Initial ROP Applications: Section AR-001 – Applicable Requirements from MACT, NESHAP or NSPS

This section should be completed to identify the applicable requirements for each emission unit identified in sections EU-003 or EU-004 as being subject to a MACT, NESHAP or NSPS. In the table of the application, the facility has the option to indicate whether the applicable requirements have been attached in a PTI, an existing template, or a regulatory summary.

1. Review each emission unit listed for the following ***and document your review in your ROP Technical Review notes:***
 - a. Ensure that the emission unit is subject to the listed federal regulation.
 - b. If the facility indicated the applicable requirements come from a PTI, ensure that the listed regulation is included in detail in the PTI for that emission unit.
 - c. If the facility indicated that the applicable requirements can be found in an existing template, review the template conditions to ensure that it is appropriate for the identified emission unit(s).
 - d. If facility indicated the applicable requirements are included in a regulatory summary, review the summary statement to ensure that the regulation is appropriate. Review the regulation and decide how to incorporate necessary conditions into a new EU or FG.
 - e. Incorporate the conditions into the Working Draft ROP.
2. If the source proposes to streamline any conditions, review their justification to determine if it makes sense. Use the “Staff Guidance on Streamlined/Subsumed Requirements in ROPs” in the ROP Manual (3.D). If proposed streamlining of conditions should not be done, ***provide a justification in your ROP Technical Review Notes. Discuss any streamlined requirements in the staff report.***

Initial ROP Applications: Section AR-002 – Other Applicable Requirements

This section is used to identify applicable requirements from state rules, consent orders/consent judgments, or federal regulations (other than those from a MACT, NESHAP or NSPS included in section AR-001) for emission units listed in section EU-004. The facility should include attachments below this table for templates or consent orders.

1. Review the applicable requirements listed and the proposed permit conditions for the following ***and document your review in your ROP Technical Review Notes:***
 - a. Determine if the applicable requirements listed by the source apply to the emission unit, and ALL applicable requirements for the emission unit are included in section AR-002. Refer to “Identifying Underlying Applicable Requirements” in the ROP Manual (2.A). Every effort should be made to identify all underlying applicable requirements (UARs). This includes all state rules and federal regulations.
 - b. Add permit conditions from ROP templates to incorporate applicable requirements for any additional UARs discovered during review of section AR-002.
 - c. If applicable, refer to the procedure for “Incorporating Consent Orders / Consent Judgments into ROPs” in the ROP Manual (3.F) or the procedure for “Incorporating Permanent Federal Consent Decree Requirements into ROPs” in the ROP Manual (3.G) to properly identify and incorporate the applicable requirements. ***Include a discussion of the consent order/consent judgment in the staff report.***
 - d. Review each limit and restriction and ensure there is a corresponding testing, monitoring and/or recordkeeping method to determine compliance. 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.
 - e. Incorporate the conditions into the Working Draft ROP.
2. If the source proposes to streamline any conditions, review their justification to determine if it makes sense. Use the “Staff Guidance on Streamlined/Subsumed Requirements in ROPs” in the ROP Manual (3.D). If proposed streamlining of conditions should not be done, ***provide a justification in your ROP Technical Review Notes. Discuss any streamlined requirements in the staff report.***

Initial ROP Applications: Section AR-003 – Source-Wide Applicable Requirements

This section is used to identify any applicable requirements that apply to the entire stationary source. An example would be FGFACILITY conditions from a PTI for synthetic minor Hazardous Air Pollutant (HAP) emission limits and associated recordkeeping that applies to the entire stationary source.

1. Review the applicable requirements listed and the FGFACILITY or other permit conditions for incorporation into the Source-Wide Conditions for the following **and document your review in your ROP Technical Review Notes:**
 - a. Determine if the applicable requirements do apply to the entire stationary source.
 - b. IF the stationary source has more than one ROP or has a sectioned ROP, the FGFACILITY or other permit conditions in the Source-Wide Conditions must be identical.
 - c. If applicable, refer to the procedure for “Incorporating Consent Orders / Consent Judgments into ROPs” in the ROP Manual (3.F) or the procedure for “Incorporating Permanent Federal Consent Decree Requirements into ROPs” in the ROP Manual (3.G) to properly identify and incorporate the applicable requirements. **Include a discussion of the consent order/consent judgment in the staff report.**
 - d. Review each limit and restriction to ensure there is a corresponding testing, monitoring and/or recordkeeping method to determine compliance. Every limit or restriction must have at least one enforceable requirement that is used to demonstrate compliance. Refer to the “Periodic Monitoring Guidance” in the ROP Manual (2.C) for additional details on how to incorporate additional testing/monitoring/recordkeeping requirements using Rule 213(3). NOTE – sufficient monitoring/recordkeeping is required for all emission units and flexible groups. Incorporate any additional requirements as necessary ensuring practical enforceability.
 - e. Incorporate the conditions into the Working Draft ROP.

Changes to Appendices

Describe all changes made to the appendices and/or make a note if any appendices from the previous ROP were retained. If there is any information listed in an appendix, there should be a comment in this list.

Compliance Plans (Appendix 2): If the source is not in compliance, they 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.

1. The non-compliance issues should be reviewed, along with the plan and schedule for coming back into compliance to determine if it is acceptable.
2. 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.
3. If the AQD was not previously aware of the non-compliance issue(s), the PTIs, consent orders/judgments, or other documents should be reviewed to determine if escalated enforcement is warranted. Work with enforcement staff to determine the appropriate course of action.

Review of the Working Draft ROP

After completing the previous steps, review the entire Working Draft ROP to ensure all applicable requirements from 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 Conditions. Ensure that the applicable requirements in the application have been included in the Working Draft ROP.
 - a. Note: All information that is/was contained in an FGFACILITY in a PTI should be incorporated into the Source-Wide Conditions in the ROP. There should not be an FGFACILITY in the ROP unless it truly does NOT apply to the entire stationary source.
2. Next, review the Emission Unit Summary Table and make sure all emission units in the Working Draft ROP are listed and that the descriptions match. 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 each to the PTIs, consent orders/judgments, AQD Rules, federal regulations and the application sections to be sure that all applicable requirements have been addressed.
 - b. Review section EU-002 of the Initial ROP application and Part G of the Renewal ROP application to ensure the appropriate flexible groups for Rule 287(2)(c), Rule 290, Rule 285(2)(r)(iv) or Rule 281(2)(h) are included in the Working Draft ROP.

3. For EACH emission unit, review the description, control equipment, and any flexible groups listed to ensure that the correct information is listed. Remove any PTI numbers listed in the description.
4. Review the emission limits and material limits. Look at the method of compliance and determine if it accurately demonstrates compliance with the limit. General Condition 13 should not be referenced in the emission limits conditions.
5. Review the rest of the sections. Make sure that all control and monitoring equipment is required to be installed and properly operated (Design/Equipment), 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 a condition to make it more practically enforceable. NOTE – Most conditions coming from a PTI cannot be changed through the ROP process and may only be changed via a new PTI. Discuss changes with your supervisor, where appropriate.
8. Check for any management and work practice plans referenced in the ROP and review those plans. 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: Check that the streamlined/subsumed requirements were done correctly and are properly footnoted. All 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 ROPs” 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 additional requirements such as State Rules and Federal Standards (NSPS or MACTS) that have not been addressed. Incorporate any additional requirements, as necessary.

12. Review any emission units with control methods to confirm whether they are subject to CAM. If they are, ensure that all applicable CAM conditions are included. Refer to “Incorporating a CAM Plan into an ROP” in the ROP Manual (3.C.4). Make sure the CAM Specialist reviews all CAM conditions.
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 identified. Also make sure that the emission unit or flexible group conditions have the appropriate Appendix or Appendices referenced. If an appendix is not being used for that emission unit, remove the reference to it within the conditions. For Appendix 6, ensure that all active PTIs that will be incorporated into the source’s ROP are listed here.
14. Before sending the Working Draft for facility review, accept or decline all tracked changes. Comments directed at the facility for their review may be left in the Working Draft.

Make sure your entire technical review has been documented in your ROP Technical Review notes. Update your notes if changes are made after Supervisor, Peer, or Company reviews.

ROP Reporting Schedules

This section is a reminder to staff that the schedules must be reviewed and updated for the “In Process” version of the ROP listed in the Permits Functional Area in MiEnviro for the site. Refer to Section 8 “Adding Schedules to an ROP” of the MiEnviro ROP Internal User Guide for instructions on how to complete this task ***and document your review in your ROP Technical Review notes.***

Development of the Staff Report

Create the staff report as outlined in the ROP Staff Report Instructions in the ROP Manual (3.B.1).

Note: It may be helpful to complete the staff report after the technical review. All major changes noted in the technical review along with a history of any changes at the source since the last renewal, a list of PTIs currently active in the ROP including those being incorporated, and a discussion of all applicable regulations need to be covered in the staff report. Those regulations that may be expected to apply to the source, but do not, are to be documented in the technical review notes only.

Language Proficiency Analysis

A Language Proficiency analysis of the population surrounding the facility must be completed to assess whether the Public Notice needs to be translated for the Public Comment period. The

analysis and the document translation need to be completed before they are released to the public. Assign the “Request Language Proficiency Analysis” task in your workflow to the designated AQD staff person at any point during your technical review, **but it must be done before the Working Draft and Staff Report are sent to the facility for their review.** The analysis will be uploaded to the Submission record under the Documents tab. Copy and paste the analysis language into this section of your Technical Review Notes.

Finalize Technical Review Notes

After 45-day review, document any necessary details in the “Working Draft Review” section at the bottom of the Technical Review Notes document. Remove the word “DRAFT” from the header and change the **Status** to *Final* with **Security Classification** as *Internal*.