



**United States Environmental Protection Agency
General Permit for New or Modified Minor Sources of Air
Pollution in Indian Country**

<http://www.epa.gov/air/tribal/tribalnsr.html>

**General Air Quality Permit for New or Modified True Minor Source Petroleum
Dry Cleaning Facilities in Indian Country**

Information about this General Permit:

Applicability

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction or modification and the operation of each stationary petroleum dry cleaning facility for which a reviewing authority issues an Approval of the Request for Coverage (permitted source).

Eligibility

To be eligible for coverage under this general permit, the permitted source must qualify as a true minor source as defined in 40 CFR 49.152.

Request for Coverage

Requirements for submitting a Request for Coverage are contained in Section 7 of this general permit.

Incorporation of Documents

The information contained in each reviewing authority's Approval of the Request of Coverage is hereby incorporated into this general permit.

Termination

Section 6 of this general permit addresses a reviewing authority's ability to revise, revoke and reissue, or terminate this general permit. It also addresses the reviewing authority's ability to terminate an individual permitted source's Approval of the Request for Coverage under this general permit.

Definitions

The terms used herein shall have the meaning as defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

Permit Terms and Conditions

The following applies to each permittee and permitted source with respect to only the affected emissions units and any associated air pollution control technologies in that permitted source's Approval of the Request for Coverage.

Section 1: General Provisions

1. *Construction and Operation*

The permittee shall construct or modify and shall operate the affected emissions units and any associated air pollution control technologies in compliance with this permit and all other applicable federal air quality regulations; and in a manner consistent with representations made by the permittee in the Request for Coverage, to the extent the reviewing authority relies upon these representations in issuing the Approval of the Request for Coverage.

2. *Locations*

This permit only authorizes the permittee to construct or modify and to operate the permitted source at the location listed in the reviewing authority's Approval of the Request for Coverage for that permitted source.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA.

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the reviewing authority to revoke the Approval of the Request for Coverage and terminate the permitted source's coverage under this general permit.

6. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation or, in an attainment area, must not cause or contribute to a PSD increment violation.

7. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

8. *Property Rights*

The permit does not convey any property rights of any sort or any exclusive privilege.

9. *Information Requests*

You, as the permittee, shall furnish to the reviewing authority, within a reasonable time, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality in accordance with 40 CFR part 2 subpart B.

10. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a permitted source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the permitted source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

11. *Posting of Coverage*

This general permit, and the most current Approval of the Request for Coverage for the permitted source, must be posted prominently at the facility, and each affected emissions unit and any associated air pollution control technology must be labeled with the identification number listed in the Approval of the Request for Coverage for that permitted source.

12. *Duty to Obtain a Source-specific Permit*

If the reviewing authority intends to terminate a permitted source's coverage under this general permit for cause as provided in Section 6 of this general permit, then the permittee shall apply for and obtain a source-specific permit as required by the reviewing authority.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

Section 2: Emission Limitations and Standards

14. The permittee shall maintain and operate each affected emissions unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of New Source Review regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The reviewing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the reviewing

authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the permitted source.

15. The permittee shall not consume more than the amount of petroleum solvent specified below:
 - a. 5,600 gallons per year based on a rolling 12-month total for a facility located in an ozone attainment area; or
 - b. 1,300 gallons per year based on a rolling 12-month total for a facility located in an ozone nonattainment area.
16. If your facility has a total manufacturer's rated dryer capacity equal to or greater than 38 kilograms (84 pounds), then you shall meet the following requirements:
 - a. Each petroleum solvent dry cleaning dryer shall be a solvent recovery dryer. The solvent recovery dryer(s) shall be properly installed, operated, and maintained according to the manufacturer's specifications.
17. All solvents shall be stored in closed containers.
18. Button and lint traps shall be cleaned each working day.
19. All washer lint traps, button traps, access doors, and other parts of the equipment where solvent may be exposed to the atmosphere shall be kept closed at all times except when required for proper operation or maintenance.
20. The still residue, used filtering material, lint, used solvent and all other wastes containing solvent shall be stored in sealed containers until properly disposed.
21. If your facility is located in a serious, severe, or extreme ozone nonattainment area, then the permittee shall also comply with the additional equipment specifications and operating requirements specified in Attachment A.

Section 3: Monitoring and Testing Requirements

22. Each petroleum solvent dry cleaning dryer shall be inspected every 15 calendar days for evidence of leaks and all vapor or liquid leaks shall be repaired within the subsequent 15 calendar day period.

Section 4: Recordkeeping Requirements

23. The permittee shall maintain all records required to be kept by this permit for at least five years from the date of origin, unless otherwise stated, either onsite or at a convenient location, such that they can be delivered to the reviewing authority within 24 hours of a request.
24. The permit application and all documentation supporting that application shall be maintained by the permittee for the duration of time the affected emissions unit(s) is covered under this permit.
25. The permittee shall maintain a log of:

- a. The results of the daily leak inspections, any corrective actions taken to repair leaks, and the results of any corrective actions taken.
- b. Each type of petroleum solvent used at the facility;
- c. The date, type, and amount of solvent (in gallons) added to the solvent tank of each dry cleaning machine;
- d. The monthly total gallons of petroleum solvent used and the resulting 12-month rolling total of solvent used. The 12-month rolling total is defined as the sum of the gallons of petroleum solvent used during the current month and the gallons of petroleum solvent used for the previous eleven (11) months.

Section 5: Notification and Reporting Requirements

26. Notification of construction or modification, and operations

The permittee shall submit a written or electronic notice to the reviewing authority within 30 days from when the permittee begins actual construction, and when the permittee begins operations or resumes operation.

27. Notification of Change in Ownership

If the permitted source changes ownership, then the permittee must submit a written or electronic notice to the reviewing authority within 90 days before or after the change in ownership is effective. In the report, the permittee must provide the reviewing authority a written agreement containing a specific date for transfer of ownership, and an effective date on which the new owner assumes partial and/or full coverage and liability under this permit. The submittal must identify the previous owner, and update the name, street address, mailing address, contact information, and any other information about the permitted source if it would change as a result of the change of ownership. The permittee shall ensure that the permitted source remains in compliance with the general permit during any such transfer of ownership.

28. Notification of Closure

The permittee must submit a report of any permanent or indefinite closure to the reviewing authority in writing within 90 days after the cessation of all operations at the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

29. Annual Reports

The permittee shall submit an annual report on or before March 15 of each calendar year to the reviewing authority. The annual report shall cover the period from January 1 to December 31 of the previous calendar year and shall include:

- a. An evaluation of the permitted source's compliance status with the requirements in Section 2;
- b. Summaries of the required monitoring and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 30.

30. Deviation Reports

The permittee shall promptly report to the reviewing authority any deviations from permit requirements including deviations attributable to upset conditions. Deviation reports shall include:

- a. The identity of affected emissions unit where the deviation occurred.
- b. The nature of the deviation;
- c. The length of time of the deviation;
- d. The probable cause of the deviation; and

- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.
- f. For the purposes of this permit, *promptly* shall be defined to mean:
 - i. At the time the annual report in Condition 29 is submitted.

31. *Reporting and Notification Address*

The permittee shall send all required reports to the reviewing authority at the mailing address(es) specified in the Approval of the Request for Coverage.

32. *Signature Verifying Truth, Accuracy, and Completeness*

All reports required by this permit shall be signed by a responsible official as to the truth, accuracy, and completeness of the information. The report must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the reviewing authority immediately and correct or amend the report as soon as practicable.

Section 6: Changes to this General Permit

33. *Revising, Reopening, Revoking and Reissuing, or Terminating for Cause*

The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by you, the permittee, for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. This provision also applies to the documents incorporated by reference.

34. *Terminating Coverage under this Permit*

The reviewing authority may terminate a previously issued Approval of the Request for Coverage, and thereby terminate that permittee's authorization to construct or modify, and that permitted source's authorization to operate under this general permit for cause as defined in Attachment B. The reviewing authority may provide the permittee with notice of the intent to terminate, and delay the effective date of the termination to allow the permittee to obtain a source-specific permit.

35. *Change in ownership*

If the permitted source changes ownership, the reviewing authority may change the Approval of the Request of Coverage to reflect the new ownership in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

Section 7: Obtaining Coverage under this General Permit

36. To obtain coverage under this general permit, an applicant must submit a Request for Coverage to the appropriate reviewing authority for the area in which the permitted source is or will be located. Attachment D contains a list of reviewing authorities and their area of coverage. You must also submit a copy of the Request for Coverage to the Indian governing body for any area in which the permitted source will operate.

Attachment A: Abbreviations and Acronyms

CAA or the Act	Federal Clean Air Act
CFR	Code of Federal Regulations
EPA	United States Environmental Protection Agency
NAAQS	National Ambient Air Quality Standards
NSR	New Source Review
PSD	Prevention of Significant Deterioration

Attachment B: Definitions

For the purposes of this general permit:

Approval of the Request for Coverage means a reviewing authority's letter granting an applicant's request for construction or modification, and operation of a true minor source under the terms and conditions of this general permit.

Cause means with respect to the reviewing authority's ability to terminate a permitted source's coverage under a permit that:

1. The permittee is not in compliance with the provisions of this general permit;
2. The reviewing authority determines that the emissions resulting from the construction or modification of the permitted source significantly contribute to National Ambient Air Quality Standard violations, which are not adequately addressed by the requirements in this general permit;
3. The reviewing authority has reason to believe that the permittee obtained Approval of the Request for Coverage by fraud or misrepresentation; or
4. The permittee failed to disclose a material fact required by the Request for Coverage or the regulations applicable to the permitted source of which the applicant had or should have had knowledge at the time the permittee submitted the Request for Coverage.

Construction means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an affected emissions unit that would result in a change of emissions.

Permittee means the owner or operator of a permitted source.

Permitted source means each petroleum drying cleaning facility for which a reviewing authority issues an Approval of the Request for Coverage.

Request for Coverage means a permit application that contains all the information required in the standard application form.

Solvent recovery dryer means a class of dry cleaning dyers that employs a condenser to condense and recovery solvent vapors evaporated in a closed-loop stream of heated air, together with the piping and ductwork used in the installation of this device.

Attachment C: Petroleum Dry Cleaning Facilities in Certain Nonattainment Areas

For facilities located in serious, severe, or extreme ozone nonattainment areas, the permittee shall operate and maintain the solvent dry cleaning system in accordance with the requirements specified below and in accordance with the manufacturer's recommendations:

Section 1: General Specifications

1. All parts of the dry cleaning system where solvent may be exposed to the atmosphere or workroom shall be kept closed at all times except when access is required for proper operation and maintenance.
2. Wastewater evaporators shall be operated to ensure that no liquid solvent or visible emulsion is allowed to vaporize to the atmosphere.

Section 2: Additional Specification for Closed-Loop Machines

A *closed-loop machine* means dry cleaning equipment in which washing, extraction, and drying is performed within the same single affected emissions unit and which re-circulates and recovers the solvent-laden vapor.

3. A *closed-loop machine* shall not exhaust to the atmosphere or workroom during operation except when the vacuum pump exhausts to maintain a continuous vacuum.
4. For any *closed-loop machine* that is not equipped with a locking mechanism, the operator shall not open the door of a closed-loop machine prior to completion of the drying cycle.
5. For any *closed-loop machine* that is equipped with a locking mechanism, the operator shall not inactivate the locking mechanism and open the door of a closed-loop machine prior to completion of the drying cycle.

Section 3: Leak Check and Repair Requirements

6. No less frequently than monthly, the owner or operator shall inspect the dry cleaning system for liquid and vapor leaks, including, but not limited to, the following:
 - a. Hose connections, unions, couplings, valves, and flanges;
 - b. Machine door gasket and seating of the machine cylinder;
 - c. Filter head gasket and seating;
 - d. Pumps;
 - e. Base tanks and storage containers;
 - f. Water separators;
 - g. Filter sludge recovery;
 - h. Seals and gaskets of distillation unit(s);
 - i. Diverter valves;
 - j. Saturated lint from lint trap basket;
 - k. Button trap lid;
 - l. Seals, gaskets and the diverter valve of the refrigerated condenser;
 - m. Exhaust stream ducts;

- n. Lint trap ducts; and
 - o. Gaskets and ducts of the carbon adsorber.
7. To inspect for a vapor leak, the operator shall use at least one of the following techniques:
- a. Soap bubble technique in accordance with the procedures in EPA Method 21, Section 4.3.3 – Alternative Screening Procedure; or
 - b. A non-halogenated hydrocarbon detector; or
 - c. A portable hydrocarbon analyzer or an alternative method approved by the reviewing authority.
8. To inspect for a liquid leak, the operator shall visually inspect the equipment for liquid leaking in a visible mist or at the rate of more than one drop every three minutes.
9. Any liquid leak or vapor leak that has been detected by the operator shall be repaired within three (3) working days of detection. If repair parts are not available at the facility, the parts shall be ordered within two working days of detecting such a leak and the operator shall provide written notification to the reviewing authority that explains the reason(s) for delaying the leak repair. Such repair parts shall be installed within five working days after receipt. A facility with a leak that has not been repaired by the end of the seventh (7th) working day after detection shall not operate the dry cleaning equipment, until the leak is repaired.

Attachment D – List of Reviewing Authorities and Areas of Coverage

EPA Region	Address	Area Covered	Phone Number
Region I	1 Congress Street Suite 1100 Boston, MA 02114–2023	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	888- 372-7341 617-918-1111
Region II	290 Broadway 25th Floor New York, NY 10007–1866	New Jersey, New York, Puerto Rico, and Virgin Islands	877-251-4575
Region III	1650 Arch Street Philadelphia, PA 19103–2187	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	800-438-2474 215-814-5000
Region IV	Sam Nunn Atlanta Federal Center 61 Forsyth Street SW 12th Floor Atlanta, GA 30303	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee	800-241-1754 404-562-9000
Region V	77 West Jackson Street Chicago, IL 60604	Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin	800-621-8431 312-353-2000
Region VI	1445 Ross Avenue Dallas, TX 75202	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	800-887-6063 214-665-2760
Region VII	11201 Renner Boulevard Lenexa, KS 66219	Iowa, Kansas, Missouri, and Nebraska	800-223-0425 913-551-7003
Region VIII	1595 Wynkoop Street Denver, CO 80202–1129	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	800-227-8917 303-312-6312
Region IX	75 Hawthorne Street San Francisco, CA 94105	American Samoa, Arizona, California, Guam, Hawaii, Nevada, and Northern Mariana Islands	866-EPA-9378 415-947-8000
Region X	1200 Sixth Avenue Seattle, WA 98101	Alaska, Idaho, Oregon, and Washington	800-424-4372 206-553-1200