



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAY 14 2019

Mr. Kassahun Sellassie
Director, Philadelphia Air Management Services
321 University Avenue
Philadelphia, PA 19104

Dear Mr. Sellassie,

Enclosed is the final report for the title V program evaluation conducted by my staff on November 28, 2019 at the Philadelphia Air Management Services office. I would like to thank you and your staff for the cooperation and support given to my staff in conducting the evaluation, and I look forward to our continued collaboration and success in the title V program.

If you have any questions regarding the report, please do not hesitate to contact me at 215-814-2178, or have your staff contact Riley Burger of my staff at 215-814-2217 or burger.riley@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cristina Fernandez".

Cristina Fernandez, Director
Air & Radiation Division

cc: Mr. Edward Wiener
Mr. Virendra Trivedi

Philadelphia Air Management Service Title V Program Evaluation – FY2019

I. Introduction

The U.S. Environmental Protection Agency (EPA) conducted an evaluation of the Philadelphia Air Management Service (AMS) title V operating permit program. The AMS title V permit program was approved as part of Pennsylvania's title V operating permit program by EPA on July 30, 1996 (61 FR 39597).

Title V program evaluations are part of EPA's routine oversight of state and local programs. The purpose of this evaluation is to assess the overall implementation of the program by AMS and to identify organizational strengths as well as areas for improvement.

On November 28, 2018, representatives from EPA Region III's Air Protection Division, Office of Permits and State Programs¹ met with managers of the AMS title V program at their office (321 University Avenue, Philadelphia, Pennsylvania 19104).² The EPA evaluation team consisted of Zelma Maldonado (Acting Associate Director), Riley Burger, and Gerallyn Duke. The team met with Ed Braun (Regulatory Services Program Manager) and Edward Wiener (Chief of Source Registration).

EPA thanks AMS for their hospitality and cooperation.

II. Background

AMS implements Philadelphia's title V permit program under 25 PA. Code Chapter 133. Pennsylvania Department of Environmental Protection (PADEP) reviews its approval of AMS's air pollution control program on an annual basis.³ PADEP's rules for title V fees apply to sources in Philadelphia; sources pay their fees to AMS and PADEP supplements this income in the form of grant money to subsidize the overhead associated with AMS's operations. AMS must deposit these funds into a restricted account to implement the title V program and track these funds accordingly.

PADEP is responsible for submitting to EPA the State Implementation Plan (SIP), including any changes to the SIP originating from AMS. State law and delegation agreements describe the

¹ Now the Air and Radiation Division, Permits Branch.

² Unless otherwise noted, this report reflects the status of permits, staffing, etc. at the time of interview

³ See 25 PA Code §133.9

roles and responsibilities of each agency and delineate jurisdiction of sources between PADEP and local air quality agencies.

Under Pennsylvania's approved SIP, an administrative amendment may be used to incorporate into an operating permit the requirements from certain preconstruction permits called "plan approvals" when the plan approval undergoes the same public notice processes as the state operating permit program. This way, Pennsylvania, and AMS as a delegated agency, issue an "integrated notice" for both the plan approval and operating permit and the same public participation occurs at the preconstruction phase of a proposal as for the operating permit. Plan approvals issued through this process at title V facilities are called "merged" permits. EPA may object to a merged plan approval under the same authority for objecting to title V permits. This evaluation includes such merged plan approvals to the extent they are part of AMS's title V operating permit program.

EPA last evaluated the title V program at AMS in 2010. That evaluation involved extensive file reviews, interviews with permitting staff, and a questionnaire completed by AMS in advance of the site visit. The 2010 Program Evaluation Report concluded that AMS's process to prepare title V permits was adequate, but recommended improvements in the statement of basis content. The report also concluded that periodic monitoring requirements and the public participation process were adequate, but that public notice should be provided in appropriate languages in specific ethnic neighborhoods. Finally, the report noted a backlog of title V permit renewals. AMS had initiated some new procedures to minimize the permit backlog in the period following the 2010 program evaluation.

III. Evaluation

No file reviews or individual staff interviews were conducted during the interview because EPA routinely reviews proposed title V permits prepared by AMS, and AMS's title V program is well established. The evaluation consisted primarily of a dialog between EPA and AMS managers and staff; results of permit reviews in the last year were considered and limited reviews of newspaper notices were reviewed in preparing this report. A list of questions, provided to AMS on the day of the evaluation, served to focus discussion and address several program-specific topics.⁴ The results of the discussions and recent permit reviews are outlined below.

⁴ See Appendix A

A. Resources and Management Support

Manpower - The AMS Source Registration Program is one of seven programs under Regulatory Services. Except for clerical support, which is provided through the Contract Program, all title V permitting – as well as preconstruction permitting at major and minor sources, licensing for over 1000 smaller sources, dust control permits, and Requests for Determinations – occurs in the Source Registration Program. The organizational chart (Appendix B) shows six engineers assigned to Source Registration, in addition to the Program Chief. Two of these engineers are first-line supervisors. Legal services are provided through the Deputy City Solicitor.

At the time of the EPA interview, five of the six engineer permit writer and engineer supervisor positions were filled. According to AMS, the remaining vacancy, posted for only a few months, soon would be filled. The last vacancy for a first-line supervisor took longer to fill.⁵ Pay scales for permit writers appear to be within the normal range for state and local agencies, but AMS employees must live in Philadelphia, where housing costs are higher than the suburbs.

Only two engineer supervisors in Source Registration have at least six years of experience, indicating that experience level of permit engineers could be an issue depending on the complexity of AMS title V permits. The two engineer supervisors are assigned the more complex permits, including initial TV permits.⁶

Permit writers are responsible not only for writing title V initial and renewal permits and plan approvals for title V sources, but for reviewing stack test protocols and stack test results. This is an additional responsibility for permit writers compared to other Region III permit authorities, including PADEP. Permit writers also conduct “conformance checks” which are post-construction inspections, performed by either permitting staff or inspectors, to ensure that the changes allowed in a pre-construction permit were made in conformance with the installation permit or plan approval. These additional duties are quite time-consuming.

As discussed in the 2010 report, Source Registration personnel spend only about 20-to-30 percent of their time on title V permits. The same permit writers also work on the myriad of minor sources, emission reduction credit (ERC) applications, and dust control plans for demolitions. AMS tracks the work performed by each staff person as title V or non-title V work. Based on preliminary estimates provided by AMS managers, it appears that approximately 2.25 full-time equivalent engineers actually work on title V permitting within the Source Registration

⁵ Filling vacant positions at AMS can be challenging, as qualified applicants for openings are selected from the top names on a City list of those who passed the most recent exam for that level. Each exam is offered infrequently so the list can be a year old by the time a position is needed. Qualified applicants often have found other positions by that time. The list can have as few as two names on it, or many more, depending on the year the list is generated.

⁶ “Permit writer” in this report refers to both a permit engineer or a permit supervisor.

Program. The Source Registration Chief reported he spends about 20 percent of his time on TV permitting.

At the time of review there were 32 title V facilities in Philadelphia⁷. If issuance of renewals was staggered equally across the five-year permit issuance term, a little more than six renewals would need to be issued each year, along with periodic installation permits, plan approvals⁸, and significant modifications. Looking only at these figures, AMS title V permit issuance resources appear to be minimally sufficient. However, 18 title V permits are backlogged⁹. Two of the three highest emitting sources in Philadelphia have TV permits that are more than five years extended.¹⁰ Title V permitting for these two sources is complex based on their size alone, but the duration since the last renewal compounds the time and resources necessary to issue an updated permit. Thus, unless title V resources are freed up or efficiencies are increased, the title V backlog may continue to increase. Indeed, the title V permit for largest emitting source in Philadelphia, accounting for approximately of 60 percent of stationary source emissions in Philadelphia, is due to expire in summer, 2019.¹¹

Training - AMS prescribes limited training curriculum for new hires in basic topics such as health and safety. Typically, new hires work with different offices in AMS for short periods of time to gain some exposure to other workgroup activities. Supervisors also assign the simplest permits to new hires and provide one-on-one training through their oversight.

Mandatory training is tracked in a new system called the Learning Management System (LMS). No other system was identified to ensure that permit writers receive adequate technical training.

The AMS Training Coordinator works with the Mid-Atlantic Regional Air Management Association (MARAMA) to identify training needs for all AMS technical personnel. Once a year the coordinator asks each AMS office to complete MARAMA's survey of training needs and forwards a consolidated list of requested courses to MARAMA. The survey only covers courses that already have been developed. MARAMA tries to offer courses that garner the most interest among MARAMA state and local air permitting agencies. New courses can take years and substantial resources for MARAMA to develop.

⁷ Three of these sources have applied for synthetic minor permits to become "state only" sources and five permits are considered aggregated across two facilities. Each source that is aggregated with another but has a separate title V permit is counted here as a separate source, since full permitting work is needed for each.

⁸ See Section III.B for a discussion of the various types of permits issued to title V sources in Philadelphia

⁹ 18 title V permits were backlogged at the time of the interview. "Backlogged" permits are those not renewed within five years of previous permit's issuance date. Title V permits generally have five-year terms per 25 PA Code 146.446(a) but may be extended after the initial expiration date. Such extended permits are considered part of the backlog until they are renewed.

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¹¹ See Appendix C

The AMS training coordinator also circulates announcements of MARAMA course offerings throughout the year. AMS permit writers are most likely to attend training offered at PADEP Southeastern Regional Office because its location is most convenient to reach. Out of state travel is allowed, but rarely occurs, in part because of the difficulties associated with travel and being out of the office.

Each year MARAMA invites permitting agencies to host specific training courses. AMS staff interviewed were not aware of this request. They indicated that hosting would be difficult as AMS does not have facilities for this purpose. Years ago, EPA Region III hosted a course at the request of AMS, but AMS has not asked Region III to host in recent years.

During the interview, AMS managers acknowledged the training, provided by EPA Region III at AMS offices, on *Writing Permits that are Enforceable as a Practical Matter*. They also expressed interest in the following courses that are not currently available through MARAMA:

- New Source Review (NSR)/Prevention of Significant Deterioration (PSD)
- Compliance Assurance Monitoring (CAM)
- A refresher in permit monitoring.

Administrative Support - Administrative staff help with such tasks as processing facilities' permit applications and fee payments and maintaining facility information in *CitizenServe*.¹²

EPA Support - EPA and AMS participate in quarterly meetings to address the backlog of title V permits, permit-specific issues, and other salient issues. Additionally, changes to and questions about EPA guidance and policy are discussed. AMS also participates in PADEP's monthly or quarterly title V calls, some of which are internal and some are with EPA.

Computer Support - Those interviewed reported that technical computer support is generally satisfactory. Computers are replaced at appropriate intervals and the supporting contractor is generally responsive and competent. *CitizenServe* software has reportedly increased efficiency of tracking and collection of annual license fees.

Opportunities for Further Improvement

Manpower - To maintain the current workload assigned to the Source Registration Program, it appears that more manpower is needed. Until and unless additional resources are provided, EPA strongly recommends that strategies be considered to temporarily redirect some of the work currently performed by permit engineers to others. These strategies include:

- using interns with oversight by permitting staff
- contracting out minor permit and/or license issuance work

¹² See Section III.B

- increasing the technical support available for stack testing protocol reviews, possibly from PADEP, to the permitting group
- assigning compliance personnel to review stack test results
- reassign post-conformance checks from permit writers to compliance personnel
- temporarily assign a permit writer from PADEP to help with AMS permits.

Administrative Support - Administrative staff help Source Registration office in many capacities. We recommend that AMS consider the extent to which other tasks, currently assigned to permit writers, may be assigned to administrative personnel. One particular task to consider is transmitting routine correspondence, such as final permits, to EPA. This support would provide the title V permitting staff greater time to focus on title permit development and possibly better ensure that EPA receives all final title V permits.

Training - Because four of the current six permit writers are relatively new to permitting and because of the permit quality issues identified in Sections III.B and C, formal training should be employed to supplement on-the-job training. We recommend that each permit writer develop a long-term training plan, to be approved by their supervisor. Courses available on-line, in webinars, and in classroom settings should be identified. One resource that EPA provides is a prescribed set of recommended courses for technical air personnel through the [Air Pollution Training Institute \(APTI\) website](#).

AMS managers should communicate to staff that training is valued and that they support staff in achieving their respective training goals. Travel outside the immediate Philadelphia area should be encouraged so that the AMS permit writers may take advantage of the free courses – often including travel costs -- hosted by other MARAMA state agencies. On a periodic basis, each permit writer and his/her supervisor should assess progress in achieving training plan goals.

AMS may consider forming a training workgroup to identify how permit writer training may be improved.¹³ If new courses are needed, these should be communicated to MARAMA through the AMS Training Coordinator. Likewise, it may be possible for EPA Region III to provide hands-on training on specific, narrow topics not available through MARAMA or public vendors.

If AMS offers to host a course requested by AMS permit writers, more permit writers than the two typically funded for travel from MARAMA could attend. EPA Region III offices may be available to support AMS in hosting MARAMA-lead courses. It also may be possible to utilize conference space at one of the nearby universities.

¹³ This was a best practice identified in the 2018 PADEP TV Evaluation.

B. Title V Permit Preparation and Content

Assignment of Permit Writer and Permit Writer Responsibilities - Assignment of title V permits is based on permit writer experience across both sections under Source Registration. Permit writers who have worked on a particular facility's permit tend to be assigned subsequent permits for that facility. The assigned permit writer is responsible for determining whether an application is administratively and technically complete, preparing a review memo (otherwise known as a statement of basis), preparing the permit, and all correspondence with the facility and EPA. AMS permitting staff do not routinely conduct pre-issuance site visits, but may have visited the facility previously for a stack test or conformance check.

Workflow – Title V renewal applications are due to AMS six months before expiration date. AMS sends out reminder notices a year before title V permits expire. Those interviewed did not identify timeliness or completeness of applications as notable reasons for any delays in permit issuance.

A permit writer generally starts writing an initial TV permit using an already-issued permit for a facility in the same sector. For renewals, they would start with the last version of the title V permit along with any construction permits issued since the last renewal. Permits are drafted in Microsoft Word and final permits, once signed, are issued as pdf files.

The permit writer prepares the first version of the draft permit and sends it to the engineering supervisor as well as the Source Registration Chief for review. The engineering supervisor is expected to perform a detailed review, whereas the Source Registration Chief will review the draft for more cursory items. For example, the Source Registration Chief will check that the most current general conditions are used, since they may have been updated since the previous permit. The Source Registration Chief also will check for things that they expect EPA will notice, based on recent EPA reviews of other permits. Some draft permits also are sent to Compliance and Enforcement for review.

Internal reviewers send their comments to the permit writer via email or by making changes directly onto the draft permit via "Track Changes" in Microsoft Word. They copy one another on this correspondence so all reviewers and the permit writer can see all changes requested. The permit writer then changes the permit accordingly into a "pre-draft" and sends it to the company for a one- to two-day review.

Corrections to the pre-draft permit are made in response to comments from the facility and the draft permit is then prepared for public and EPA review. After the public comment period and receipt of EPA comments, the draft permit is revised in response and issued as final. Those interviewed said that a title V renewal with no problems can be issued within six months of receipt of application.

Permit and Review Memo Content – EPA provided significant comments on six out of the seven permits reviewed in 2018.¹⁴ Deficiencies noted by EPA in 2018 comments relate to:

- monitoring,
- citations for permit conditions,
- recordkeeping,
- inconsistencies between various permit conditions or between the review memo and permit,
- permit condition language clarity,
- insufficient, extraneous, or redundant information in review memos,
- federally enforceability,
- enforceability as a practical matter,
- applicable requirements missing,
- new source review applicability determinations missing, and
- side-by-side streamlining analyses missing.

Not all permits had extensive comments and AMS did address every concern raised by EPA in 2018 in permit revisions. Moreover, some EPA comments included commendations for work particularly well done, such as explaining in the review memo why various requirements do not apply, and for good work in addressing CAM. Nonetheless, EPA had significant concerns with most draft permits reviewed.

We commend the Source Registration Chief for his efforts in the last year to implementing new permit procedures, conditions and processes across the board in response to EPA comments on individual permits. For example, the new EPA permit reviewer has emphasized the importance of citing the underlying authority with each permit condition.¹⁵ This apparently had not been pointed out by EPA before and significant improvement in permit citations since EPA began noting this in its reviews was observed

Out of the seven title V permits reviewed by EPA in 2018, six included significant comments related to the review memo. One of the key purposes of the review memo is to provide information and explanation, where not obvious in the permit itself, of the legal and factual basis for the draft permit conditions, including references to the applicable statutory or regulatory provisions.¹⁶ Despite its utility in understanding a permit, the review memo is not necessarily sent to the engineering supervisor and Source Registration Chief for review along with the draft permit. Review memos are reviewed at a later time in permit development.

The 2010 TV Evaluation Report recommended that AMS include in review memos more information regarding new permits or changes being made to an existing permit. However,

¹⁴ This includes one merged permit

¹⁵ See Section III.E for a discussion of changeover of personnel at EPA assigned to reviewing AMS permits.

¹⁶ 40 CFR 70.7(a)(5)

current review memos do not typically address the conditions that have been changed or new equipment added to the site since the last renewal. This appears to be a long-standing issue.

Review memos have a standard overall format, but not in substance. Despite this, AMS managers interviewed said that more recent review memos are more thorough compared to those written years ago. AMS indicated that templates for permits and review memos would help AMS permitting staff write title V permits.¹⁷ AMS permits and review memos do not typically involve aggregation issues, but they do use Pennsylvania's aggregation checklist as needed when the issue comes up.¹⁸

Merged Permits and Significant Modifications - AMS typically issues plan approvals as "merged" permits, i.e., draft plan approvals go through the same permitting, public participation, and EPA review process as title V permits. They are usually then incorporated into the title V permit when the title V permit is renewed next. AMS reported that significant modifications are issued using the same procedures (public participation, notification, etc.) as title V renewals. Installation permits (permits for physical changes that generally are smaller than would qualify for plan approvals) are not issued as merged permits and thus are not included in this review. The Source Registration Chief tries to review merged permits, since these can involve some complexities, such as synthetic minor limits, conditions that must eventually be SIPPED under RACT, plant-wide applicability limits (PALs) and/or special monitoring provisions.

CitizenServe - AMS provided a demonstration of its online permitting, licensing, and complaint portal called *CitizenServe*, which appears to be a very helpful tool. Among other things, the system enables registered users to download a title V permit application form and pay the required fees. Applications can be submitted online, but no title V facilities have made use of the feature yet. A title V registrant can also review the status of their title V application in *CitizenServe*.

Since 2016, AMS has used *CitizenServe* to track permit workflow. The clerk logs receipt of each permit application into *CitizenServe* and the permit proceeds through various pass-throughs, each of which are logged in. Various tasks associated with the permit processing may be assigned to different personnel, each of whom are then responsible to update the system when they have completed their assigned task(s). Each task is assigned a due date and the system will notify the user of overdue tasks.

¹⁷ Years ago, permit writers used the "Permit Application Package Checklist" developed by EPA, but that is no longer used as it is somewhat outdated.

¹⁸ Those interviewed said that the "contiguous" prong of the three prongs involved in an aggregation determination comes up most frequently.

CitizenServe also:

- is the repository for final permits (these are not currently available for public viewing),
- provides an alert for violations associated with particular permits, and
- produces custom permit reports.

Opportunities for Further Improvement

We expect, with time, training¹⁹, experience, and oversight from the new first-line supervisors, new permit writers will improve the quality of drafted permits. *CitizenServe* already has helped manage workflow and plans are in place to expand its utility. In the meantime, the following tools used or under development by PADEP may be useful for permit writers and permit reviewers:

- use of a permit checklist to ensure that required elements are included in all draft title V permits.
- use of a template for permit reviewers to ensure consistent management review of draft permits and other supporting documents
- use of a template for the technical review memo to ensure that the review memo serves the purpose of setting for the legal and technical basis for the draft permit as required in the rules.

Furthermore, the permit writers should draft the review memo simultaneously with the permit and internal reviewers should receive both for internal review and comment. This will best ensure that the review memo provides the additional information that is not obvious from the reading the permit.

The Chief of Source Registration should be commended for focusing his individual permit reviews on items raised by EPA in previous reviews. Although supervisors share information about past EPA comments when reviewing permits in the draft phase, we recommend permit writers share the feedback received from EPA with all other permit writers, peer-to-peer, at the time of receipt. This would enable permit writers to learn from one another, ideally leading to subsequent draft permits reflecting earlier EPA comments, and ultimately reducing the already hefty burden on the Source Registration Chief.

Role of Management Involvement and Oversight – We have found, in our oversight capacity across all Region III states, that the role of state permitting agency management in reviewing title V permits is one of the key factors impacting permit quality.²⁰ We commend AMS for hiring

¹⁹ See Section III.A

²⁰ See 2018 PADEP Title V Evaluation Report

two first line supervisors to take some of the oversight load off the Source Registration Chief. AMS should support these newer managers in any and every way possible.

Quality Assurance: Quality assurance may be maintained at AMS through ongoing discussions amongst staff and management to identify common roadblocks and to identify other facilities and/or permits that might be similar in nature to the one being worked on by a permit writer. AMS management should hold frequent (e.g., biweekly) one-on-one meetings with permit writers to help guide workload and address any questions and/or concerns, such as lagging permits.

C. Monitoring

Federal regulations require that each title V permit contain sufficient monitoring, recordkeeping, and reporting to ensure compliance with each applicable requirement. The permitting agency should supply a rationale in the statement of basis accompanying the permit that justifies the type of monitoring chosen. A similar process should be followed for recordkeeping and reporting requirements.

AMS managers explained that permit writers develop monitoring requirements based on what was done in the past and individual judgement. No particular guidance is used to determine monitoring requirements. Permit writers do supplement existing monitoring requirements as appropriate and occasionally require more monitoring than explicitly required in applicable rules. AMS generally requires more monitoring at larger sources and for new construction they do include some advanced monitoring. Review memos do not routinely include a discussion of monitoring requirements unless the requirements in the permit are complicated.

AMS reported that they do not often encounter problems with facility Compliance Assurance Monitoring (CAM). AMS reportedly has encountered very few permit applications from sources where CAM is required. However, EPA recently has emphasized making permits “enforceable as a practical matter,” so AMS has changed CAM plans (which are part of the permit) to include the operating parameters developed from operations and stack testing. This is also true of monitoring conditions in permits without CAM plans. Additionally, AMS recently changed CAM Plans to clarify what constitutes an “exceedance.”²¹

EPA evaluates the sufficiency of monitoring on a case-by-case basis during permit reviews. Out of seven title V permits reviewed by EPA in 2018, six comments included significant monitoring concerns. It appears that EPA reviews in 2018 raised more comprehensive issues related to

²¹ “Exceedance” is an explicit term in the CAM rule that triggers corrective action.

monitoring than previously.²² Those interviewed said they are getting used to this deeper level of review. EPA has found AMS to be very responsive to all issues raised by EPA.

Opportunities for Further Improvement

AMS and EPA should continue to work closely together through individual permit reviews to ensure that monitoring, recordkeeping and reporting is sufficient. As discussed in Section III.B, we strongly encourage AMS to establish processes to share information among permit writers and reviewers, so that lessons learned from one permit may be built upon in the next permit written.

Every strong air permitting program includes a strong permit writer training program. In Section III.A we discuss how AMS's training program should be strengthened. Those interviewed explicitly included a need for monitoring training in their list of training needs. EPA provided periodic monitoring training in 2010 and slides for that training are available through Region III. However, EPA has not offered that training again, due to diminishing resources. AMS should work with MARAMA to address its monitoring training needs and also explore sector-specific monitoring training available online, such as those offered through [APTI](#).

D. Public Participation

Public participation is a crucial component of any well-functioning title V permitting program. All title V permit proceedings must provide adequate procedures for public notice including affording public access to the draft permit documents, offering an opportunity for public comment and a hearing on the draft permit, and development and maintenance of a mailing list of interested parties.²³

Although plans are in development to post title V permit-related documents on *CitizenServe*, interested citizens currently must review these either on-site or via e-mail. For permit actions with strong public interest (these tend to be preconstruction permits), AMS also has included relevant information on its website.

AMS employs several methods for informing the public of opportunities to comment on draft title V permits. Permit information, including the receipt of complete applications and public comment notices are published in the *Pennsylvania Bulletin* as well as in the local newspaper.

For title V permits, the *Pennsylvania Bulletin* includes the following in its public notice:

²² See Section III.E for a discussion of changeover of personnel at EPA assigned to reviewing AMS permits.

²³ 40 CFR70.7(h) and 25 PA Code 127.521

Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the Pennsylvania Bulletin and a local newspaper at least thirty days before the hearing.

We spot-checked one newspaper notice for a 2018 title V renewal permit and one 2019 “merged” plan approval.²⁴ We found the above language for the title V renewal permit, but no reference to the opportunity for a public hearing for the plan approval.

Comments on draft permits may be submitted by mail or in person during a hearing. The public comment period for both title V permits and plan approvals for title V sources typically extends for 30 days. Those interviewed reported that no public hearing has ever been held for an AMS title V permit, as none have ever been requested. EPA has heard from other states, as well, that title V renewals garner little public interest. However, some preconstruction permits generate substantial interest.

Federal rules have always required maintenance of a mailing list of interested parties. Recently those rules were modified as follows to accommodate more modern means of informing the public such as through the internet:

notice shall be given to persons on a mailing list developed by the permitting authority using generally accepted methods (e.g., hyperlink sign-up function or radio button on an agency Web site, sign-up sheet at a public hearing, etc.) that enable interested parties to subscribe to the mailing list. The permitting authority may update the mailing list from time to time by requesting written indication of continued interest from those listed. The permitting authority may delete from the list the name of any person who fails to respond to such a request within a reasonable timeframe. The permitting authority may use other means to provide adequate notice to the affected public.²⁵

AMS does not maintain a list of interested parties who are notified of various permitting milestones. Those interviewed said that it has been done in the past once and could easily be developed electronically through *CitizenServe*.

In the 2010 Title V Evaluation Report, EPA recommended that AMS make relevant information available in various languages when issuing permits in communities where the predominant language is not English. AMS has not issued any operating permit material in any language other than English but has developed materials in Korean for dry cleaners.

²⁴ Philadelphia Department of Prisons 2019 proposed TV permit renewal and Kinder Morgan Liquid Terminals, Point Breeze Plan Approval IP18-000352 dated 1/14/19

²⁵ 40CFR70.7(h)(1)

Opportunities for Further Improvement

If AMS's newspaper notice does not include information on the procedures to request a hearing, as well as the time and place of a hearing if one has been scheduled, the notice is deficient and could jeopardize the legitimacy of any title V permit – including merged permit -- noticed without this information. Pennsylvania rules require that this information be included in both the Pennsylvania Bulletin and the local newspaper. AMS should immediately check the template that is used for newspaper notices and make sure that this information is included in all future newspaper notices.

AMS should develop a process for having a mailing list for title V permits or another means, in addition to its notice in the *Pennsylvania Bulletin* and local newspaper, to ensure that notice to the public is adequate. Based on responses from AMS during the interview, *CitizenServe* may be well-suited for this purpose.

As a continuation from the 2010 TV evaluation, AMS should consider providing title V information to interested parties in appropriate, community-specific languages. It is possible that the apparent lack of public interest in title V permits relates to this issue.

E. EPA Review

All draft title V permits, including significant modifications and merged plan approvals, must be submitted to EPA for 45-day review. AMS should provide, with the proposed permit, any significant public comments that were received on the proposed permit and a summary of how the proposed permit was changed to respond to those comments.²⁶

Workflow - After revising the pre-draft permit in response to internal and facility review, AMS proposes the draft permit for public and EPA review. After the public comment period, the permit writer makes any appropriate revisions to the draft permit in response to comments received. If public comments are received, the law department would review the draft response-to-comments document. If EPA submits comments, the proposed permit undergoes another review by AMS management. If EPA has commented and requested "sequential" review or if there are public comments, AMS then sends a proposed (revised) permit to EPA for the Agency-only 45-day review. If EPA does not comment, no revised proposed permit is sent to EPA.

Those interviewed said that AMS develops a response-to-comments document that addresses any comments that are received during the public comment period. The response-to-comments

²⁶ See Section IV.B.2(d) of the 1996 Implementation Agreement for Pennsylvania's Title V Operating Permits Program. Since 1996, EPA has informally requested that this information be provided to Region III in the form of a "Response to Comments."

document should be sent to EPA with the proposed permit. These were provided to EPA in 2018 only upon request. We found very few TV permit responses-to-comments documents from AMS in EPA's files prior to 2018.

CitizenServe notifies the permit writer when the EPA 45-day review period has ended. If EPA does not object to the issuance of the permit, AMS issues the final permit and should provide a copy to EPA. Nonetheless, in the last year a substantial number of final title V permits from before 2018 (including merged permits) were missing from EPA files. At EPA's request, these were submitted (or re-submitted) in 2018.

Changes in 2018 - In 2018, the EPA engineer assigned to review AMS's title V permits retired and a different EPA permit reviewer was assigned. The previous EPA reviewer had informally reviewed pre-draft permits, which may be one reason why few EPA comments on AMS draft permits are filed and why no responses-to-comments are in EPA files for that period. The new permit writer has not reviewed pre-drafts, since this is not standard operating procedure in Region III and the reviewer was concerned that diminishing resources at EPA do not afford the time for it. The reviewer also has found the final permits and permit record issued in 2018 to be notably improved, in response to comments, compared to previous permits issued.

AMS reported that they found preparing responses to the formal EPA comments received in 2018 to be time consuming. They said that EPA's pre-draft reviews – as done previously – possibly can improve the quality of the formal “draft” permit and thereby minimize AMS's work involved in preparing a response to comments. AMS has contacted the new permit reviewer when they had questions, early on, on how to address particular permit matters and have found EPA to be very responsive.

Opportunities for Further Improvement

EPA's informal reviews of pre-drafts, prior to 2018, resulted in little information being on record about the problems EPA identified with AMS permits. Thus, it is very difficult to compare the results of those reviews with the results of EPA's formal, written 2018 reviews which are part of the permit record. By comparing draft to final permits it is clear that AMS title V permits in 2018 improved notably as a result of EPA formal reviews.

It is evident AMS has worked very hard to respond to permit issues raised by EPA in 2018 and we recognize that responses to comments take time to prepare. We believe the effort, while difficult and time consuming, is valuable. Provision of formal comments is particularly important when there are a lot of comments, simply for tracking purposes, and when comments raise complex issues. Keeping such records enhances the review process by creating a platform for permit writers to learn. Also, the public is entitled to see this interaction between AMS and EPA, and transparency is compromised when reviews are done informally.

AMS did not identify EPA reviews as a significant deterrent to title V permit issuance. AMS had simply pointed out that the response to comments takes time, which is at a premium. In 2018, EPA always commented within 30 days of receipt of a complete permit and tried to inform AMS when EPA is not planning to review a permit. Furthermore, Region III offers to expedite a permit review if requested. Thus, we do not believe moving from a formal review of the draft/proposed permit to an informal review of the pre-draft permit will expedite permit issuance. Ultimately, for EPA, informal reviews would involve more time if new issues are subsequently found in the draft review, particularly in a time when EPA resources are reduced.

Even where there are no public comments other than from EPA, the response to comments provides record of AMS' responsiveness. This is important for the purposes of transparency and any title V permit petitions. AMS should submit a response to comments, with the proposed permit, to EPA whenever the public comments, as well as whenever EPA comments, on a draft title V permit. A response to comments is vital to ensure that the state agency has addressed all concerns, including EPA's concerns, raised about a title V permit.

For all these reasons, we recommend that EPA continue the formal, comprehensive reviews of AMS title V permits during the public comment period, rather than return to informal review.

To ensure that EPA receives the final permit we recommend that AMS add a milestone (if there is none already) in *CitizenServe* for sending the final permit to EPA. As mentioned earlier, we recommend that AMS consider assigning this responsibility to administrative staff to relieve the permit writers from this task and thereby free them up for other title V work. Of course, should AMS move towards posting final title V permits online, this would increase transparency and may eliminate the need to separately send a copy to EPA.²⁷

F. Permit Issuance

Timelines and Deadlines - EPA views an initial title V permit to be "backlogged" if it has not been issued within 18 months of an administratively complete application. A title V renewal permit is considered backlogged if it is issued or issuance is pending after the five-year expiration date and the source is still subject to title V.

Pennsylvania's Air Pollution Control Act deems failure to issue a permit within 18 months of application to be an appealable action,²⁸ but those interviewed at AMS reported that PADEP has

²⁷ EPA generally supports activities that modernize transmittal of permit information. However, prospective dispensing of the current protocol to submit the final permit to EPA via email or hard copy would need more deliberations between EPA and AMS.

²⁸ See Section 6.1(b)(3) of the Pennsylvania Air Pollution Control Act

not raised this as an issue with AMS. The only strict permit issuance deadline mentioned was the 30-day completeness review deadline.

Backlog – As of February, 2019, AMS’s TV permit issuance backlog is 60 percent. See Appendix C. In contrast, the average permit renewal backlog percentage across permitting authorities in EPA Region III in the last five years has remained steady at approximately 24 percent.²⁹

The 2010 Evaluation Report identified a substantial title V issuance backlog and recommended that AMS assign higher priority to the title V program so that issuance of renewals and modifications were completed in a timelier manner. AMS’s TV permit issuance backlog declined from 35 percent to 15 percent between 2011 and 2013. However, since then it has steadily climbed upward to 60 percent.

Initial AMS permits for one title V source remains unissued for six years.³⁰ Many of the other backlogged AMS title V permits are for complex facilities. Additionally, three³¹ of the 19 outstanding backlogged AMS title V permits (almost 20 percent) have been extended for more than five years, and two³² of these three are two of the three largest emitting sources in Philadelphia.

AMS explained that a contributing factor to the backlog is that issuance of preconstruction permits at title V as well as other sources has received higher priority over title V permits. In recent years, issuance of RACT permits in particular have competed for permit writers’ time. Also, the Health Commissioner has directed Source Registration to catch up on the backlog of conformance checks, further diverting title V manpower to other tasks.³³ This appears to indicate that permitting workloads – for title V as well as non-title V permitting – exceed staffing levels.

AMS reported that some delays in permit issuance occur when a permit is complex. These sources require a greater number of permit conditions and require greater technical work and guidance for the permit to proceed through issuance. The backlog compounds as permit require more updates the longer they remain overdue for issuance. This could explain why two of the largest emitting sources in Philadelphia are so overdue for renewal. Other, less common, reasons reported for delays in issuing title V permits at AMS include minor New Source Review issues, compliance/enforcement issues, and issues raised by EPA.

²⁹ TOPS reports for Region III air permitting agencies, January through December, 2018

³⁰ Veolia Energy Efficiency has been operating since 2013 without a title V permit.

³¹ Advansix, Grays Ferry and Kinder Morgan

³² Advansix and Grays Ferry each emit over 500 tpy.

³³ See Section III.A

The Source Registration Chief has personally expended much of his time in upgrading forms and troubleshooting *CitizenServe* to improve the overall efficiency of the minor source permitting program and thereby free up resources for title V work. Unfortunately, at the same time, this has drawn him away from doing direct title V work.

AMS reported that no title V permit have been appealed. They report that EPA would be informed of any appeals.

Opportunities for Further Improvement

EPA continues to have concerns about AMS's ability to issue timely title V permits. Recognizing that additional staff are required and understanding competing priorities of types of permits, a sustained focus on eliminating the backlog of title V permits is necessary.

A primary challenge to AMS's ability to adequately implement the title V permitting program is that the current permitting workload exceeds existing staffing levels. Permit engineers staffing levels should be increased to a level sufficient for current workloads (see "Resources and Internal Management Support" section of this document for a detailed discussion).

Resources should be redirected to the title V permitting program to reduce the backlog. Within the title V universe, there are many approaches to assigning priorities for issuance/renewal. Those interviewed said that they are trying to reduce the title V backlog by focusing on the most outdated permits.

AMS reportedly also is exploring a new initiative to prioritize issuance of air permits based on risk. They reportedly are learning about New Jersey Department of Environmental Protection's risk program and considering adopting some of its features into one of their own. We recommend that such a strategy will consider that AMS's 32 title V sources are Philadelphia's largest emissions sources and thereby deserve priority.

Inefficiency was not identified as a primary reason for the title V permit backlog. Nonetheless, the following process improvements may increase efficiency in issuing title V permits and help with the backlog:

- establishing an internal expectation to issue each permit within a specified time frame;
- establishing formal due dates for the provision of the identified additional application information;
- tracking, in *CitizenServe*, additional information related to the time lapse in a facility's response to requests. By tracking the time lapse in a facility's response to requests, AMS would be able to set and automatically monitor deadlines for a facility's responses;

- tracking types of equipment in each permit. Permit engineers could use this information to facilitate modeling permits on previously issued permits
- automating their simplest licenses and permits, such as those that involve common equipment like boilers and spray booths, so that this information can easily be transferred into title V permits where needed;
- developing permit templates or general permits for specific sources and permit types.³⁴

Of course, efforts to increase efficiencies in the minor source permitting program may free up resources for title V, too. For example, we understand that the Source Registration Chief has spent a notable part of his time recently in supporting *CitizenServe* and updating various permitting forms and we agree this would be time well spent.

AMS did not elaborate about how NSR issues can delay title V permits, but it is understandable that NSR does complicate preconstruction permits. Title V permits, however, should not be held up by preconstruction issues, especially with AMS's merged permitting process available to expedite incorporation of preconstruction permit requirements into the title V permit. We strongly recommend that AMS contact EPA for support when and if a preconstruction matter appears to be complicating issuance of a title V permit.

EPA reviews were identified as an occasional source of title V permit delays. To minimize the time involved in addressing issues raised by permit delays, AMS should improve the quality of its permits and review memos. This is discussed in Section III.B. EPA is always available to advise on identified permit issues before the draft permit is submitted, as well.

G. Compliance

AMS maintains separate permitting and compliance/enforcement programs. After a permit is issued, compliance is monitored and enforced by the Facility Compliance and Enforcement group. The Regulatory Services Manager had regular meetings with the Facility Compliance Chief. Facility Compliance and Enforcement staff also have an opportunity to review and comment on draft title V permits.

There have been situations in the past when compliance issues or consent decrees impact the issuance of permits. For instance, both the Kinder Morgan and Advantix title V permit were originally delayed due to enforcement issues and the delay was further compounded by a change in permit writer. More recently compliance issues reportedly have not been a significant hinderance to the timeliness of title V actions in these two regions.

³⁴ We recognize that AMS already uses some general permits from PADEP.

Opportunities for Further Improvement

EPA encourages AMS to expediently issue all title V renewal permits that are scheduled for renewal while recognizing that all enforcement issues may not be resolved prior to permit issuance. The title V permit provides opportunities to address on-going non-compliance through compliance schedules while allowing for the permitting process to proceed. EPA may provide assistance to help navigate around these obstacles to aid in timely issuance of title V permits.

H. Title V Petitions and Fees

We discussed the recent title V petitions in Region III states and the role that public participation and proper handling of public comments through the response to comment process can help avoid petitions. EPA has never received a title V petition for sources located in Philadelphia.

Specific and detailed fee provisions were included by Congress in section 502(b)(3) of the Clean Air Act in to ensure that the permitting authority has an adequate, dedicated, and permanent funding stream to develop, implement, and enforce the Title V program. Section 502(b)(3) of Title V established a “presumptive minimum” annual fee (or mix of fees) to be collected from Title V subject sources.

EPA and AMS acknowledged that revenue from title V fees are decreasing. We discussed the recently-issued “Program and Fee Evaluation Strategy and Guidance for 40 CFR Part 70” and “Updated Guidance on EPA Review of Fee Schedules for Operating Permit Programs Under Title V.”³⁵ AMS title V fees are based on the PADEP’s title V fees detailed in the Air Pollution Control Act at 25 Pa. Code §127.705.a. PADEP’s regulations require owners or operators of title V sources to pay a base fee of \$85 (in 2013 dollars) per ton of regulated pollutant per year, to be adjusted annually by the increase in the Consumer Price Index. Although not discussed during the interviews, PADEP has proposed to the Pennsylvania Environmental Hearing Board that fees be increased for title V as well as non-title V permits.

AMS directly collects fees associated with Philadelphia air emissions and permits. These include the fees for title V permitted sources as well as for over 1000 licensed units that get renewed every year. AMS must account for non-title V-related fees separately from title V fees.

Opportunities for Further Improvement

EPA recommends that AMS work with PADEP to modify the title V fee program to ensure revenues are adequate for current and future AMS title V program implementation requirements.

³⁵ <https://www.epa.gov/title-v-operating-permits/title-v-operating-permit-policy-and-guidance-document-index>

Ultimately, any title V fee schedule revision from PADEP would need to be submitted to EPA, for approval, as a title V program revision.

It is important to note that this title V program evaluation and report is not to serve, in any way, as a title V fee audit. A full fee audit will be conducted at a later date.

IV. Conclusions

Best practices employed by AMS are outlined in this section. Also enumerated are several areas where AMS should improve its implementation of its title V permitting program. Though areas for improvement are identified in this report, they do not amount to a determination of a finding of deficiency. EPA has identified deliverables which AMS should submit to EPA to demonstrate that AMS is resolving the identified issues. If AMS does not demonstrate adequate progress on resolving the identified issues, EPA will consider issuing a notice of deficiency in the future.

A. Best Practices by AMS

- We cannot overemphasize the importance of management oversight in each permit drafted in order ensure that quality permits are issued. Recognizing that the Source Registration Chief has done an admirable job of reviewing permits amidst a heavy and extensive workload, the potential for the new first-line supervisors to add value to title V permits through their new oversight roles is great. AMS should continue to support these new managers in any and every way possible.
- AMS routinely engages with EPA to discuss permit issuance status and broader program implementation challenges.
- *CitizenServe* appears to be a unique and effective internal permit tracking systems. The system streamlines management of staff workload and timely permit issuance.
- AMS employs administrative staff to assist in processing permit applications, tracking permit development, and communicating with facilities. Administrative assistance with these discrete tasks allows permit writers and management to focus more attention on writing quality permits and completing them in a timely manner and inevitably results in more smooth work flow.

B. Areas for Improvement

- AMS continues to have a significant backlog of title V permits. At the time of the evaluation, 19 out of 32 (60 percent) title V permits were expired and outside the 18

months since receiving title V applications. One title V source has awaited its initial permit for over five years.

- The workload in Source Registration exceeds current staffing levels.
 - More actual manpower appears to be needed for the title V program.
 - Issuance of title V operating permits is often delayed due to prioritization of preconstruction permits and inadequate staffing levels.
 - AMS should focus shift to reducing the backlog of title V permits. Unfortunately, without adequate staffing levels, minor source permit issuance can be impacted.
- The existing PADEP permit fee structure is not situated to adapt to future circumstances and may undermine long-term program sustainability.
- AMS does not appear to sufficiently promote training and continuing education for both seasoned and new staff. This lack of emphasis on training results may be reflected in the quality of some draft permits recently reviewed by EPA.
- Internal title V permitting processes should be standardized.
- AMS newspaper notice must include required information on opportunities to hold a public hearing. AMS should ensure that they can maintain a mailing list or other means of ensuring that public notice is adequate and communicated in appropriate languages.

V. Follow-up

A. AMS Actions and Deliverables

- Eliminate the backlog of title V permits.
 - For each permit that is backlogged, AMS shall develop a corrective action plan which specifies the final dates by which backlogged title V permits will be issued, along with interim deadlines. Interim deadlines should include deadlines for issuing modified pre-construction permits, if required as part of the title V process. This document shall be submitted to EPA within 30 calendar days of the issuance of this Title V Evaluation Report.
 - Within the universe of 20 backlogged title V permits, priority for renewal should be assigned to the highest emitting sources, the sources most overdue for

submittal, as well as permits never issued, i.e., Advansix, Grays Ferry, Kinder Morgan, and Veolia Energy Efficiency.

- Increase permit engineers and administrative actual staffing levels to a level sufficient for current workloads.
 - AMS shall develop a workload assessment, including the projected number of hours required for each task of implementing its title V program and the corresponding number of full-time employees required. If individual engineers are assigned both title V and non-title V sources, the assessment should include a plan to ensure adequate resources are directed to title V sources. This document shall be submitted to EPA within 90 calendar days of the issuance of this Title V Evaluation Report.
 - Additionally, AMS shall work with PADEP to develop an implementation strategy that identifies the dates by when AMS will acquire appropriate staff to achieve the staffing levels identified as adequate in the workload assessment report. This document shall be submitted to EPA within 90 calendar days of the issuance of this Title V Evaluation Report.
- Ensure collected fees are sufficient to fund the title V program.
 - AMS shall provide an analysis of title V expenditures and revenue to determine whether the fee schedule used by AMS results in the collection and retention of fees in an amount, along with the annual grant from PADEP, sufficient to meet the fee requirements of 40 CFR Part 70. The analysis should evaluate whether fee revenue required by 40 CFR Part 70 is used solely to cover the costs of the title V permit program. Additionally, AMS shall evaluate all reasonable (direct and indirect) costs of the permit program and compare the costs of the title V permit program to the revenue generated by title V fees plus PADEP's financial subsidy. This analysis shall be performed on the most recently completed fiscal year. Please refer to the document, "Updated Guidance on EPA Review of Fee Schedules for Operating Permit Programs Under Title V" issued on March 27, 2018 for additional details.³⁶ This analysis shall be submitted to EPA within 120 calendar days of the issuance of this Title V Evaluation Report.
 - If the title V fees are determined to be insufficient, AMS shall work with PADEP to modify the title V fee program for current and future AMS title V program implementation requirements. A schedule for modifying fees, if required, shall be

³⁶ https://www.epa.gov/sites/production/files/2018-03/documents/fee_schedule_2018.pdf

submitted to EPA within 180 calendar days of the issuance of this Title V Evaluation Report.

- If any major title V obligations/expenditures are planned for the next two years, AMS shall provide details, explanation, and analysis demonstrating sufficient funding. This information shall be submitted to EPA within 180 calendar days of the issuance of this Title V Evaluation Report.
- Promote training
 - AMS should institute a formal training program for permit writers. Specific training requirements should be identified, and completion of technical training tracked. A workgroup comprised of permit writers and managers may best ensure that the training program meets permit writers' needs.
 - AMS should work more closely with MARAMA to ensure that courses needed for permit writers are offered.
 - AMS should encourage permit writers to take advantage of the funding available through MARAMA to attend training. If AMS hosts training, then all AMS permit writers could easily attend and funding would not be an issue.
 - AMS management should communicate that training is valued.
- Continue improving/standardizing the permitting process
 - AMS shall work with EPA Region III throughout the development of title V permits and merged plan approvals. Particularly for complex sources, AMS should communicate with EPA staff early in the permit development process.
 - AMS shall develop permit templates for specific source and permit types.
 - AMS shall work with PADEP to identify key elements of a technical review memo, or statement of basis, to improve consistency. This project is already underway on the part of PADEP.
 - While being drafted, all title V permits sent to AMS management for review should be accompanied with a review memo.
 - AMS shall develop or obtain the existing a template from PADEP Southcentral Regional Office for permit reviewers and use it to ensure consistent management review of draft permits and other supporting documents

- AMS shall consider increasing the use of administrative personnel for discrete tasks to allow permit writers and management to focus more attention on writing quality permits and completing them in a timely manner. Assignment of administrative personnel the responsibilities of routine correspondence with EPA may result in final permits being sent to EPA more consistently.
- Proposed permits sent to EPA should be accompanied with a response to comments.
- Hearings and Mailing Lists
 - AMS's newspaper notices must offer the opportunity for a public hearing regarding draft title V permits
 - AMS should establish procedures to maintain a mailing list for draft title V permits or other means of ensuring "adequate" public notice as described in federal rules.

B. EPA Actions

- EPA will review the deliverables submitted by AMS and will monitor AMS's progress on meeting deadlines outlined in this report and outlined in documents submitted by AMS.
- EPA will continue to provide support as AMS works with PADEP to pursue changes to its permit fee program and related changes to its overall permit program regulatory infrastructure.
- EPA will coordinate with AMS permitting management on a monthly basis regarding permit issuance status and overall program implementation.
- EPA will continue to provide pre-draft permit support on specific matters identified by AMS.
- EPA will continue its process of formally reviewing AMS's proposed title V permits. New internal processes have been instituted to better ensure that EPA title V permit reviews and file saving practices are performed thoroughly and consistently.
- EPA will provide timely support on emerging and new permit program-related regulations, guidance and policy objectives.

Appendix A

TV Evaluation Interview Questions

Philadelphia Air Management Services Title V Program Evaluation – Focus Areas for Discussion

Resources and Internal Management Support

1. Staffing
 - a. Please describe your current staffing levels.
 - b. Please provide your pay scale. Do you consider this to be a competitive pay scale?
 - c. Are current levels sufficient in relation to the permitting workload?
 - d. Any plans for future hiring?
 - e. How are Title V expenses tracked?
2. PADEP coordination. How are resources and SIP commitments coordinated with PADEP?
3. Do new and current permit writers have access to adequate training?
4. Please describe the computer systems that are used to support permit issuance.

Title V Permit Preparation and Content

1. Please describe your process for permit issuance, from receipt of an application to final issuance. How does the manager review i/communicate with the permit writer/share individual permit information with other permit writers?
2. Please describe your process for writing merged permits. Please identify specific challenges with this process.
3. Please describe any efforts AMS has made over the last five years to improve the efficiency of its internal processes for issuing title V permits: Revisions of internal procedures and policies, SOPs, use of general permits, etc.
4. Please describe your tracking system(s). Have there been any updates? How does it contribute to the efficiency of your title V program? Who enters the data into the tracking system(s)?

5. Please describe any streamlining strategies employed in permit preparation.
6. How are permit writers trained to prepare good TV and merged TV permits and technical review memos?
7. Please describe your process for quality assurance of title V permits.

Monitoring

1. Please describe your process for developing adequate monitoring requirements.
2. How is the rationale for the monitoring associated with each applicable requirement addressed in technical review memos?
3. Please describe your process for supplementing monitoring in instances where the existing monitoring scheme is not sufficient to demonstrate compliance with the applicable requirement.
4. Please describe the process employed in stack test protocol reviews. How are the methods to be used in stack testing identified in permits? Is this work coordinated with PADEP, and, if so, how?
5. What are your most prevalent issues with your sources and CAM?

Public Participation and Outreach

1. Please describe your process for public participation from receipt of an application to final permit issuance.
2. When are hearings held? How do you decide whether or not to hold a hearing?
3. Do you maintain a list of interested parties who are notified of various permitting milestones?
4. Public comments
 - a. How do you respond to public comments?
 - b. Are commenters notified of final permit/RTC issuance and provided with a copy of your RTC?

EPA Review

1. Please describe your process for providing proposed permits to EPA for review. What action do you consider triggers "Day 1" of EPA's 45-day review?

Permit Issuance

1. Please describe any internal or regulatory mandates/timelines requiring AMS to produce permits within a specified timeframe.
2. According to AMS's most recent TOPS report, the statewide renewal backlog has increased from 2014, when it was around 14 percent, to almost 60 percent in 2017. What are the reasons for this increase? What are your plans to reduce this backlog?
3. How are significant permit mods and merged TV plan approvals incorporated into existing title V permits?
4. Do any of the following impact your ability to issue timely title V permits (initial or renewal)?
 - a. SIP gap/backlog
 - b. Pending revisions to underlying NSR/PSD permits
 - c. Compliance/enforcement issues
 - d. EPA rulemaking
 - e. Lack of EPA guidance
 - f. Competing internal priorities
 - g. EPA comments
6. Appeals
 - a. Please describe the permit appeals process
 - b. How often are TV permits appealed?
 - c. Does AMS have a process to inform EPA when permits are appealed?

Compliance

1. How often do compliance issues impact the timeliness of your title V actions?
2. How are compliance issues resolved prior to permit issuance?

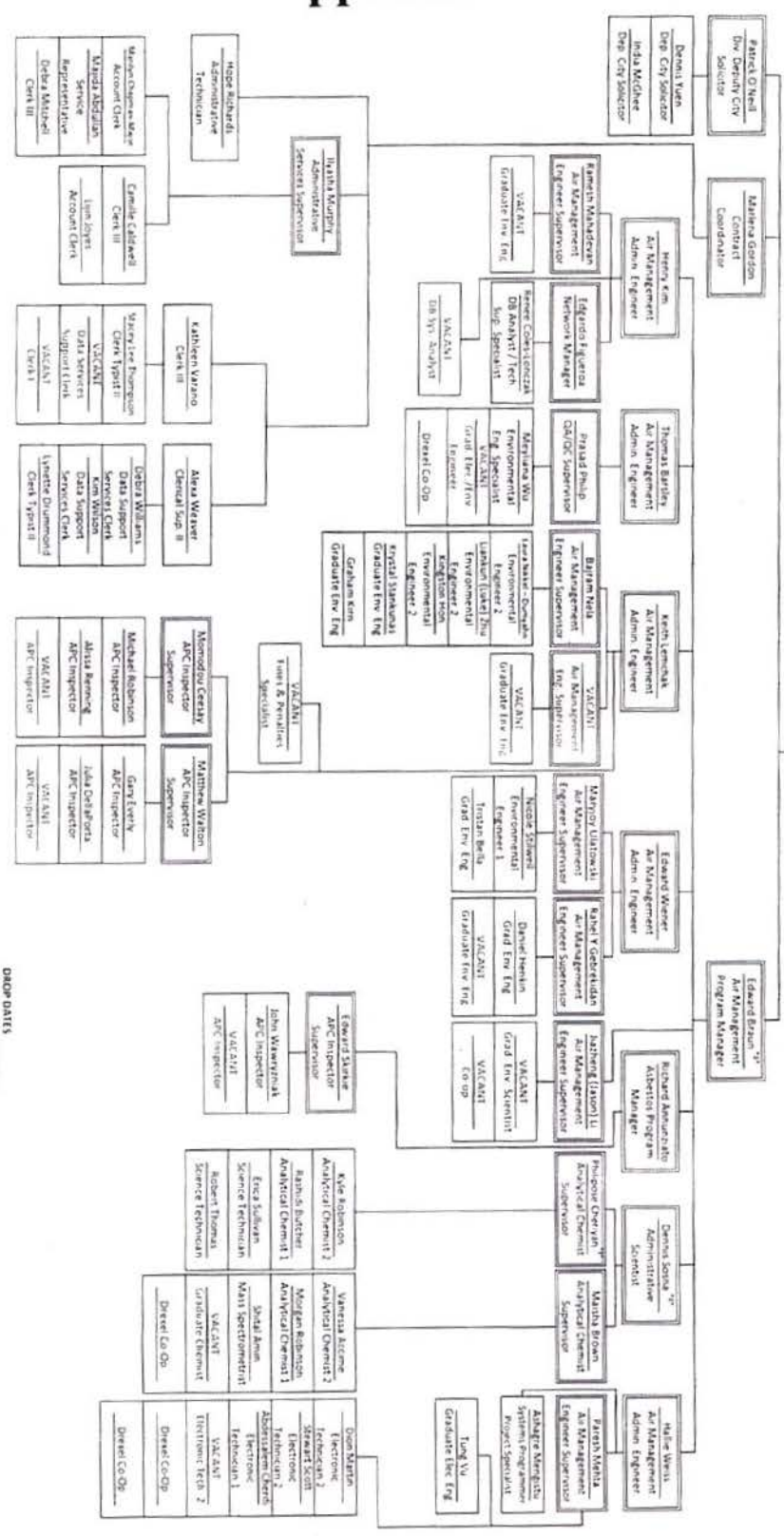


Department of Public Health
Air Management Services

Kasim v. Sidiq
Air Management
Program Director

11/21/2018

Appendix B



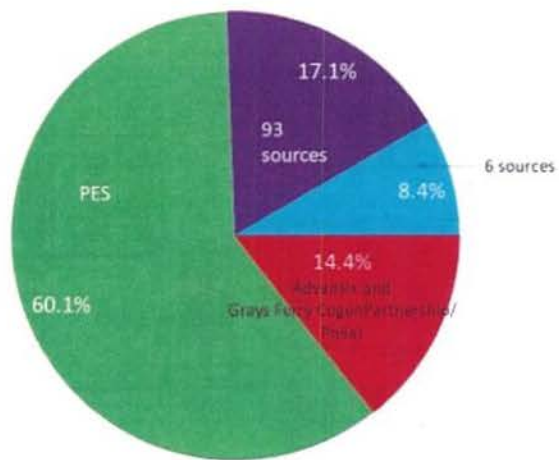
DDMP DATES
1. E. Braun - 12/18/2018
2. D. Sosa - 1/11/2019
3. P. Chryun - 1/11/2020

Appendix C

AMS Backlog TV Analysis

AMS 2014 Actual Emissions Breakdown (Criteria Pollutants + NH3)

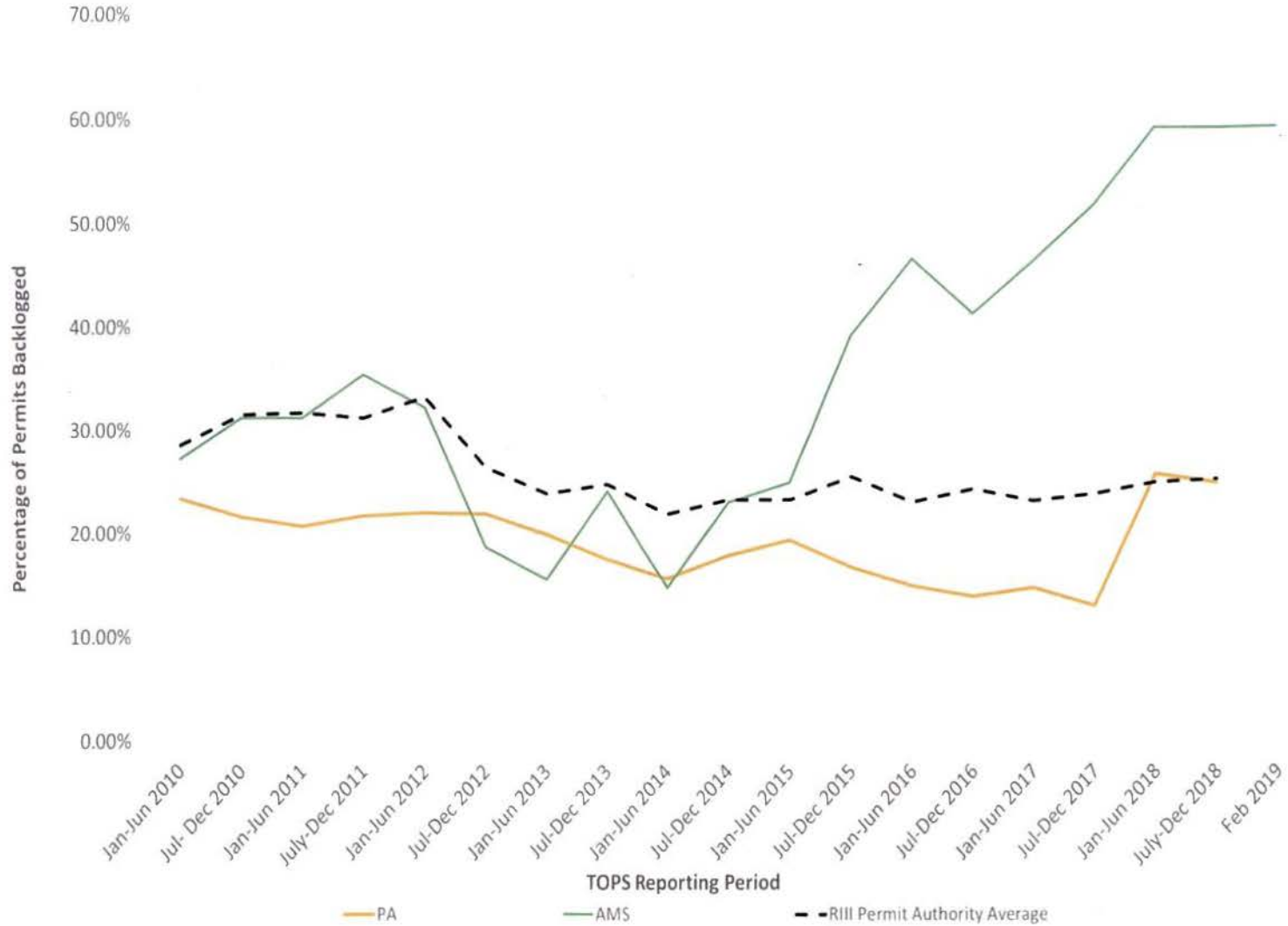
- <100 TPY
- 100-500 TPY
- >500 TPY Expired/Extended
- >500 TPY Will expire '18
- >500 TPY Active



August, 2018

AMS TV Permits and Backlog as of February, 2019

Title V Operating Permit Backlog by Permitting Authority (January 2010 - February 2019)



AMS TV Permit Issuance Details February 2019

AIRName	SourceID	AIRStreet	Highest Emitter?	Date Expired	Comment
PHILA WATER DEPT/STP SW	PAPAM0004210109515	8200 ENTERPRISE AVE		2006	becoming SM
KINDER MORGAN LIQUIDS TERM/PHILA	PAPAM0004210105003	3300 N DELAWARE AVE		2006	
ADVANSIX (FORMERLY HONEYWELL/FRANKFORD PLT)	PAPAM0004210101551	4700 BERMUDA ST	Y	2008	
GRAYS FERRY COGEN PARTNERSHIP/PHILA	PAPAM0004210104944	2600 CHRISTIAN ST	Y	2013	1. aggregated with Veolia Energy Efficiency & Veolia Energy Schuylkill 1. aggregated with Gray Ferry & Veolia Energy Efficiency
VEOLIA ENERGY/SCHUYLKILL STA	PAPAM0004210104942	2600 CHRISTIAN ST		2017	
EXELON GENERATING CO/RICHMOND	PAPAM0004210104903	3901 N DELAWARE AVE		2017	
EXELON GENERATION CO/DELAWARE STA	PAPAM0004210104901	1325 N BEACH ST		2017	
PHILA PRISON SYS/CORR FAC	PAPAM0004210109519	8001 STATE RD		2017	
PHILLY SHIPYARD INC (PSI) [FORMERLY AKER SHIPYARD]	PAPAM0004210101569	PHILA NAVAL BUS CTR		2017	
EXELON GENERATION CO/SCHUYLKILL STA	PAPAM0004210104904	2800 CHRISTIAN ST		2017	
MIPC LLC/ PHILA	PAPAM0004210105004	4210 G ST		2017	
SUN CHEM CORP/HUNTING PARK PLT	PAPAM0004210102052	3301 W HUNTING PARK AVE		2018	becoming SM
PHILA GAS WORKS/RICHMOND PLT	PAPAM0004210104922	3100 E VENANGO ST		2018	
PHILADELPHIA SHIP REPAIR	PAPAM0004210101597	5195 S 19TH STREET		2018	
SUNOCO LOGISTICS/BELMONT TERM	PAPAM0004210101507	2700 W PASSYUNK AVE		2018	
VEOLIA ENERGY EDISON/PHILA	PAPAM0004210104902	908 SANSOM ST		2018	
VEOLIA ENERGY EFFICIENCY PA, LLC	PAPAM0004210110459	2600 CHRISTIAN ST.		never issued	1. aggregated with Gray Ferry & Veolia Energy Schuylkill
PHILA ENERGY SOL REF/ PES	PAPAM0004210101501	3144 W PASSYUNK AVE	Y		2. aggregated with PES
PES/SCHUYLKILL TANK FARM	PAPAM0004210101517	3144 W PASSYUNK AVE	Y		2. aggregated with PES Tank Farm
CARDONE IND INC/AUTO PARTS REMFG PLT 11-	PAPAM0004210103887	5660 RISING SUN AVE			
EXELON GENERATION CO/SOUTHWARK	PAPAM0004210104905	2501 S DELAWARE AVE			
NAVAL FOUNDRY AND PROPELLER CTR/PHILA	PAPAM0004210109702	1701 KITTY HAWK AVE		2018	becoming SM
NAVAL SURFACE WARFARE CTR/CARDEROCK DIV	PAPAM0004210109724	5001 S BROAD ST			
NORTHEAST WPCP/PHILA	PAPAM0004210109513	3899 RICHMOND ST		2019	
SUNOCO PARTNERS MKT & TERM LP/FT MIFFLIN	PA000469846	4 HOG ISLAND RD			
CHILDRENS HOSP OF PHILA/ PHILA	PAPAM0004210108069	34TH & CIVIC CENTER BLVD			
INOLEX CHEM CO/PHILA	PAPAM0004210102059	2101 S. SWANSON ST.			
NEWMAN & CO/PAPER RECYCLER	PAPAM0004210103489	6101 TACONY ST			
PBF LOGISTICS PRODUCTS TERMINAL/67TH ST	PAPAM0004210105013	6850 ESSINGTON AVENUE			
TEMPLE UNIV HEALTH SCIENCES CAMPUS/STEAM	PAPAM0004210108906	3401 N BROAD ST			
TEMPLE UNIV/ MAIN CAMPUS	PAPAM0004210108905	1009 W MONTGOMERY AVE			
UNIV OF PA/PHILA	PAPAM0004210108912	3451 WALNUT ST			

Not Backlogged 13
 Extreme Backlog 5
 Backlogged <2 years 14

