

Federal Minor New Source Review in Indian Country – 40 CFR 49.151-49.161

Information Submission Assistance for Using the Voluntary Check Lists

The following forms are tools that have been developed to help you in your request for construction approval pursuant to 40 CFR 49.151-49.161, the Federal Minor New Source Review permitting program in Indian country.

Use of these forms is voluntary.

While these forms are not required, they do offer details on the information we will need to complete a requested approval to construct in Indian country and providing the information as presented here may help expedite the approval process.

True Minor Facilities - New and Existing: Form REG

Existing True Minor Facilities

Facilities constructed prior to August 30, 2011 are considered existing sources. Pursuant to 40 CFR 49.160, existing true minor facilities are required to register their source by March 1, 2013. No other information provided in the other forms is required unless or until a modification is made at the facility after September 2, 2014 that requires a permit under the minor new source review program in Indian country.

New True Minor Facilities

New facilities constructed between March 1, 2013 and September 2, 2014 are required to register within 90 days after the true minor facility begins operation pursuant to 40 CFR 49.160. No other information provided in the other forms is required unless or until a modification is made at the facility after September 2, 2014, or 6 months after the promulgation of a general permit for that source category that requires a permit under the minor new source review program in Indian country.

For New Construction: Form NEW

All applications for a Part 49 permit should submit the information outlined in Form NEW if the proposed activity falls into one of the following categories:

- 1 – Existing, unpermitted (Part 49) facilities seeking synthetic minor limits;
- 2 – The construction of a new facility;
- 3 – The addition of new emission generating equipment at an existing facility; and
- 4 – The modification of an existing facility, meaning any physical or operational change at a source that would cause an increase in the allowable emissions of the affected emissions units for any regulated NSR pollutant or that would cause the emission of any regulated NSR pollutant not previously emitted.

On or after September 2, 2014, the information in this form will be used to fulfill the 40 CFR 49.160 registration requirements for true minor sources.

For Synthetic Minor Limit Request: Form NEW and Form SYNMIN

An applicant should submit information outlined in Form NEW and Form SYNMIN if the proposed activity falls into one of the following categories:

- 1 – Those seeking legally and practically enforceable permit conditions to limit the potential to emit of criteria and/or hazardous air pollutants.
- 2 – Those that currently have synthetic minor limits in Part 71 permits; and
- 3 – Those that have been operating under the Part 71 50% PTE Transition Policy to avoid Part 71 permitting.
- 4 – Those that have consent decrees that require the creation of legally and practically enforceable applicable requirements in non-Title V permits.

For Administrative Amendment: Form AMEND

Permittees seeking the following administrative changes to an existing 40 CFR 49.151 permit should submit information outlined in Form AMEND:

- 1 - Correction to a Typographical Error in an issued permit;
- 2 - Incorporation of More Frequent Monitoring or Reporting in an issued permit;
- 3 - Increase in Allowable Emissions

For Change in Location (portable sources): Form LOC

Permittees planning to move a portable source to a new location should submit the information outlined in Form LOC.

For Change in Facility Contact Information: Form INFO

Any permitted or unpermitted (registered) facility who has experienced a change in contact information should submit the information outlined in Form INFO.

For Change in ownership or operator: Form OWN

Any permitted or unpermitted (registered) facility who has experienced a change in its ownership or the operation should submit the information outlined in Form INFO.

For Report of Source Closure: Form CLOSURE

Any permitted or unpermitted (registered) facility who has ceased operation should submit the information outlined in Form CLOSURE.