

S-6: Application for a Significant Modification to a Covered Source

In providing the required information, reference the corresponding letters and numbers listed below.

Provide a minimum of **two (2)** sets (1 original and 1 copy) of all application materials to the Hawaii Department of Health. Also, mail **one (1)** set directly to EPA at the following address:

Chief (Attention: AIR-3)
Permits Office, Air Division
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

I. In accordance with Hawaii Administrative Rules (HAR) §11-60.1-104, the following information is required:

A. Equipment Specifications:

1. Maximum design capacity.
2. Fuel type.
3. Fuel use.
4. Production capacity.
5. Production rates.
6. Raw materials.
7. Provide any manufacturer's literature.

B. Provide detailed descriptions of all processes and products defined by Standard Industrial Classification Code (SICC). Also, provide any reasonably anticipated alternative operating scenarios, associated processes, and products, by SICC.

1. Identify and describe in detail all air pollution control equipment and compliance monitoring devices or activities planned by the owner or operator, and to the extent of available information, an estimate of emissions before and after controls. Provide all calculations and assumptions.
2. List all **new insignificant** activities in accordance with HAR §11-60.1-82.

C. Maximum Operating Schedule (to the extent needed to determine or regulate emissions):

1. Total hours per day, per week, and/or per month.
2. Total hours per year.
3. If operation is seasonal or irregular, describe.

D. Cite and describe all applicable requirements as defined in HAR §11-60.1-81, including the following:

1. Description of or reference to any applicable test methods for determining compliance with each applicable requirement.
2. Explanation of all proposed exemptions from any applicable requirements.

- E. Identify and describe current operational limitations or work practices the source plans to implement that affect emissions of any regulated or hazardous air pollutant. Provide all calculations and assumptions.
- F. Provide a detailed schedule for construction or modification of the proposed source, including any major milestones, if applicable.
- G. Provide detailed information to define permit terms and conditions for any proposed **emissions trading** within the facility in accordance with HAR §11-60.1-96.
- H. For **significant** modifications which increase the emissions of any air pollutant or result in the emission of any air pollutant not previously emitted, an assessment of the ambient air quality impact of the covered source or significant modification, with the inclusion of any available background air quality data. The assessment shall include all supporting data, calculations and assumptions, and a comparison with the National Ambient Air Quality Standards and State Ambient Air Quality Standards.
- I. For **new** covered sources or **significant** modifications subject to the requirements of subchapter 7 of HAR Chapter 11-60.1, all analyses, assessments, monitoring, and other application requirements of subchapter 7.
- J. Provide the following for compliance purposes:
 - 1. A Compliance Plan, Form C-1.
 - 2. A Compliance Certification, Form C-2.

II. Submit an application fee according to the Application Fee Schedule in the Instructions for Applying for an Air Pollution Control Permit.

III. Provide other information as follows:

- A. As required by any applicable requirement or as requested and deemed necessary by the Director of Health (hereafter, Director) to make a decision on the application.
- B. As may be necessary to implement and enforce other applicable requirements of the Clean Air Act or of HAR Chapter 11-60.1 or to determine the applicability of such requirements.

IV. The Director reserves the right to request the following information:

- A. A risk assessment of the air quality related impacts caused by the covered source or significant modification to the surrounding environment.
- B. Results of source emissions testing, ambient air quality monitoring, or both.
- C. Information on other available control technologies.

V. An application shall be determined to be complete only when all of the following have been complied with:

- A. All information required or requested in numbers **I, III, and IV** has been submitted.
- B. All documents requiring certification have been certified pursuant to HAR §11-60.1-4.
- C. All applicable fees have been submitted.
- D. The Director has certified that the application is complete.

VI. The Director shall not continue to act upon or consider an incomplete application.

- A. The applicant shall be notified in writing whether the application is complete:
 - 1. For the requirements of subchapter 7, thirty days after receipt of the application.
 - 2. For the requirements of HAR subchapter 5, sixty days after receipt of the application. For purposes of this paragraph, the date of receipt of an application for a new covered source or significant modification subject to the requirements of subchapter 7 shall be the date the application is determined to be complete for the requirements of subchapter 7.
 - 3. Unless the Director requests additional information or notifies the applicant of incompleteness within sixty days after receipt of an application pursuant to **VI.A.2** above, the application shall be deemed complete for the requirements of subchapter 5.
- B. During the processing of an application that has been determined or deemed complete, if additional information is necessary to evaluate or take final action on the application, the Director may request such information in writing and set a reasonable deadline for a response.

VII. After receipt of a complete application, the Director, in writing, shall approve, conditionally approve, or deny an application within eighteen months, except as provided in HAR §11-60.1-88 and (A) and (B) below.

- A. Upon program approval, within nine months for an application containing an early reduction demonstration pursuant to section 112(i)(5) of the Clean Air Act.
- B. Within twelve months for a new covered source or significant modification subject to the requirements of subchapter 7.

VIII. The Director shall provide reasonable procedures and resources to complete the review of the majority of the applications for a significant modification within nine months after receipt of a complete application. An application for significant modification shall be approved only if the Director determines that the significant modification will be in compliance with all applicable requirements.

IX. The Director shall provide for public notice, including the method by which a public hearing can be requested, and an opportunity for public comment on the draft significant

modification to the covered source in accordance with HAR §11-60.1-99.

- X. The Director shall provide a statement that sets forth the legal and factual bases for the draft permit conditions (including references to the applicable statutory or regulatory provisions) to EPA and any other person requesting it.**
- XI. Each application for a significant modification, and the proposed Covered Source Permit reflecting the significant modification shall be subject to EPA oversight in accordance with HAR §11-60.1-95.**