

S-7: Application for a Minor 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) §11-60.1-103, the following information is required:

- A. A clear description of all changes.
- B. A statement of why the modification is determined to be minor, and a request that minor modification procedures be used.
- C. Cite and describe any new applicable requirements as defined in HAR §11-60.1-81 that will apply if the minor modification occurs.
- D. The suggested changes to permit terms or conditions.
- E. Certification by a responsible official that the proposed modification meets the criteria for minor modification.
- F. All information submitted with the application for the Initial Covered Source Permit or any subsequent application for a Covered Source Permit. The owner or operator may reference information contained in a previous application submittal, provided such referenced information has been certified as being current and still applicable.
- G. Other information, 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.

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

- III. 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 number I have 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.
- IV. 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. Unless the Director requests additional information or notifies the applicant of incompleteness within thirty days of receipt of an application, the application shall be deemed complete.
 - B. During the processing of an application that has been determined or deemed complete, if the Director determines that 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.
- V. Within ninety days of receipt of a complete application for a minor modification, or upon program approval, within fifteen days after the end of the Administrator's forty-five-day review period, whichever is later, the Director in writing shall:**
- A. Amend the permit to reflect the minor modification as proposed.
 - B. Deny the minor modification.
 - C. Determine that the requested modification does not meet the minor modification criteria, and should be reviewed under the significant modification procedures; or
 - D. Upon program approval, amend the proposed permit and resubmit the amendment to EPA for reevaluation.
- VI. An application for a minor modification to a covered source shall be approved only if the Director determines that the minor modification will be in compliance with all applicable requirements.**
- VII. The Director shall provide a statement that sets forth the legal and factual bases for the proposed permit conditions (including references to the applicable statutory or regulatory provisions) to EPA and any other person requesting it.**
- VIII. Each application and proposed permit reflecting the minor modification to a covered source shall be subject to EPA oversight in accordance with HAR §11-60.1-95.**