

May 16, 1995

MEMORANDUM

SUBJECT: Title V Permitting for Nonmajor Sources in
Recent Section 112 Maximum Achievable Control
Technology (MACT) Standards

FROM: John S. Seitz, Director
Office of Air Quality Planning and Standards

TO: Addressees

The purpose of this memo is to inform you of recent developments regarding deferral and exemptions of the Title V Part 70 permit requirements for nonmajor sources included in the recently promulgated MACT standards.

Recently, staff from State and local implementing agencies and from the EPA met at Brown Summit, North Carolina, to discuss among other topics, concerns regarding permitting of nonmajor sources required in some recently promulgated MACT standards. Together, the representatives from the various agencies considered the advantages and disadvantages of permitting, timing considerations, and alternative approaches. Based on these discussions, we believe we now better understand the burden to the States of trying to permit the area sources at the same time the States are focusing on major sources. We also better understand, based on these discussions and discussions with industry representatives, the extent to which area sources, in particular, need information, clarity, and guidance to obtain Title V Part 70 permits. We had already publicized our intention to allow deferral of Part 70 permits for nonmajor drycleaning and halogenated solvent cleaning sources. Based on recent discussions, we now plan to also propose to allow deferral of permit acquisition for nonmajor sources of chromium electroplaters and ethylene oxide commercial sterilizers. A Federal Register notice is being prepared to propose these deferrals. The notice will specify the dates when permits must be acquired; the time will be approximately 5 years from now. Assuming these proposals are

finalized, this means that the requirement to obtain permits will be deferred for all nonmajor sources for which we currently have Section 112 final rules. It should be noted that we also plan to propose to exempt entirely from the requirement to obtain a permit decorative chrome platers and chromium anodizers controlling emissions with

fume suppressants. Of course, all sources would still be required to meet the requirements of the Section 112 standards with or without a permit.

Please use the above information as guidance in planning permitting programs and responding to questions from regulated sources about the timing for Title V permit requirements. I greatly appreciate the input from the participants at Brown-Summit and I will make sure that we follow up on the actions described here and get the Federal Register proposal out soon. If you have any questions, Mr. Dave Beck is the contact person. He can be reached at (919) 541-5421. I trust this information will be helpful to you.

Addressees:

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