



State of Oregon  
Department of  
Environmental  
Quality

**PERMIT MODIFICATION/OPERATIONAL  
FLEXIBILITY/CONSTRUCTION APPROVAL**

**FORM SERIES MD900  
OVERVIEW and INSTRUCTIONS**

Form Series MD900 provides the necessary forms for requesting Oregon Title V Operating Permit (Permit) modifications and construction approvals from DEQ and for notifying DEQ under the operational flexibility requirements. The process for determining the type of notification, modification, or approval to seek is a complex one. Not all changes at a facility require a permit modification. Some changes only require the owner/operator to notify DEQ (off-permit changes and section 502(b)(10) changes) under the provision of operational flexibility. Other changes require separate construction approval that is done outside the Permit and must later be incorporated into the Permit (Notice of Approval).

This Overview provides general guidance on selecting the appropriate form to complete. The owner/operator should review this Overview and the introductory instructions on each of the forms to attempt to select the appropriate form. After having done so, discuss the form choice with the DEQ permit writer to confirm the appropriate type of form has been selected. The forms are as follows:

Form Number	Description	Page Number
MD901	Notice of Approval (construction/modification)	6
MD902	Off-Permit Change Notification	8
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MD904	Administrative Amendment	9
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**Guidance on Selecting the Appropriate Form**

The Federal Clean Air Act (FCAA) rules regarding Permit modifications, construction approval, and operational flexibility notifications are very complex, and EPA currently is proposing significant changes to the Part 70 regulations. As a result, while this Overview provides cursory guidance on selecting the appropriate modification/approval/notification form to complete and submit to DEQ, the owner/operator is advised to consult with the DEQ permit writer before actually proceeding to complete and submit the required materials. Because each facility and Permit is unique, the permit writer best can determine the type of modification/approval/notification most appropriate to the Permit. A flow chart on pages 4 and 5 may help clarify the decision process in most situations.

Notice of Approval--required prior to construction or physical changes in the method of operation of:

- any stationary source having emissions to the atmosphere; and/or
- any air pollution control device used to comply with an applicable requirement.

Off-Permit Notification--required to be filed concurrently for changes that:

- are neither expressly addressed nor prohibited by the Permit;
- do not violate any existing Permit terms or conditions or applicable requirements;
- do not constitute Federal Clean Air Act (FCAA) Title I modifications (OAR 340-200-0020); and
- are not subject to any FCAA Title IV (Acid Rain) provision.

Section 502(b)(10) Change Notification--required to be filed seven (7) days before changes that contravene (contradict) a Permit term or condition *but*:

- do *not* violate any applicable requirements;
- do *not* contravene a federally-enforceable monitoring, recordkeeping, reporting, or compliance certification requirement; and
- are *not* a Title I modification.

Administrative Amendment--may be used to revise or incorporate into the Permit a number of types of changes, such as:

- corrections of typographical errors;
- incorporation of requirements established under the state New Source Review permitting program, provided they meet procedural requirements that are applicable and substantially equivalent to those contained in OAR 340-218-0120 (permit issuance), 340-218-0210 (public participation), OAR 340-218-0230 (Affected state and EPA review) and the compliance requirements contained in OAR 340-218-0080 (e.g., monitoring, recordkeeping, reporting, and compliance certification) of the federal regulations, and provided the facility was constructed and would be operated as specified in the New Source Review approval;
- identification of a change in the name, address, or phone number of the responsible official identified in the permit, or provides a similar minor administrative change at the facility;
- changes in the name of the permittee;
- changes in ownership or operational control of a facility where DEQ determines no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to DEQ;
- requirements for more frequent monitoring or reporting by the permittee;
- changes in the date for reporting or source testing requirements as a result of extenuating circumstances, such as plant shutdown due to economic reasons;
- easing monitoring, reporting, or recordkeeping due to a permanent source shutdown or shutdown of certain emissions unit(s); and
- corrections of baseline or PSELs when more accurate emissions data are obtained but does not increase actual emissions.

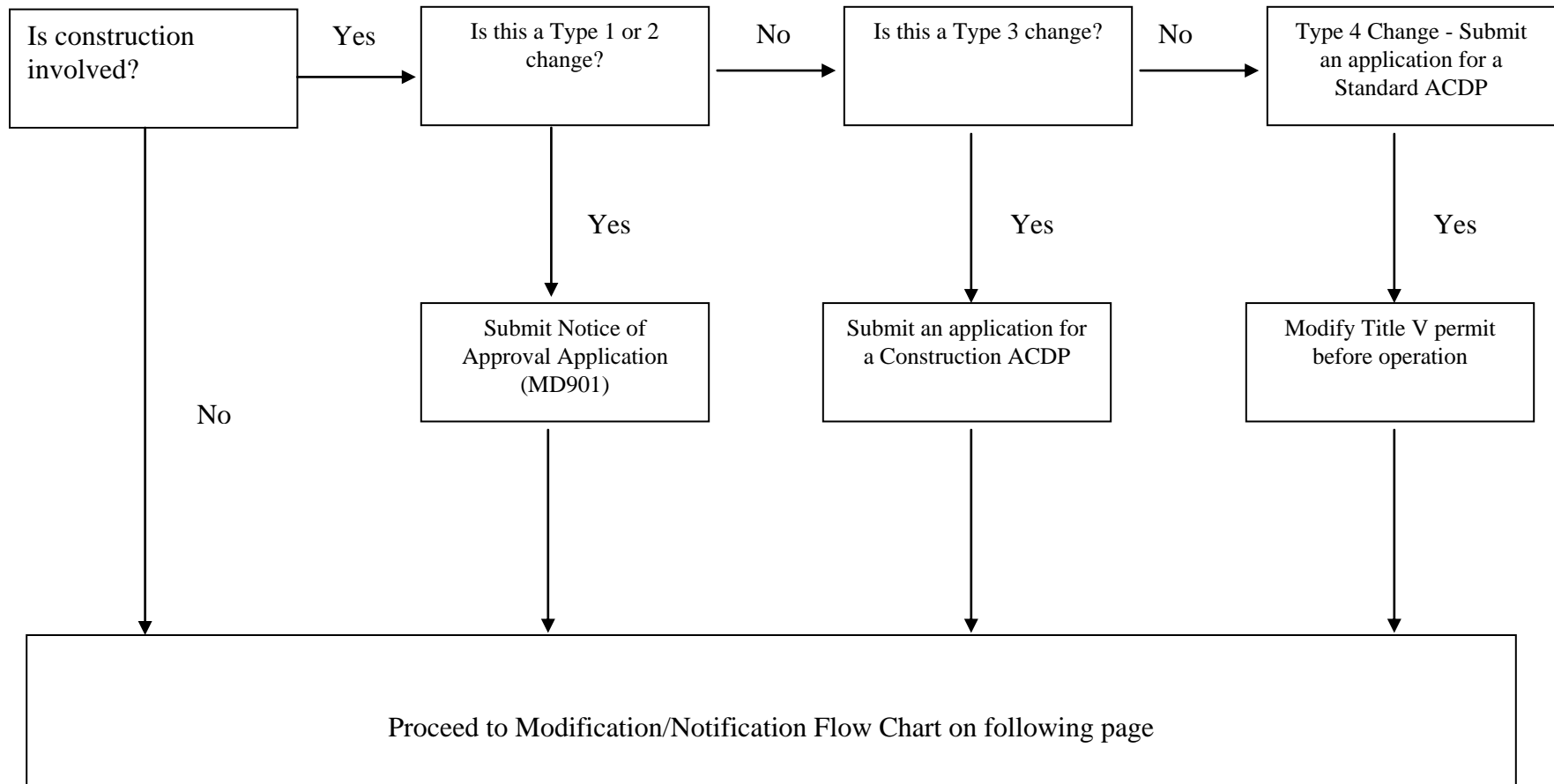
Minor Permit Modification--may be used to request modifications that do not:

- violate any applicable requirement;
- involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
- require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
- seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include but are not limited to:
  - a federally enforceable emissions cap assumed to avoid classification as a Title I modification (e.g., a PSEL assumed to avoid triggering New Source Review); and
  - an alternative emissions limit approved pursuant to OAR 340-244-0100 through 340-244-0180;
- increase emissions over the PSEL;
- constitute Title I modifications; and
- require processing under OAR 340-218-0180 as a significant modification.

Significant Permit Modification--covers modifications *including*:

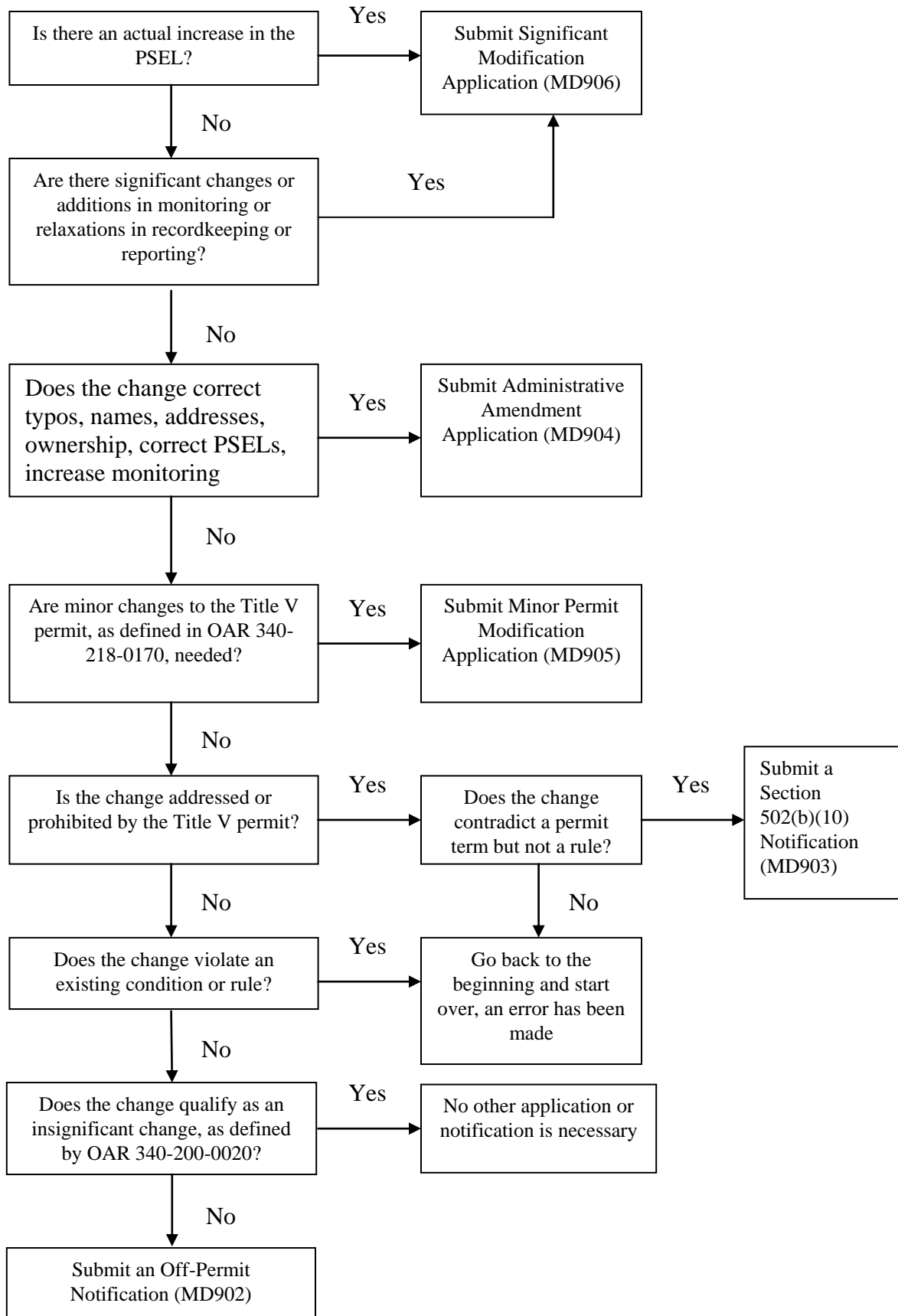
- increases in PSEs (e.g., due to increases in production or hours of operation that can already be physically accommodated) *except* those increases subject to:
  - New Source Review [OAR 340, Division 224];
  - corrections when more accurate data are obtained but does not increase actual emissions [OAR 340-218-0150(1)(i)]; or
  - construction/operation modifications [OAR 340-218-0190];
- significant changes in existing monitoring permit terms or conditions;
- relaxations of reporting or recordkeeping permit terms or conditions;
- incorporation into the Permit of requirements from preconstruction review permits authorized under OAR 340, Division 224, *unless* the incorporation qualifies as an administrative amendment;
- incorporation into the Permit of requirements from preconstruction review permits authorized under OAR 340-218-0190, *unless* otherwise specified in OAR 340-28-0190(2); and
- changes consistent with OAR 340, Division 218 that may render existing permit compliance terms and conditions irrelevant.

Title V Permit Construction Approval<sup>1</sup> and Modifications/Notifications



<sup>1</sup> In accordance with OAR 340-028-2270(3)(f), the Notice of Approval procedures also include a requirement for the permittee to submit a Notice of Completion within 30 days after the construction is completed. Refer to the rules and Form R1004 for additional information and instructions regarding this requirement.

Title V Permit Modification/Notification



**FORM MD901 – NOTICE OF APPROVAL**

The owner/operator is required to submit this form to request DEQ approval prior to:

- constructing, installing, or establishing a new stationary source that will cause an increase in any regulated pollutant emissions;
- making physical changes to or changes in operation of an existing stationary source that will cause an increase, on an hourly basis at full production; or
- constructing or modifying any air pollution control equipment.

This Notice of Approval Application Form (for Construction/Operation Modifications [OAR 340-218-0190]) is required for Type 1 or 2 changes. A Construction ACDP is required for Type 3 changes and a Standard ACDP is required for Type 4 changes. Approval is not required for changes to categorically insignificant activities defined in OAR 340-200-0020. The types of construction/modification changes are defined as follows:

**Type 1** changes include construction or modification of stationary sources (e.g., devices or processes) or air pollution control equipment where such a change:

- a. Would not increase emissions above the PSEL by more than the de minimis levels defined in OAR 340-200-0020;
- b. Would not increase emissions above the netting basis by more than or equal to the significant emission rates defined in OAR 340-200-0020;
- c. Would not increase emissions from any stationary source or combination of stationary sources by more than the de minimis levels;
- d. Would not involve a federally enforceable limit on the potential to emit; and
- e. Would not be subject to a TACT determination under OAR 340-226-0130 or MACT determination under OAR 340-244-0200.

**Type 2** changes include construction or modification of stationary sources or air pollution equipment where such a change:

- a. Would meet the criteria of a, b, d, and e, above; and
- b. Would not increase emissions from any stationary source or combination of stationary sources by more than or equal to the significant emission rates.

**Type 3** changes include construction or modification of stationary sources or air pollution control equipment where such a change:

- a. Would increase emissions above the PSEL by more than the de minimis levels but less than the significant emission rates;
- b. Would increase emissions from any stationary source (e.g., device or process) or combination of stationary sources by more than the significant emissions rates but are not subject to OAR 340-222-0041(3)(b) or OAR 340, Division 224 (New Source Review);
- c. Would involve a federally enforceable limit on the potential to emit; or
- d. Would be subject to a TACT determination under OAR 340-226-0130 or MACT determination under OAR 340-244-0200.

**Type 4** changes include construction or modification of stationary sources or air pollution control equipment where such a change would increase emissions above the PSEL or Netting Basis by more than the significant emission rate.

The owner/operator must submit this form to DEQ as soon as he/she decides to undertake an action that is subject to these requirements. Type 1 changes are approved by default 10 days after submitting the MD901 form, unless otherwise notified by DEQ. Type 2 changes are approved by default 60 days after submitting the MD901 form, unless otherwise notified by DEQ. Approval to construct does not necessarily provide approval to operate the new or modified equipment. Refer to the flow chart provided above to determine whether the proposed change will require a notification or permit revision before operating the new or modified equipment.

The answer sheet for this form is divided into two sections--Part A and Part B.

Part A

1. Enter the name, title, phone number, fax number, and email address of the contact person for the proposed construction/modification project.
2. Describe the proposed construction/modification project, including a brief description of new or modified equipment and changes to raw materials, fuels, or products. Also explain how the changes will affect other operations at the facility; especially if the change will remove production bottlenecks.
3. Enter the Type of change from the list provided above. This form should only be used for Type 1 or 2 changes. Type 3 changes require a Construction ACDP and Type 4 changes require a Standard ACDP. Application forms for the Construction and Standard ACDP are available on the DEQ web page.
4. Enter the date the construction/modification will be completed and operation is expected to begin.
5. Will there be an increase in emissions from any new or modified device/process? If yes, complete Part B and attach documentation showing how the emissions are estimated.
6. Will there be an increase in the PSEL by more than the de minimis levels. The answer to this question should be no for the proposed construction/modification project to be considered a Type 1 or 2 change. If the PSEL will increase, submit an application for either a Construction or Standard ACDP.
7. Describe any applicable requirements that will apply, or that will no longer apply, as a result of the construction or physical change in operation. This should include any existing permit terms and conditions that the owner/operator believes should no longer apply.
8. If the change applies to an existing emissions device/process, the existing DV200 forms should be revised and submitted. If the change applies to a new emissions device/process, new DV200 forms should be completed and submitted.
9. If the change applies to an existing pollution control device, the existing CD300 forms should be revised and submitted. If the change applies to a new pollution control device, new CD300 forms should be completed and submitted.

**Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

Part B

For each new or modified emission device/process, including changes to pollution control devices connected to the device/process, provide the change in emissions for each pollutant. The emissions should be based on the maximum hourly design capacity of the emissions device/process before and after the change. Provide details about how the emissions are estimated either below the table or as an attachment to the MD901 form.

**FORM MD902 – OFF-PERMIT CHANGE NOTIFICATION**

This form is for Off-Permit changes to the owner/operator's Oregon Title V Operating Permit (Permit), as described by OAR 340-218-0140(2). Changes that qualify for this Notification are as follows:

- changes that are neither expressly addressed nor prohibited by the Permit;
- changes that do not violate any existing Permit terms or conditions or applicable requirements;
- changes that do not constitute Federal Clean Air Act (FCAA) Title I modifications (OAR 340-28-110); and
- changes that are not subject to any FCAA Title IV (Acid Rain) provision.

The owner/operator is not required to obtain DEQ approval prior to proceeding with a qualifying change. Rather, the owner/operator must submit this Notification contemporaneously. DEQ will attach any such notification to the Permit, and any permit terms or conditions that result from the change will be incorporated into the Permit, if applicable, at the time of renewal.

The answer sheet for this form is divided into two sections--Part A and Part B. Some owners/operators may not need to complete Part B, depending on their response to question A-4.

Part A

1. Enter the name, title, phone number, fax number, and email address of the contact person for the facility.
2. Describe the off-permit change.
3. Enter the date the change will take effect.
4. Will there be a change in emissions within the PSEL? If yes, complete Part B and attach documentation showing how the emissions are estimated.
5. List the pollutants emitted as a result of the change.
6. Describe any applicable requirements that will apply, or that will no longer apply, as a result of the change. This should include any existing permit terms and conditions that the owner/operator believes should no longer apply.
7. Verify that the change is not addressed or prohibited by the permit.
8. Verify that the change is not a Title I modification, such as an explanation that the change does not meet any of the Title I modification criteria.
9. Verify that the change is not subject to any requirements under Title IV of the Clean Air Act (Acid Rain program).
10. Verify that the change does not violate any existing permit term or condition.

**Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

Part B

Show how the emissions within the PSEL will change as a result of the off-permit change. Provide details below the table or as an attachment to the MD902 form.

**FORM MD 903 – SECTION 502(B)(10) CHANGE NOTIFICATION**

This type of change, as described under OAR 340-218-0140(3), is one that may contravene (contradict) a permit term or condition but may not violate any applicable requirements; may not contravene any federally enforceable monitoring, recordkeeping, reporting, or compliance certification requirements; and may not be a Title I modification.

The owner/operator is not required to obtain a permit modification but must notify DEQ at least seven days in advance of the change using this form. DEQ will attach any such notification to the Oregon Title V Operating Permit (Permit), and any permit terms or conditions that result from the change will be incorporated into the Permit, if applicable, at the time of renewal.

The answer sheet for this form is divided into two sections--Part A and Part B. Some owners/operators may not need to complete Part B, depending on their response to question A-4.

Part A

1. Enter the name, title, phone number, fax number, and email address of the contact person for the facility.
2. Describe the change and provide a reason for the change.
3. Enter the date the change will take effect.
4. Will there be a change in emissions within the PSEL? If yes, complete Part B and attach documentation showing how the emissions are estimated.
5. List any permit terms or conditions that will no longer be applicable as a result of the change
6. List any permit terms or conditions that will be applicable to the change.
7. Verify that the change does not cause or contribute to a violation of any applicable requirements, such as an explanation that the permit term or condition that is being contravened is not based on an applicable requirement.
8. Verify that the change will not cause or contribute to a violation of the PSELS, such as calculation of emissions resulting from the change in relation to the PSEL.
9. Verify that the change is not a Title I modification, such as an explanation that the change does not meet any of the Title I modification criteria.

**Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

Part B

Show how the emissions within the PSEL will change as a result of the section 502(b)(10) change. Provide details below the table or as an attachment to the MD903 form.

**FORM MD904 – ADMINISTRATIVE AMENDMENT**

Administrative amendments, per OAR 340-218-0150, are revisions to the Oregon Title V Operating Permit such as:

- corrections of typographical errors;
- incorporation of requirements established under the state New Source Review permitting program, provided that they meet procedural requirements that are applicable and substantially equivalent to those contained in OAR 340-218-0120 (permit issuance), 340-218-0210 (public participation), OAR 340-218-0230 (Affected state and EPA review) and the compliance requirements contained in OAR 340-218-0050 (e.g., monitoring,

- recordkeeping, reporting, and compliance certification) of the federal regulations, and provided that the facility was constructed and would be operated as specified in the New Source Review approval;
- identification of a change in the name, address, or phone number of the responsible official identified in the permit, or provides a similar minor administrative change at the facility;
  - changes in the name of the permittee;
  - changes in ownership or operational control of a facility where DEQ determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to DEQ;
  - requirements for more frequent monitoring or reporting by the permittee;
  - changes in the date for reporting or source testing requirements as a result of extenuating circumstances, such as plant shutdown due to economic reasons;
  - easing monitoring, reporting, or recordkeeping due to a permanent source shutdown or shutdown of certain emissions unit(s); and
  - corrections to the baseline emission rate or PSELs when more accurate emissions data are obtained but does not increase actual emissions.

DEQ will allow for changes in the persons identified for various purposes in the permit application, except for the responsible official, to be done by a letter, rather than requiring an administrative permit amendment.

Upon becoming aware of the need for an Administrative Permit Amendment, the owner/operator must promptly submit an application for one on Form MD904, along with a copy of the draft amendment. DEQ will take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request. DEQ will not initiate public or EPA review. DEQ will issue the administrative permit amendment in the form of a permit addendum for only those conditions that will change. DEQ will submit a copy of the permit addendum to EPA.

The owner/operator may implement the changes addressed in the administrative amendment application immediately upon submittal of the request. If the owner/operator fails to comply with the draft permit terms and conditions upon submittal of the application and until DEQ takes final action, the existing permit terms and conditions that it is seeking to modify may be enforced against it.

#### Instructions

1. Enter the name, title, phone number, fax number, and email address of the contact person for the facility.
2. Describe the change.
3. Enter the date the change will take effect.
4. Indicate (yes or no) whether this amendment concerns a change in ownership or operational control of the facility. If "yes," attach a copy of the written agreement. The agreement should include a specific date for the transfer of permit liability, insurance coverage, and liability between the current and the new permittee.
5. Indicate (yes or no) whether this amendment provides more accurate data to correct baseline or Plant Site Emission Limit (PSEL) calculations. If "yes," attach Permit application forms ED603 or ED605, with supporting data, to portray the more accurate emissions information and calculations that demonstrate that actual emissions are not increased. The attached forms should specify, by identification number or label, the emissions units affected by the corrected data.
6. Indicate (yes or no) whether this application is being used to incorporate into the Permit the requirements of New Source Review/Prevention of Significant Deterioration or a Notice of Approval. If "no," proceed to question 7. If "yes," provide the following information.
  - a. Indicate (yes or no) whether the enhanced permitting procedures (OAR 340-2188-0190(2)(b)(B)) were followed in the construction approval. If "no," then the owner/operator may not use an Administrative Amendment to incorporate the construction approval requirements into the Permit.
  - b. Briefly describe the construction, including its specific purpose.
  - c. If the facility's operating conditions vary from those proposed in the construction approval, describe

the variations and how they meet the definition of an administrative amendment. If there are no variations, enter "NA."

7. Provide suggested permit language for those permit terms and conditions that will be revised as a result of the amendment.

### **Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

### **FORM MD905 – MINOR PERMIT MODIFICATION**

Minor modifications (OAR 340-218-0170) must meet the following criteria:

- do not violate any applicable requirement;
- do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
- do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
- do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
  - a federally enforceable emissions cap assumed to avoid classification as a Title I modification (e.g., a PSEL assumed to avoid triggering New Source Review); and
  - an alternative emissions limit approved pursuant to OAR 340-32-300 through 340-32-380;
- do not increase emissions over the PSEL;
- are not Title I modifications; and
- are not required by OAR 340-28-2260 to be processed as a significant modification.

The owner/operator is required to submit this application to DEQ prior to making the change addressed herein. The owner/operator may make the change, however, immediately after submitting the application. DEQ is required to take action on the application within 90 days of its receipt.

The answer sheet for this form is divided into two sections--Part A and Part B. Some owners/operators may not need to complete Part B, depending on their response to question A-5.

#### Part A

1. Enter the name, title, phone number, fax number, and email address of the contact person for the facility.
2. Describe the change and provide a reason for the change. Explain why the change qualifies as a minor modification under OAR 340-218-0170.
3. Enter the date the change will take effect.
4. Describe any applicable requirements that will apply, or that will no longer apply, as a result of the modification. This should include any existing permit terms and conditions that the owner/operator believes should no longer apply. To support this discussion, the owner/operator may want to attach the following materials:
  - Form AR401, Applicable Requirements Checklist, of the Permit application, if appropriate. Submit *only* those sections of the form that change based on the modification.

- Form AR402, Non-Applicable Requirements, of the Permit application, if appropriate. If the revised sections of Form AR401 require the owner/operator to explain the non-applicability of certain rules, then the owner/operator should revise, and/or complete anew, and submit Form AR402.
  - Form AR403, Facility-Wide Applicable Requirements, of the Permit application, if appropriate. If the revised sections of Form AR401 identify requirements newly applicable to the facility as a whole, then the owner/operator should revise, and/or complete anew, and submit Form AR403.
  - Emissions Unit Summary Form(s), Form Series EU500, of the Permit application, if appropriate, supported by the appropriate forms from Form Series DV200, Device/Process Forms. If the revised sections of Form AR401 identify requirements newly applicable to any of the facility's emissions units, then the owner/operator should revise, and/or complete anew, and submit the applicable requirements section of the relevant Emissions Unit Summary Form. (If, per question A-4, above, the owner/operator has already revised or completed anew the relevant Emissions Unit Summary form(s), then the applicable requirements sections would not also need to be completed here.)
  - Compliance Demonstration Forms, Form Series CD700, of the Permit application, if appropriate. If the revised sections of Form AR401 identify, or result in, new compliance demonstration requirements for the facility as a whole or for any of the facility's emissions units specifically, the owner/operator should revise, and/or complete anew, and submit the appropriate form from Form Series CD700.
  - proposed permit language for those permit terms and conditions that would be revised as a result of the modification. To that end, if the owner/operator believes that certain existing permit terms and conditions should be *deleted* from the permit as a result of the modification, indicate this in the proposed permit language.
5. Indicate (yes or no) whether this change results in a decrease in emissions of any regulated air pollutant.
- If "no," proceed to question A-6 and only complete Part A of this form.  
If "yes," complete the remaining questions on this form, including Part B of this form. The owner/operator should provide a revised Form ED605, as appropriate, illustrating the new emissions levels from the emissions unit(s) affected by the modification.
6. Indicate (yes or no) whether this application is being used to incorporate the requirements of a construction approval (OAR 340-28-2270) into the Permit.
- If "no," proceed to question A-7.  
If "yes," provide the following information.
- Enter the Type of change from OAR 340-210-0225
  - If the construction approval involved a Type 3 or 4 change, indicate (yes or no) whether the enhanced permitting procedures (OAR 340-28-2270(3)(c)(B)(iv)) were followed in the construction approval. If "no," then the owner/operator may not use a minor permit modification to incorporate the requirements of the construction/approval into the Permit.
  - Briefly describe the construction, including its specific purpose.
  - If the facility's operating conditions vary from those proposed in the construction approval, describe the variations and how they meet the definition of a minor permit modification. If there are no variations, enter "NA."
7. If the change affects any of the facility's emissions units, revise and submit the relevant form(s) from Form Series EU500, Emissions Unit Summary, of the Permit application, including any relevant device/process forms from Form Series DV200, Devices/Processes. If the change affects any of the facility's control devices, then the owner/operator should revise and submit Form CD301, Control Device Description, of the Permit application. If the change involves new applicable requirements, then the owner/operator should submit the

appropriate Form Series CP700 to describe the monitoring that will be used for assuring compliance.

**Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

Part B

Provide the following information to summarize the change in emissions of the regulated air pollutants affected by this minor permit modification.

- Identify each regulated air pollutant affected by this modification.
- Enter the decrease in emissions due to the modification. This number should be the sum of emissions change from all emissions units affected by the modification. The owner/operator may calculate this difference by comparing the information in the original and revised Emissions Data forms.
- Enter the PSEL before the modification, if applicable, from the facility's current operating permit. If the facility does not currently have a PSEL for the pollutant, enter "NA."
- Enter the PSEL for the facility as a whole after the modification.

**FORM MD906 – SIGNIFICANT PERMIT MODIFICATION**

This form is for significant modifications (OAR 340-218-0180) to an owner/operator's Oregon Title V Operating Permit (Permit). This form may be used for a variety of modifications, including:

- increases in PSELs, *except* those increases subject to:
  - New Source Review [OAR 340, Division 224];
  - corrections when more accurate data are obtained but does not increase actual emissions [OAR 340-218-0150(1)(i)]; or
  - construction/operation modifications [OAR 340-218-0190];
- significant changes in existing monitoring permit terms or conditions;
- relaxations of reporting or recordkeeping permit terms or conditions;
- incorporation into the Permit of requirements from Construction ACDPs authorized under OAR 340-218-0190 and 340-210-0240(1)©, *unless* otherwise specified in OAR 340-218-0190(2);
- incorporation into the Permit of requirements from preconstruction review permits authorized under OAR 340, Division 224, *unless* the incorporation qualifies as an administrative amendment; and
- changes consistent with OAR 340, Division 218 that may render existing permit compliance terms and conditions irrelevant.

DEQ recognizes that certain of the examples above may appear vague. For example, the determination of whether a change in "existing monitoring permit terms or conditions" is "significant" or not will depend on DEQ's consideration of the nature of the owner/operator's current Permit and the conditions therein. The owner/operator is advised to discuss the nature of any proposed changes with a DEQ permit engineer prior to proceeding with a particular permit modification application.

The owner/operator must receive DEQ approval before initiating the change described in this application. DEQ has up to 18 months to review and take action on the application, which should include all requirements in OAR 340, Division 218 for public participation and EPA and affected state review.

The answer sheet for this form is divided into two sections--Part A and Part B. Some owners/operators may not need to complete Part B, depending on their response to question 5.

Part A

Before proceeding, the owner/operator should revise and attach Form AP101, Administrative Information, from the Permit application.

1. Enter the name, title, phone number, fax number, and email address of the contact person for the facility.
2. Describe the change and provide a reason for the change. Explain why the change qualifies as a significant modification under OAR 340-218-0180.

Example: The proposed change is to switch fuels from distillate to residual oil in the boiler. The boiler does not have to be physically modified to accommodate this change. The fuel switch will result in an increase of emissions, which necessitates this significant modification. [The owner/operator would proceed to describe why the fuel switch is necessary. Describe the quantity and type of fuel to be used and any operational changes that will result from the fuel switch.]

3. Enter the date the change will take effect.
4. Describe any applicable requirements that will apply, or that will no longer apply, as a result of the modification. To support this discussion, the owner/operator may attach the following materials:
  - Form AR401, Applicable Requirements Checklist, of the Permit application, if appropriate. Submit only those sections of the form that change based on the modification.
  - Form AR402, Non-Applicable Requirements, of the Permit application, if appropriate. If the revised sections of Form AR401 require the owner/operator to explain the non-applicability of certain applicable requirements, then the owner/operator should revise, and/or complete anew, and submit Form AR402.
  - Form AR403, Facility-Wide Applicable Requirements, of the Permit application, if appropriate. If the revised sections of Form AR401 identify requirements newly applicable to the facility as a whole, then the owner/operator should revise, and/or complete anew, and submit Form AR403.
  - Form Series EU500, Emissions Unit Summary Forms, of the Permit application, if appropriate, supported by the appropriate forms from Form Series DV200, Device/Process Forms. If the revised sections of Form AR401 identify requirements newly applicable to the facility's emissions units, then the owner/operator should revise, and/or complete anew, and submit the applicable requirements section of the relevant Emissions Unit Summary Form. (If, per question A-4, above, the owner/operator has already revised or completed anew the relevant Emissions Unit Summary form(s), then the applicable
  - Form Series CD700, Compliance Demonstration Forms, of the Permit application, if appropriate. If the revised section of Form AR401 identify, or result in, new compliance demonstration requirements for the facility as a whole or for any of the facility's emissions units specifically, the owner/operator should revise, and/or complete anew, and submit the appropriate form from Form Series CD700.
  - proposed permit language for those permit terms and conditions that would be revised as a result of the modification. If the owner/operator believes that certain existing permit terms and conditions should be *deleted* from the permit as a result of the modification, indicate this in the proposed permit language.
  - revised plot plan and process flow diagram, if appropriate.
5. Indicate (yes or no) whether the modification results in a change (either an increase or a decrease) in emissions

of any regulated air pollutant.

If "no," skip to question A-6 and only complete Part A of this form.

If "yes," complete the remaining questions on this form, including Part B of this form. The owner/operator should provide a revised Form ED605, illustrating the new emissions levels from the emissions unit(s) affected by the modification.

6. Demonstrate that the modification does not trigger the construction/operation modification requirements under OAR 340-218-0190.
7. Indicate (yes or no) whether this application is being used to incorporate the requirements of a construction permit (OAR 340-216-0052 or OAR 340, Division 224) into the Permit.

If "no," proceed to question A-8.

If "yes," provide the following information.

- Briefly describe the construction/modification, including its specific purpose.
  - If the facility's operating conditions vary from those proposed in the construction permit, describe the variations and how they meet the definition of a significant permit modification. If there are no variations, enter "NA."
8. If the change affects any of the facility's existing emissions units, or creates a new emissions unit, then the owner/operator should revise, or complete new forms, and attach the relevant form(s) from Form Series EU500, Emissions Unit Summary, and any relevant device/process forms from Form Series DV200, Devices/Processes, of the Permit application. If the change affects the performance or operation of any pollution control equipment, then revise and attach Form CD301, Control Device Description, of the Permit application.

### **Statement of Certification**

Per OAR 340-218-0040(5) and 340-218-0080(3)(c)(D), owners/operators are required to certify this application. Carefully read the Statement of Certification on the answer sheet. The certification should be signed by the official at the source responsible for the source's compliance with state and federal air quality regulations and knowledgeable of the truth, accuracy, and completeness of the contents of this application.

### **Part B**

Provide the following information to summarize the change in emissions of the regulated air pollutants affected by this minor permit modification.

- Identify each regulated air pollutant affected by this modification.
- Enter the increase or decrease in emissions due to the modification. This number should be the sum of emissions change from all emissions units affected by the modification. Calculate this difference by comparing the information in the original and revised Emissions Data forms.
- Enter the PSEL before the modification, if applicable, from the facility's current operating permit. If the facility does not currently have a PSEL for the pollutant, enter "NA."
- Enter the PSEL for the facility as a whole after the modification.