

Do I need an air permit?

Modern day businesses employ an assortment of equipment and processes to create a wide variety of commercial products. As such, it is important to plan not only for water demands and waste disposal, but air pollution discharges as well. This can include products of combustion, organic compounds, dust, etc. Sources of air pollution can be subject to federal, state and local regulations, which are typically identified in some type of air pollution permit. This article is the first in a series of four that will cover air permit exemptions, air general permits, air construction permits and air operation permits.

Businesses are encouraged to conduct a thorough survey to identify activities that generate or control air emissions. Examples of some common types of equipment and processes include:

- Fuel combustion (e.g., boilers, furnaces, curing ovens, stationary engines, etc.)
- Activities using solvent-containing materials (e.g., paints, degreasers, adhesives, fiberglass layup, etc.)
- Air pollution control equipment (fabric filters, dust collectors, paint spray booths, etc.)

Even though you may have some of this equipment your facility may still be exempt from the air permitting requirements depending on the potentially applicable regulations, equipment size and emissions levels. In fact, the Florida Administrative Code (F.A.C.) provides several options that exempt small sources from permitting.

Categorical and Conditional Exemptions, Rule 62-210.300(3)(a), F.A.C.

This rule exempts entire categories of emissions units as well as some conditional activities from the requirement to obtain an air construction permit and a minor source air operation permit. A few examples of categorical exemptions include:

- Equipment used for steam cleaning
- Equipment used exclusively for space heating, other than boilers
- Brazing, soldering or welding equipment
- Fire and safety equipment
- Petroleum lubrication systems
- Vehicle refueling operations and associated fuel storage

A conditional exemption applies to activities within a specific source category below certain capacities or that meet specific limitations. Examples of conditional exemptions include:

- Bakery ovens located at any retail bakery facility which derives at least 50 percent of its revenue from retail sales on premises.
- Surface coating operations within a single facility that are not subject to any unit-specific limitation or requirement, and that use only coatings containing 5.0 percent or less volatile organic compounds (VOC), by volume, or the total quantity of coatings containing greater than 5.0 percent VOC, by volume, used at the facility does not exceed 6.0 gallons per day, averaged monthly.

For conditional exemptions, you should maintain sufficient records to demonstrate that the activity meets defined limitations.

Generic Exemptions, Rule 62-210.300(b), F.A.C.

Individual emissions units or activities may also be generically exempt from the requirement to obtain an air construction permit or a minor source air operation permit if it meets all of the criteria identified in the rule. This includes; not being subject to any unit-specific requirement; having potential emissions below certain defined thresholds; and not being a “modification” as defined by specific state and federal regulations. In addition, the potential emissions from the proposed exempt project cannot cause the facility to become a Title V major source (greater than or equal to 100 tons per year of any regulated pollutant; greater than or equal to 25 tons per year of all combined hazardous air pollutant (HAP); and greater than or equal to 10 tons per year of any single HAP).

An entire facility may be exempt from permitting requirements if all emissions units and activities are exempt. An entire facility may also be exempt if none of the individual emissions units and activities are subject to any unit-specific requirement and the entire facility has potential emissions below certain defined thresholds. Again, a Title V major source may not be exempt from permitting.

Case-By-Case Exemptions, Rule 62-4.040, F.A.C.

If your business doesn’t qualify for the above exemptions, you may request a case-by-case exemption from the permitting authority, which must determine that the existing or proposed activity will not cause adverse air impacts within the State and that regulation is not reasonably justified. Generally, such projects will have relatively minor emissions levels and not be subject to any unit-specific requirement.

Even if your facility doesn’t qualify for one of these types of exemptions, *don’t panic!* You could be eligible for one of 17 air general permits, which only require a simple online registration. In fact, air general permits account for approximately 64 percent of the nearly 3900 permitted sources in Florida. Find out more about air general permits in the next article in this series.