



United States Environmental Protection Agency General Air Quality Permit for New or Modified Minor Sources of Air Pollution in Indian Country

<http://www.epa.gov/air/tribal/tribalnsr.html>

General Air Quality Permit for New or Modified Minor Source Boilers and Emergency Engines in Indian Country

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Version 1.0

Information about this General Permit:

Applicability

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction or modification, and operation of each stationary boiler for which a reviewing authority issues an Approval of the Request for Coverage (permitted source).

Eligibility

To be eligible for coverage under this General Permit, the permitted source must qualify as a minor source as defined in 40 CFR 49.152.

Request for Coverage

Requirements for submitting a Request for Coverage are contained in Section 7 of this General Permit.

Incorporation of Documents

The information contained in each reviewing authority's Approval of the Request for Coverage is hereby incorporated into this General Permit.

Termination

Section 6 of this General Permit addresses a reviewing authority's ability to revise, revoke and reissue, or terminate this General Permit. It also addresses the reviewing authority's ability to terminate an individual permitted source's Approval of the Request for Coverage under this General Permit.

Definitions

The terms used herein shall have the meaning defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

Permit Terms and Conditions

The following applies to each permittee and permitted source with respect to only the affected emissions units and any associated air pollution control equipment listed in that permitted source's Approval of the Request for Coverage.

Section 1 – General Provisions

1. *Construction and Operation*

The permittee shall construct or modify and shall operate the affected emissions units and any associated air pollution control technologies in compliance with this permit and all other applicable federal air quality regulations; and in a manner consistent with representations made by the permittee in the Request for Coverage, to the extent the reviewing authority relies upon these representations in issuing the Approval of the Request for Coverage.

2. *Location*

This permit only authorizes the permittee to construct or modify, and to operate the permitted source in the location listed in the reviewing authority's Approval of the Request for Coverage for that permitted source.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA.

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the reviewing authority to revoke the Approval of the Request for Coverage and terminate the permitted source's coverage under this General Permit.

6. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation and, in an attainment area, must not cause or contribute to a PSD increment violation.

7. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

8. *Property Rights*

This permit does not convey any property rights of any sort or any exclusive privilege.

9. *Information Requests*

You, as the permittee, shall furnish to the reviewing authority, within 30 days, unless another timeframe is specified by the EPA, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating coverage under the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality in accordance with 40 CFR part 2, subpart B.

10. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

11. *Posting of Coverage*

The most current Approval of the Request for Coverage for the permitted source must be posted prominently at the facility, and each affected emissions unit and any associated air pollution control technology must be labeled with the identification number listed in the Approval of the Request for Coverage for that permitted source.

12. *Duty to Obtain Source-Specific Permit*

If the reviewing authority intends to terminate a permitted source's coverage under this General Permit for cause as provided in Section 6 of this General Permit, then the permittee shall apply for and obtain a source-specific permit as required by the reviewing authority.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

Section 2: Emission Limitations and Standards

14. The permittee shall install, maintain and operate each affected emission unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of NSR regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The reviewing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the reviewing authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the permitted source.

15. The maximum rated capacity of any individual boiler at this facility shall be less than 100 million British thermal units per hour (MMBtu/hr).

16. The maximum rated capacity of any individual process heater at this facility shall be:
- a. Less than 10 MMBtu/hr if located at a permitted source in an ozone attainment, unclassifiable or attainment/unclassifiable area.
 - b. Less than 10 MMBtu/hr if located at a permitted source in a marginal, moderate or serious ozone nonattainment area.
 - c. Less than 2 MMBtu/hr if located at a permitted source in a severe or extreme ozone nonattainment area.
 - d. A process heater may exceed the above size limitations if it meets the emission limitations applicable to boilers.

17. *Capacity Limitations in Attainment, Unclassifiable and Attainment/Unclassifiable Ozone Areas and Marginal and Moderate Ozone Nonattainment Areas*

Unless the permitted source is subject to Condition 21, the combined maximum rated capacity of all boilers, process heaters, and engines at the permitted source shall not exceed the following parameters, as applicable. Boilers and process heaters may use gaseous and/or liquid fuels. Engines may burn any fuel type.

Permitted Source Using Gaseous and/or Liquid Fuels in Boilers and Process Heaters and All Fuel Types in Engines	
Type of Emission Units	Maximum Combined Capacity
All boilers rated \geq 10.0 MMBtu/hr	200 MMBtu/hr
All small boilers and process heaters rated < 10.0 MMBtu/hr	30 MMBtu/hr
All emergency generators (any fuel)	1,500 horsepower (hp)

18. *Capacity Limitations for Serious Ozone Nonattainment Areas*

Unless the permitted source is subject to Condition 21, the combined maximum rated capacity of all boilers, process heaters, and engines at the permitted source shall not exceed the following parameters, as applicable. Boilers and process heaters may use gaseous and/or liquid fuels. Engines may burn any fuel type.

Permitted Source Using Gaseous and/or Liquid Fuels in Boilers and Process Heaters and All Fuel Types in Engines	
Type of Emission Units	Maximum Combined Capacity
All boilers rated \geq 10.0 MMBtu/hr	160 MMBtu/hr
All small boilers and auxiliary heaters rated < 10.0 MMBtu/hr	20 MMBtu/hr
All emergency generators (any fuel)	1,500 hp

19. *Capacity Limitations for Severe Ozone Nonattainment Areas*

Unless the permitted source is subject to Condition 21, the combined maximum rated capacity of all boilers, process heaters, and engines at the permitted source shall not exceed the following parameters, as applicable.

- a. Each permitted source using only gaseous fuel in boilers and process heaters shall meet the following combined maximum allowable rating of emission units. Boilers and process heaters may also use diesel or biodiesel as an emergency backup fuel for up to 500 hours per calendar year. Engines may burn any fuel type.

Permitted Source Using Only Gaseous Fuel in Boilers and Heaters and All Fuel Types in Engines	
Type of Emission Units	Maximum Combined Capacity
All boilers rated ≥ 10.0 MMBtu/hr	160 MMBtu/hr
All small boilers and process heaters rated < 10.0 MMBtu/hr	20 MMBtu/hr
All emergency generators (any fuel)	1,000 horsepower (hp)

- b. Each permitted source with boilers and heaters that use gaseous and/or liquid fuels shall meet the following combined maximum allowable rating of emission units. Engines may burn any fuel type.

Permitted Source Using Gaseous and/or Liquid Fuels in Boilers and Heaters and All Fuel Types in Engines	
Type of Emission Units	Maximum Combined Capacity
All boilers rated ≥ 10.0 MMBtu/hr	120 MMBtu/hr
All small boilers and auxiliary heaters rated < 10.0 MMBtu/hr	20 MMBtu/hr
All emergency generators (all fuels)	1,000 hp

20. *Capacity Limitations for Extreme Ozone Nonattainment Areas*

The combined maximum rated capacity of all boilers and process heaters at the permitted source shall not exceed the following parameters, as applicable. The permitted source shall only use gaseous fuels in its boilers and process heaters. Engines may burn any fuel type.

Permitted Source Using Gaseous Fuels in Boilers and Heaters and All Fuel Types in Engines	
Types of Emission Units	Combined Allowed Maximum Rating of Emissions Units
All boilers rated ≥ 2.0 MMBtu/hr	25 MMBtu/hr
All small boilers and auxiliary heaters rated < 2.0 MMBtu/hr	10 MMBtu/hr
All emergency generators (all fuels)	500 hp

21. If the Approval of Request for Coverage specifies that the permitted source is subject to this condition, Condition 21, then:
- a. In ozone attainment, unclassifiable or attainment/unclassifiable areas and marginal and moderate ozone nonattainment areas:
 - i. Annual fuel use of gaseous fuel in all boilers and process heaters shall not exceed 1,500 million standard cubic feet (MMscf) per year in any 12-month period; and
 - ii. Combined maximum rated capacity of all emergency engines (all fuel types) shall not exceed 1,500 hp.
 - b. In serious ozone nonattainment areas:
 - i. Annual fuel use of gaseous fuel in all boilers and process heaters shall not exceed 720 MMscf/yr in any 12-month period; and
 - ii. Combined maximum rated capacity of all emergency engines (all fuel types) shall not exceed 1,500 hp.
 - c. In severe ozone nonattainment areas:
 - i. Annual fuel use of gaseous fuel in all boilers and process heaters shall not exceed 345 MMscf/yr in any 12-month period; and
 - ii. Combined maximum rated capacity of all emergency engines (all fuel types) shall not exceed 1,000 hp.

Only permitted sources that use only gaseous fuel in their boilers and process heaters may choose to comply with this limit. The Approval of Request for Coverage shall specify as to whether the permitted source is subject to Condition 17, 18, 19, 20, or 21.

22. Each affected boiler rated at 10.0 MMBtu/hr or greater and located in an attainment, unclassifiable or attainment/unclassifiable area for ozone or a marginal, moderate, or serious ozone nonattainment area shall meet these requirements:
- a. Nitrogen oxide (NO_x) emissions shall not exceed 30.0 parts per million, dry volume (ppm_{dv}) at 3% O₂ or 0.037 pounds (lbs)/MMBtu based on a 15-minute average.
 - b. Carbon monoxide (CO) emissions shall not exceed 400.0 ppm_{dv} at 3% O₂ or 0.30 lbs/MMBtu based on a 15-minute average.
23. Each boiler located at a permitted source in an extreme or severe ozone nonattainment area shall meet these additional requirements:
- a. The NO_x emissions from each boiler rated at 2.0 MMBtu/hr or greater shall not exceed 9 ppm_{dv} at 3% oxygen or 0.011 lbs/MMBtu based on a 15-minute average.
 - b. The CO emissions from each boiler rated at 2.0 MMBtu/hr or greater shall not exceed 400 ppm_{dv} at 3% O₂ or 0.30 lbs/MMBtu based on a 15-minute average.
24. Each affected boiler, heater, or engine burning liquid fuels shall use diesel or biodiesel. The sulfur content of diesel and biodiesel shall not exceed 0.0015 parts per million (ppm) by weight.
25. For each affected boiler or heater, the permittee shall not cause to be discharged into the atmosphere any gases that exhibit 5 percent opacity or greater averaged over any six consecutive minute period.
26. Each boiler stack shall:
- a. Be above the buildings in the vicinity;
 - b. Discharge vertically; and
 - c. Have no obstructions to gas flow such as rain caps, except for hinged rain caps.

27. Each boiler must undergo tune-ups on a biennial basis. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. The first biennial tune-up must be no later than 25 months after the Approval of Request for Coverage is issued. The permittee shall perform each tune-up as follows:
- a. The permittee shall inspect the burner and clean or replace any components as necessary. This step may be delayed until the next scheduled shutdown of the unit, but it must be performed at least once every 36 months.
 - b. The permittee shall inspect the flame pattern and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications.
 - c. The permittee shall inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly.
 - d. The permittee shall optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications.
 - e. The permittee shall measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made.
28. If the permitted source includes one or more emergency engines, each affected emergency engine shall:
- a. Be equipped with a non-resettable hour meter.
 - b. If using fuel oil, use diesel or biodiesel containing no more than 15 ppm (0.0015 percent) sulfur.
 - c. Meet the following certification requirements for compression ignition emergency engines:
 - i. For model year 2006 and later engines, the engine shall be certified to the applicable standards in 40 CFR part 89; and
 - ii. All emergency engines in severe and extreme ozone nonattainment areas shall be model year 2006 or later.
 - d. Meet the following requirements for spark ignition emergency engines manufactured on or after January 1, 2009:
 - i. Gasoline and rich burn liquified petroleum gas (LPG) emergency engines greater than 25 hp and less than 130 hp shall be certified by the manufacturer to the Phase I standards in 40 CFR 90.103;
 - ii. Gasoline and rich burn LPG emergency engines greater than or equal to 130 hp shall be certified by the manufacturer to the standards in 40 CFR 1048; and
 - iii. All other spark ignition emergency engines (those that are not gasoline or rich burn LPG) greater than 25 HP shall meet the standards for emergency engines in Table 1 to 40 CFR Subpart JJJJ. If the emergency engine is not certified to the standards in Table 1 to 40 CFR Subpart JJJJ, then the permittee shall demonstrate compliance with the applicable emission limitations as required by Condition 33.
 - e. If not required to meet the standards in Conditions 28.c or 28.d based on the engine model year or date of manufacture:
 - i. Follow the manufacturer's emission-related operation and maintenance instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions;
 - ii. Change oil and filter and inspect every hose and belt every 500 hours of operation or annually, whichever comes first; and
 - iii. Inspect air cleaner or spark plugs, as applicable, every 1,000 hours of operation, or annually, whichever comes first.

Section 3: Monitoring and Testing Requirements

29. Fuel Use Monitoring

The permittee shall monitor fuel use (in scf or gallons, as applicable) for all boilers and process heaters each calendar month.

30. Visible Emissions Survey

At least once during each calendar week in which the permitted sources operates, the permittee shall perform a visible emissions survey of all affected emission units subject to the opacity limit in Condition 25. The survey shall be performed during daylight hours by an individual trained in EPA Method 22 while the source is in operation. If visible emissions are detected during the survey, the permittee shall either:

- a. Take corrective action so that within 24 hours no visible emissions are detected from any emission units while they are in operation; or
- b. Demonstrate compliance with the opacity limit at all units that discharged visible emissions during the survey using EPA Method 9 by an individual trained and certified in Method 9.

31. Initial Performance Testing

Within 60 days after achieving the maximum production rate at which the permitted source will operate the affected emissions unit(s), but not later than 180 days after the first day of operation after the Approval of the Request for Coverage is issued by the reviewing authority, the permittee shall perform an initial performance test to verify compliance with the applicable emission limitations in Conditions 22 and 23. Performance tests shall be performed:

- a. According to an EPA-approved test plan;
- b. While the permitted source is operating under typical operating conditions;
- c. Using test methods from 40 CFR part 60, Appendix A. In lieu of the test methods from 40 CFR part 60, Appendix A, measurements for NO_x and CO may be taken using portable analyzers according to ASTM D6522-00, as incorporated by reference in 40 CFR 63.14(b)(27); and
- d. Simultaneously for CO and NO_x whenever either one needs to be tested.

The permitted source may substitute the results of the most recent performance test performed on the engine(s) in lieu of conducting the performance test for engines required above, provided that the most recent performance test was conducted within two years of the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority, and was conducted according to the requirements in Conditions 31.a.-d. above.

32. Additional Performance Testing

Ongoing performance tests meeting the criteria of the initial performance test in Condition 31 shall be performed:

- a. When required by the reviewing authority; and
- b. At least every five years.

33. *Emergency Engines Not Certified by the Manufacturer*

For each emergency engine required to meet the standards in Condition 28.d.iii, but that is not certified by the manufacturer to the applicable standards, and is not required to be certified by the manufacturer, the permittee shall:

- a. For an engine greater than 25 hp and less than or equal to 500 hp, conduct an initial performance test as follows:
 - i. Within 60 days after achieving the maximum production rate at which the permitted source will operate, but not later than 180 days after the first day of operation after issuance of the Approval of the Request for Coverage;
 - ii. The test shall verify compliance with the applicable emission limitations in Condition 28.d.iii.;
 - iii. According to a test plan approved by the reviewing authority;
 - iv. While the permitted source is operating under typical operating conditions;
 - v. With at least three test runs, each of at least 1 hour duration;
 - vi. Within 10 percent of peak load for the engine; and
 - vii. Using test methods from 40 CFR part 60, Appendix A unless alternative methods are approved by the reviewing authority in writing in advance of the test.
 - viii. Simultaneously for carbon monoxide and nitrogen oxides whenever either one needs to be tested.
- b. For an engine greater than 500 hp, conduct an initial performance test and subsequent performance testing every 8,760 hours of operation or 3 years, whichever comes first as follows:
 - i. The performance tests shall verify compliance with the applicable emission limitations in Condition 28.d.iii; and
 - ii. The performance tests shall be performed according to Conditions 33.a.iii through viii.

Section 4: Recordkeeping Requirements

34. The permittee shall maintain all records required to be kept onsite by this permit for at least five years from the date of origin, unless otherwise stated.
35. The permit application and all documentation supporting that application shall be maintained by the permittee for the duration of time the affected emissions unit(s) is/are covered under this permit.
36. If subject to Condition 21, the permittee shall maintain records of the 12-month rolling total of fuel used. The 12-month rolling total is calculated each month by adding the current month's fuel use to the previous 11 months of fuel use.
37. The permittee shall keep records of diesel and biodiesel supplier certifications to demonstrate compliance with the sulfur content limits in Conditions 24 and 28.b. The certification shall contain the sulfur content of the fuel and the method used to determine the sulfur content.
38. Each natural gas boiler or heater using diesel or biodiesel as an emergency backup fuel shall maintain records on a quarterly basis of the hours of emergency fuel use.

39. The dates and results of each visible emissions survey performed pursuant to Condition 30 shall be recorded. At a minimum, records shall include:
 - a. The name of the person, company or entity conducting the survey;
 - b. Whether visible emissions were detected from any affected emission unit;
 - c. Any corrective action taken;
 - d. The result of any corrective action; and
 - e. The results of any Method 9 tests performed.
40. The permittee shall record the concentration of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measures before and after the tune-up of each boiler or heater according to Condition 27.
41. The permittee shall record any corrective actions taken as part of a tune-up of a boiler.
42. For each emergency engine, the permittee shall:
 - a. Maintain a log of all maintenance activities conducted; and
 - b. Maintain a log of the hours of operation, including the date, time, duration, and reason(s) for use.
43. The results of each performance test conducted pursuant to Condition 31, 32 and 33 shall be recorded. At a minimum, the permittee shall maintain records of:
 - a. The date of each test;
 - b. Each test plan;
 - c. Any documentation required to approve an alternate test method;
 - d. Conditions during the test, including the engine power rating;
 - e. The results of each test; and
 - f. The name of the company or entity conducting the analysis.

Section 5: Notification and Reporting Requirements

44. *Notification of Construction or Modification, and Operations*

The permittee shall submit a written or electronic notice to the reviewing authority within 30 days from when the permittee begins actual construction or modification, and within 30 days from when the permittee begins initial operations or resumes operation after a modification.

45. *Notification of Change in Ownership or Operator*

If the permitted source changes ownership or operator, then the new owner or operator must submit a written or electronic notice to the reviewing authority within 90 days after the change in ownership or operator is effective. In the report, the new permittee must provide the reviewing authority a written agreement containing a specific date for transfer of ownership or operator, and an effective date on which the new owner or operator assumes partial and/ or full coverage and liability under this permit. The submittal must identify the previous owner or operator, and update the name, street address, mailing address, contact information, and any other information about the source if it would change as a result of the change of ownership or operator. The current owner or operator shall ensure that the permitted source remains in compliance with the General Permit until any such transfer of ownership or operator is effective.

46. *Notification of Closure*

The permittee must submit a report of any permanent or indefinite closure to the reviewing authority in writing within 90 days after the cessation of all operations at the permitted source. The notification must identify the owner, the current location, and the last operating location of the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

47. *Annual Reports*

The permittee shall submit an annual report on or before March 15 of each year to the reviewing authority. The annual report shall cover the period from January 1 to December 31 of the previous year and shall include:

- a. An evaluation of the permitted source's compliance status with the requirements of Section 2 during the calendar year;
- b. Summaries of the required monitoring, testing and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 48.

48. *Deviation Reports*

The permittee shall promptly report to the reviewing authority any deviations as defined at 40 CFR 71.6(a)(3)(iii)(C) from permit requirements including deviations attributable to upset conditions. Deviation reports shall include:

- a. Identity of the affected emissions unit(s) where the deviation occurred;
- b. Nature of the deviation;
- c. Length of time of the deviation;
- d. Probable cause of the deviation; and
- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.
- f. For the purposes of this permit, *promptly* shall be defined to mean:
 - i. Within 72 hours of discovery for deviations from any opacity or emission limit in Conditions 21, 22, 23, or 25; or
 - ii. Within 30 days after the end of the month in which the permittee discovered the deviation, for all other deviations.

49. *Performance Test Reports*

The permittee shall submit a test report to the reviewing authority within 45 days after the completion of any required performance test. At a minimum, the test report shall include:

- a. A description of the affected emissions unit and sampling location(s);
- b. The time and date of each test;
- c. A summary of test results, reported in units consistent with the applicable standard;
- d. A description of the test methods and quality assurance procedures used;
- e. A summary of any deviations from the proposed test plan and justification for why the deviation(s) was necessary;
- f. The amount and type of fuel burned, raw material consumed, and/or product produced, as applicable, during each test run;
- g. Operating parameters of the affected emissions units and control equipment during each test run;
- h. Sample calculations of equations used to determine test results in the appropriate units; and
- i. The name of the company or entity performing the analysis.

50. *Reporting and Notification Address*

The permittee shall send all required reports to the reviewing authority at the mailing address specified in the Approval of the Request for Coverage.

51. *Signature Verifying Truth, Accuracy, and Completeness*

All reports required by this permit shall be signed by a responsible official as to the truth, accuracy, and completeness of the information. The report must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the reviewing authority immediately and correct or amend the report as soon as is practicable.

Section 6: Changes to this General Permit

52. *Revising, Reopening, Revoking and Reissuing, or Terminating for Cause*

The permit may be revised, reopened, revoked and reissued or terminated for cause. The filing of a request by you, the permittee, for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. This provision also applies to the documents incorporated by reference.

53. *Terminating Coverage under this Permit*

The reviewing authority may terminate a previously issued Approval of the Request for Coverage, and thereby terminate that permittee's authorization to construct or modify, and that permitted source's authorization to operate under this General Permit for cause as defined in Attachment B. The reviewing authority may provide the permittee with notice of the intent to terminate, and delay the effective date of the termination to allow the permittee to obtain a source-specific permit as required by the reviewing authority.

54. *Change in Ownership or Operator*

If the permitted source changes ownership or operator, the reviewing authority may change the Approval of the Request for Coverage to reflect the new ownership or operator in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

55. *Permit Becomes Invalid*

Authority to construct and operate under this permit becomes invalid if the permittee does not commence construction within 18 months after the effective date of the request for coverage under a general permit, if the permittee discontinues construction for a period of 18 months or more, or if the permittee does not complete construction within a reasonable time. The reviewing authority may extend the 18-month period upon a satisfactory showing that an extension is justified, according to 40 CFR 49.156(e)(8).

Section 7: Obtaining Coverage under this General Permit

56. To obtain coverage under this General Permit, an applicant must submit a Request for Coverage to the appropriate reviewing authority for the area in which the permitted source is or will be located (the Request for Coverage Form can be found at: <http://www.epa.gov/air/tribal/tribalnsr.html>). Attachment C contains a list of reviewing authorities and their area of coverage.

57. If the plant will locate in area covered by more than one reviewing authority, the applicant need only submit a Request for Coverage to one reviewing authority with regard to all intended locations of operation. The Request for Coverage must contain the information requested in the standard application form for this permit. You must also submit a copy of the Request for Coverage to the Indian governing body for every area in which the permitted source plans to operate.

Attachment A: Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
Btu	British thermal unit
CAA	Federal Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
EPA	United States Environmental Protection Agency
hp	horsepower
LPG	liquified petroleum gas
MM	million
NAAQS	National Ambient Air Quality Standards
NO _x	nitrogen oxides, except N ₂ O
NSR	new source review
ppm	parts per million
ppm _{dv}	parts per million, dry volume
PSD	Prevention of Significant Deterioration

Attachment B: Definitions

For the purposes of this General Permit:

Approval of the Request for Coverage means a reviewing authority's letter granting an applicant's request for construction or modification, and operation of a true minor source under the terms and conditions of this General Permit.

Biodiesel means a combustion fuel made from fatty acids or methyl esters that complies with the specifications of ASTM 6751.

Boiler means an enclosed device using controlled flame combustion in which water is heated to recover thermal energy in the form of steam and/or hot water. Controlled flame combustion refers to a steady-state, or near steady-state, process wherein fuel and/or oxidizer feed rates are controlled. A device combusting solid waste, as defined in §241.3 of this chapter, is not a boiler unless the device is exempt from the definition of a solid waste incineration unit as provided in section 129(g)(1) of the CAA. Process heaters are excluded from the definition of *Boiler*.

Cause means with respect to the reviewing authority's ability to terminate a permitted source's coverage under a permit that:

1. The permittee is not in compliance with the provisions of this General Permit;
2. The reviewing authority determines that the emissions resulting from the construction or modification of the permitted source significantly contribute to NAAQS violations, which are not adequately addressed by the requirements in this General Permit;
3. The reviewing authority has reasonable cause to believe that the permittee obtained Approval of the Request for Coverage by fraud or misrepresentation; or
4. The permittee failed to disclose a material fact required by the Request for Coverage or the regulations applicable to the permitted source of which the applicant had or should have had knowledge at the time the permittee submitted the Request for Coverage.

Construction means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an emission unit that would result in a change of emissions.

Distillate fuel means fuel oils, including recycled oils that comply with the specifications for fuel oil numbers 1 and 2, as defined by ASTM 396, or equivalent.

Emergency engine means an engine that is operated to provide electrical power or mechanical work during an emergency situation. Examples include engines used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or an engine used to pump water in the case of fire, flood, or other event.

Natural gas means a mixture of hydrocarbons that is a gas at standard conditions and is either composed of at least 70 percent methane by volume or has a gross calorific value of between 950 and 1150 Btu per dry standard cubic foot.

Permittee means the owner or operator of a permitted source.

Permitted source means each boiler for which a reviewing authority issues an Approval of the Request for Coverage.

Process heater means an enclosed device using controlled flame, and the unit's primary purpose is to transfer heat indirectly to a process material (liquid, gas, or solid) or to a heat transfer material (e.g., glycol or a mixture of glycol and water) for use in a process unit, instead of generating steam. Process heaters are devices in which the combustion gases do not come into direct contact with process materials. Process heaters include units that heat water/water mixtures for pool heating, sidewalk heating, cooling tower water heating, power washing, or oil heating.

Request for Coverage means a permit application that contains all the information required in the standard application form.

Responsible official means one of the following:

1. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is directly responsible for the overall operation of the permitted source.
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
3. For a public agency: Either a principal executive officer or ranking elected official, such as a chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Standard cubic foot means a measure of the quantity of a gas equal to a cubic foot of volume at a temperature of 68 °F and a pressure of 29.92 inches of mercury.

Attachment C – List of the EPA Reviewing Authorities and Areas of Coverage

EPA Region	Address for Request for Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region I	EPA New England 5 Post Office Square, Suite 100 Mail Code OEP05-2 Boston, MA 02109-3912	EPA New England 5 Post Office Square, Suite 100 Mail Code OES04-2 Boston, MA 02109-3912	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	888- 372-7341, 617-918-1111
Region II	Chief, Air Programs Branch Clean Air and Sustainability Division EPA Region 2 290 Broadway, 25 th Floor New York, NY 10007-1866	Chief, Air Compliance Branch Division of Enforcement and Compliance Assistance EPA Region 2 290 Broadway, 21 st Floor New York, NY 10007-1866	New Jersey, New York, Puerto Rico, and Virgin Islands	877-251-4575
Region III	Office of Permits and Air Toxics 3AP10 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Office of Air Enforcement and Compliance Assurance 3AP20 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	800-438-2474, 215-814-5000
Region IV	Chief, Air Permits Section EPA Region 4 APTMD 61 Forsyth Street Atlanta, GA 30303	Chief, Air & EPCRA Enforcement Branch EPA Region 4 APTMD 61 Forsyth Street, SW Atlanta, GA 30303	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee	800-241-1754, 404-562-9000
Region V	Air Permits Section Air Programs Branch (AR-18J) EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Air Enforcement and Compliance Assurance Branch (AE-17J) Air and Radiation Division EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin	800-621-8431, 312-353-2000
Region VI	Multimedia Planning and Permitting Division EPA Region 6 1445 Ross Avenue (6PD-R) Dallas, TX 75202	Compliance and Enforcement Correspondence: Compliance Assurance and Enforcement Division EPA Region 6 1445 Ross Avenue (6EN) Dallas, TX 75202	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	800-887-6063, 214-665-2760

EPA Region	Address for Request for Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region VII	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Iowa, Kansas, Missouri, and Nebraska	800-223-0425, 913-551-7003
Region VIII	U.S. Environmental Protection Agency, Region 8 Office of Partnerships and Regulatory Assistance Tribal Air Permitting Program, 8P-AR 1595 Wynkoop Street Denver, Colorado 80202	U.S. Environmental Protection Agency, Region 8 Office of Enforcement, Compliance & Environmental Justice Air Toxics and Technical Enforcement Program, 8ENF-AT 1595 Wynkoop Street Denver, Colorado 80202	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	800-227-8917, 303-312-6312
Region IX	Chief, Permits Office (Air-3) Air Division EPA Region 9 75 Hawthorne St San Francisco, CA 94105	Enforcement Division Director Attn: Air & TRI Section (ENF-2-1) EPA Region 9 75 Hawthorne St San Francisco, CA 94105	American Samoa, Arizona, California, Guam, Hawaii, Navajo Nation Nevada, and Northern Mariana Islands	866-EPA-9378, 415-947-8000
Region X	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Alaska, Idaho, Oregon, and Washington	800-424-4372, 206-553-1200