

# **Identifying Facilities Needing to Register or Apply for a NSR Permit/Authorization in Indian Country**

**US Environmental Protection Agency**  
**Office of Air Quality Planning and Standards (OAQPS)**  
**April 2025**

# Agenda

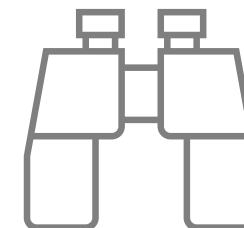
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- Purpose of Identifying Facilities Needing to Register or Apply for a NSR Permit/Authorization in Indian Country
- Identifying Facilities Needing to Register in Indian Country
- Identifying Facilities that may not have obtained Permits or Authorizations to Construct in Indian Country
- Factors to Consider In Identifying Facilities Needing a Permit/Authorization to Construct
- Summary

# Purpose of Identifying Facilities Needing to Register or Apply for a NSR Permit/Authorization in Indian Country

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- Protect the airshed through source registration and/or approval of any required permit applications or requests/notifications for coverage.
- Treat all sources subject to air permitting requirements equally.
- Provide the public the opportunity to comment on permitting actions in their communities through the public notice and comment requirements (as applicable).



# Identifying Facilities Needing to Register in Indian Country

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- Develop and post notices to remind businesses, except minor oil and natural gas production/processing sources, of the voluntary registration requirements.
  - ▣ Reminders could include examples on how to register sources with the applicable EPA Regional Office.
- Educate new and existing minor oil and natural gas production/processing sources that may be subject to the Federal Implementation Plan (FIP) for this sector to register. See [40 CFR 49.160](#).
  - ▣ Submit the Part I Registration Form at least 30 days prior to beginning construction.
  - ▣ Submit the Part 2 Registration Form, including emissions information, within 60 days after the startup of production. The source must determine the potential for emissions within 30 days after startup of production.
- A Tribe may create an agreement with EPA on how the Tribe can assist with source registration.

# Identifying Facilities that may not have Obtained Permits or Authorizations to Construct in Indian Country

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- Familiarize yourself with source categories that usually need a minor NSR permit or authorization.
  - ▣ Review current list of [General Permits \(GPs\) and Permits-by-Rule \(PBRs\)](#).
  - ▣ Use the EPA website to identify the source categories commonly obtaining minor NSR permits.
  - ▣ Evaluate commercial business when they open to determine if they could have emissions triggering the minor or major NSR [thresholds](#).
- Conduct outreach to identify facilities without permits or authorizations to construct.
- Contact the applicable Regional Office/Tribal leadership with information related to the type and location of the business that may not have obtained a permit or authorization to construct in Indian Country.

# Identifying Facilities that may not have Obtained Permits or Authorizations to Construct in Indian Country (Continued)

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## Examples of Smaller Sources that May Trigger the Minor NSR Thresholds

**Oil and natural gas  
well production  
facilities and tank  
batteries**

**Portable hot mix  
asphalt and concrete  
batch plants used for  
temporary road  
projects**

**Gas Stations**

**Dry Cleaners**

**Autobody Shops**

**Printing Shops**

**Crematoriums  
(Use knowledge of  
businesses in the area  
to identify these)**

**Casinos, schools or  
hospitals with backup  
or continuous electric  
power generators**

**Large sand and gravel  
distributors with large  
sand and gravel piles**

**Natural gas  
transmission pipeline  
boosting stations**

# Factors to Consider in Identifying Facilities Needing a Permit/Authorization

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- Does it look like a business or commercial operation?
- Does the source have chemical/petroleum storage tanks on site?

Not all businesses will require a permit. Only air emissions equal to or higher than certain permitting thresholds would require a permit.



# Factors to Consider in Identifying Facilities Needing a Permit/Authorization (Continued)

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- Does the facility have non-road engines on site for the purpose of pumping or pressurizing chemical/petroleum products via pipeline operations or a pump jack?



**Non-Road Engine**



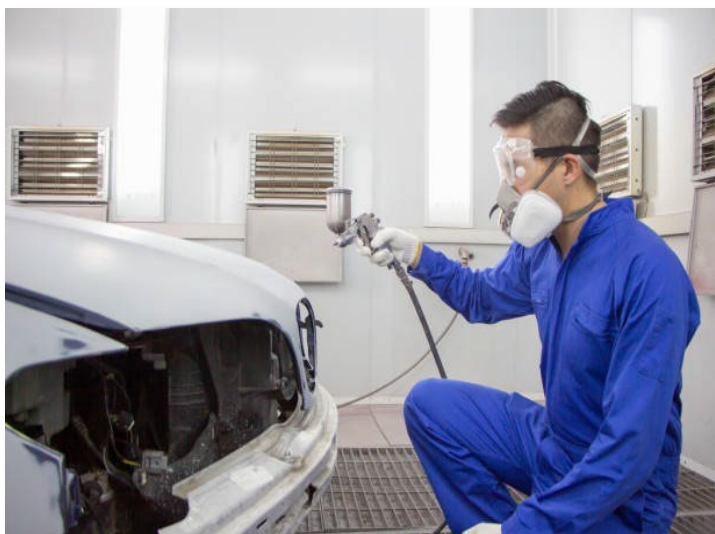
**Pump Jack**



# Factors to Consider in Identifying Facilities Needing a Permit/Authorization (Continued)

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- Is it a commercial business that utilizes chemicals such as paint or large solvent storage totes?



# Factors to Consider in Identifying Facilities Needing a Permit/Authorization (Continued)

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- Does the commercial facility conduct sandblasting operations in an outdoor or indoor environment?



# Factors to Consider in Identifying Facilities Needing a Permit/Authorization (Continued)

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- Does the commercial source utilize boilers to produce steam to support their operation (for example, commercial heating)? Does it have large furnaces?





# Factors to Consider in Identifying Facilities Needing a Permit/Authorization (Continued)

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- Does the facility have more than one generator or a very large generator (larger than home backup generator)?



# Summary

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- There are various ways to identify sources that may not have registered or obtained a permit/authorization to construct in Indian Country.
  - ▣ Tribes and EPA can work together in identifying these sources.
- EPA suggests using existing resources in identifying sources that have yet to register or establish authorization to construct.
- Please contact your applicable regional office for any questions about registering a source or obtaining a permit/authorization for a particular facility.

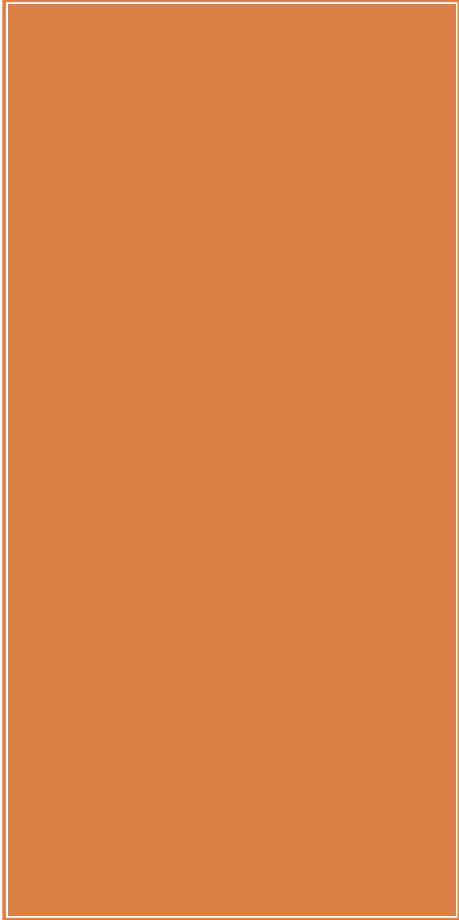
# Additional Information

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- Tribal Minor New Source Review Webpage:
  - <https://www.epa.gov/tribal-air/tribal-minor-new-source-review>
- Contact Us information is included in that webpage.

# Questions

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# Appendix



# EPA-Developed Tribal NSR Efficiency Improvements

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## Bundle #1 (proposed 12/2013, finalized 4/2015)

- Gas dispensing facilities (*permit by rule*)
- Auto body repair and miscellaneous surface coating operations (*permit by rule*)
- Petroleum dry cleaners (*permit by rule*)
- Stone quarrying, crushing and screening facilities (*general permit*)
- Hot mix asphalt plants (*general permit*)

## Bundle #2 (proposed 7/2014, finalized 9/2016)

- Boilers and emergency engines (*general permit*)
- Spark ignition engines (*general permit*)
- Compression ignition engines (*general permit*)
- Graphic arts and printing operations (*general permit*)
- Concrete batch plants (*general permit*)
- Sawmill facilities (*general permit*)

## Bundle #3 (proposed 8/2015, finalized 5/2016)

- National Oil and Natural Gas FIP (Part 1 and Part 2 Oil and Gas Form Registrations)

# Major and Minor Source NSR Permitting PTE Thresholds for New Sources in Indian Country

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<u>Pollutant</u>	Attainment Areas		Nonattainment Areas		
	Minor Source Threshold	PSD Major Source Threshold	Classification	Minor Source Threshold	NNSR Major Source Threshold
Ozone	5 tpy of VOC 10 tpy of NOx	250* tpy of VOC or NOx	Marginal	2 tpy of VOC 5 tpy of NOx	100 tpy of VOC or NOx
			Moderate		100 tpy of VOC or NOx
			Serious		50 tpy of VOC or NOx
			Severe		25 tpy of VOC or NOx
			Extreme		10 tpy of VOC or NOx
Particulate Matter	10 tpy	250 tpy*	Moderate	5 tpy	100 tpy
			Serious		70 tpy
Carbon Monoxide	10 tpy		Moderate	5 tpy	100 tpy
			Serious		50 tpy
Lead	0.1 tpy		N/A	0.1 tpy	100 tpy
Sulfur Dioxide and Nitrogen Oxides	10 tpy		N/A	5 tpy	100 tpy

\*For certain industrial source categories, this threshold is 100 tons per year (tpy). Minor NSR thresholds for other non-NAAQS pollutants in attainment areas include fluorides (1 tpy), Hydrogen sulfide (2 tpy), total reduced sulfur (2 tpy), reduced sulfur compounds (2 tpy), municipal waste combustors (2 tpy) and municipal solid waste landfill emissions (10 tpy).