



Title V Operating Permit Program

The Title V Program

Created through the 1990 CAA amendments

- Applies to major sources
 - Potential to Emit (PTE) over 10 tpy single HAP or 25 tpy combined HAPs
 - PTE over 100 tpy of any regulated pollutant
- Triggered by federal source categories
 - Non-major sources (Section 111 & 112)
 - Acid Rain sources
- Enforced through 20.11.42 NMAC – *Operating Permits*



Purpose of the Title V Program

- Consolidates applicable requirements under one enforceable document
 - What is an “applicable requirement?” - “requirements that have been promulgated or approved by the Board or EPA through rulemaking at the time of permit issuance”
 - Any standard or requirement in the NM SIP approved by EPA or through EPA rulemaking under Title I of the CAA for stationary source New Source Review
 - Any term or condition of a pre-construction permit issued by AQD including ATCs, Non-Attainment NSR, PSD (New Source Review Permitting Program)



Applicable Requirements (cont.)

- What is an “applicable requirement?”
 - Any standard or requirement under Section 111 (NSPS) of the CAA
 - Any standard or requirement under Section 112 (NESHAP) of the CAA
 - Any standard or requirement under Title IV (Acid Rain) of the CAA
 - Any requirements established under Sections 504(b) or 114(a)(3) of the CAA
 - Section 504(b) – EPA prescribed methods by rule for monitoring Title V sources to demonstrate compliance (such as the CAM Rule)
 - Section 114(a)(3) – enhanced monitoring of a major stationary source



Applicable Requirements (cont.)

- What is an “applicable requirement?”
 - Any standard or requirement governing solid waste incineration covered by Section 129 (Solid Waste Combustion) of the CAA
 - Any standard or requirement for consumer and commercial products under Section 183(e) of the CAA (federal ozone measures to control VOCs)
 - Any standard or requirement for tank vessels under Section 183(f) of the CAA (VOC tank vessel standards)



Applicable Requirements (cont.)

- What is an “applicable requirement?”
 - Any standard or requirement to protect stratospheric ozone under Title VI of the CAA
 - Any National Ambient Air Quality Standard
 - Any increment or visibility requirement under Part C of Title I of the Federal Act applicable to temporary sources permitted pursuant to Section 504(e) of the Federal Act
 - Any regulation adopted by the Board in accordance with the Joint Air Quality Control Board Ordinances pursuant to the New Mexico Air Quality Control Act, 74-2-5.B NMSA 1978



Purpose of the Title V Program

- Consolidates applicable requirements under one enforceable document
 - Helps larger sources comply with the requirements of the CAA
 - Does not create new requirements, however, terms and conditions are placed to assure compliance with all applicable requirements
 - Monitoring, recordkeeping, reporting sufficient to demonstrate compliance with the permit and all applicable requirements



Purpose of the Title V Program

- Renewed every five years
 - However, it may be reopened and revised to add new requirements, correct material mistakes, and to assure compliance
- Compliance certifications (submitted annually)
 - Compliance status with permit
 - Report deviations from permit conditions
 - Example: an ATC permit is issued to remove an emission unit thus Title V requirements no longer apply (monitoring, recordkeeping, reporting)



Title V Misconceptions

- “Once in, always in”
 - Synthetic minor through the NSR permit program
 - Process changes – (i.e. reduction in plant capacity)
- “Doesn't a Title V permit supersede all the Authority to Construct (NSR) permits covering the same source?”
 - No. NSR is an applicable requirement and is a separate permitting program used to construct or modify stationary sources (Parts 40, 41, 60, and 61)
 - Title V is NOT a permitting program for the purposes of construction/modification of a stationary source



Title V Sources In Bernalillo County

- Public Service Company of New Mexico – Reeves Generating Station
- Delta Power Generating Station
- GCC Rio Grande – Portland Cement Plant
- Kirtland Air Force Base
- University of New Mexico
- City of Albuquerque Cerro Colorado Landfill
- City of Albuquerque Southside Water Reclamation Plant
- Centex American Gypsum – Wallboard Plant
- Earthgrains Bakery



Questions?

