

The Permitting Process

The regulations governing construction permits, found in 10 CSR 10-6.060 *Construction Permits Required*, are partitioned into sections based on the potential to emit of the existing installation and the proposed project and the type of project being evaluated. The Air Pollution Control Program issues several types of construction permits: Major, Minor and De Minimis permits, portable relocation permits, temporary permits, and permits-by-rule.

For the most part, determining the need for portable relocation permits, temporary permits, and permits-by-rule is based on the type of project the facility is considering. Portable relocation permits are issued to portable equipment to allow for the movement and operation of equipment previously permitted through the minor and de minimis permitting sections. Temporary permits are issued to temporary projects or pilot plants in place of a minor or de minimis permit if the installation qualifies for a temporary permit under state regulations. In addition, certain installations may qualify for a construction permit by rule as outlined in 10 CSR 10-6.062. These types of construction permits are established for qualifying installations through a notification requirement and standard review fee.

Major, Minor and De Minimis permits are typically referred to by the section under which they are reviewed. Section (7), (8) and (9) refer to Major permits, Section (6) refers to Minor permits, and Section (5) refers to De Minimis permits. Although applicability is clearly defined, determining the need for Section (5), (6), and (7), (8) and (9) permits is not as simple. To help determine what kind of permit you are required to obtain for your particular project, you may use the flowcharts entitled *Permit Applicability Determination for Criteria Air Pollutants*. The most common regulated pollutants and their applicable emission levels referenced in the flowcharts are stated in 10 CSR 10-6.020 *Definitions and Common Reference Tables* (3)(A) Table 1 and detailed in Table 1.

Table 1: Emission levels of Common Air Pollutants

Pollutant (Note 1)	Insignificant Levels (lbs/hour) (Note 2)	Regulatory <i>De Minimis</i> Levels/ Federal Significance Levels (tons per year)	Major Source Thresholds – Operating Permits and NSR named sources (tons per year)	Major Source Thresholds – NSR Non-named sources (tons per year)
PM ₁₀	1.0	15	100	250
PM _{2.5}		10	100	250
SO _x	2.75	40	100	250
NO _x	2.75	40	100	250
VOC	2.75	40	100	250
CO	6.88	100	100	250
HAPs	0.5 (Note 3)	10/25	10/25	10/25

Note1: PM₁₀ = particulate matter with diameter less than 10 microns; SO_x = Sulfur Oxides; NO_x = Nitrogen Oxides; VOC = Volatile Organic Compounds; CO= Carbon Monoxide; HAPs= Hazardous Air Pollutants.

Note 2: Insignificance levels are defined in 10 CSR 10-6.061 *Construction Permit Exemptions* and are only applicable to previously permitted facilities.

Note 3: The insignificance level indicated is a general value. This exemption may not apply to a HAP with an annual emission rate that exceeds its screening model action level as established in subsection (12)(J) of 10 CSR 10-6.060.