The Application Process

State regulations require facilities with the potential to emit air pollutants above specified levels to obtain construction permits and/or operating permits. An air construction permit must be obtained from the Air Pollution Control Program prior to the start of construction. Lead time for the construction permitting process depends on the type and complexity of the project, the existing workload and quality of the application. The following table summarizes the statutory time restrictions and associated fees according to project type. Please note that the time restrictions do not include time used by the applicant to provide information necessary to complete the review of the construction permit.

Project Type	Statutory Time Restrictions in Calendar Days	Typical Fees	
		Filing Fee	Review Fee
Portable Plant Construction Permit: 10-6.060 (4)	21	$300	N/A
Minor Construction Permit: 10-6.060 (5) & (6)	90	$250	$75/hr
Major Construction Permit: 10-6.060 (7), (8) & (9)	184	$5000	$75/hr
Amendment to an Existing Construction Permit	30	N/A	$75/hr
Permit by Rule: 10-6.062	7	$700	
Applicability Determination	151	$0	

This document is intended to explain the procedures that the air program must undergo to process air permit applications. Although the permits will differ, the process is essentially the same for all construction permit applications. There are five steps to the permit process.

Step 1: Administrative Completeness Review

Once the permit application is received by the air program, it is date stamped. The filing fee required of all construction permit applications is processed separately from the application. The application is assigned a project number, which will be used to identify the project from that point forward. The application undergoes initial review for administrative completeness. The reviewer will look for the following: the signature of a responsible official; the inclusion of required forms; if the forms were filled out properly (in ink or typed) and if the applicant has requested confidentiality. If the facility has properly requested confidentiality in accordance with 10 CSR 10-6.210, the request will be evaluated. If the confidentiality request is not filed in accordance with 10 CSR 10-6.210, the application cannot be processed until all the issues are addressed. For more information regarding confidentiality requests, see the guidance document: http://dnr.mo.gov/env/apcp/moeis/confidentialeiq.pdf.

Once the application has been deemed administratively complete, it is assigned to a permit writer for a technical completeness evaluation and a letter is sent to notify the responsible official that the application is complete and to provide the name of the permit writer working on the permit. The administrative review process typically takes one to two weeks if there has not been a request for confidentiality.

Step 2: Technical Completeness Evaluation and Permit Package Preparation

The reviewer will determine if the application is technically complete by evaluating if the responsible official included all the necessary forms and provided all of the information requested on the forms. If the application is not technically complete, the reviewer will contact the facility to request additional information. The statutory time limit on the application does not start until the application is determined to be technically and administratively complete.

Although a permit application may be technically complete, it may not provide enough detailed information to draft a permit that accurately characterizes the facility while ensuring that all of the regulatory requirements have been addressed. If the permit writer determines the application doesn't contain adequate information to draft a permit, additional information will be requested. During these time periods, the application may be placed on hold until the appropriate information is provided; therefore, it is in the facility's best interest to do so in a timely manner to ensure the permitting process is not delayed. The following is a guide to the information the permit writer will evaluate during the permit package preparation:

- **General Information**
  - Is it a new source or modification of an existing source?
  - If it is a modification, has the applicant provided information regarding the existing source?
  - Are all of the applicable forms complete with the appropriate information?
  - Have emission points been identified, described and consistently named?
  - Does the plant diagram show heights and locations of all buildings, delineations of ambient air (e.g. property boundaries) and emission points?
- **Emissions Information**
  - Are fuel types, fuel use, raw production materials, consumption, production rates and maximum hourly design rates provided?
  - Have potential emissions of regulated air pollutants been provided?
  - Have the assumptions and calculations of the potential emissions been included?
  - Are citations of emission factors included?
  - Can a major or minor source determination be made?
  - Is the project subject to Prevention of Significant Deterioration (PSD) review?
- **Control Equipment and Methodology**
  - Has emissions control equipment been identified and described?

  - Is supporting information on control equipment efficiencies included?
  - Did the facility propose limits on plant operation or work practices that may affect emissions?
  - If it is a PSD project, has a Best Available Control Technology (BACT) analysis been provided?
- **Monitoring, Recordkeeping and Reporting**
  - Have compliance monitoring devices or activities been identified and described?
  - Has the facility proposed testing of any emission units?
  - Did the facility provide information on existing or proposed recordkeeping practices?
- **Modeling**
  - Is the project subject to modeling?
  - If yes, has a modeling protocol been submitted and approved?
  - Have the modeling inputs, assumptions, etc. been provided to the air program in an electronic format?
  - Was the modeling conducted in accordance with the approved protocol?
  - If it is a PSD project, have the ambient standards, PSD increment and other impacts analyses been provided?

Prior to drafting the permit, the permit writer must also review the plant's historical information, such as compliance and/or enforcement status and existing permit limits. The construction permit writer must also assess how the plant modification or expansion will impact existing processes and support facilities.

After the historical issues are reviewed, the permit writer must review the submitted modeling to ensure the facility is in compliance with the ambient air quality standards and make sure the calculations are correct, all of the regulatory requirements have been appropriately addressed, and the recordkeeping, testing, and monitoring are adequate to demonstrate compliance. This step is the most complex in the permitting process, and it will take at least 60 to 90 days to complete, depending upon how much additional information is needed from the facility.

In drafting the operating permit, the permit writer must make sure that all of the existing construction permit requirements and applicable state and federal requirements are included.

In review of the supporting materials and calculations, the permit writer may determine there is no permit required for this application and the facility will be sent a no permit required (NPR) determination letter.

Step 3: Quality Control and Facility Review

After the permit and supporting materials (e.g. calculations) are drafted, the permit will be reviewed by other air program staff to determine if the emissions were properly evaluated, permit limits are appropriate and enforceable, and the permit is clear, concise and consistent. The draft

permit will then be provided to the facility for its review. Step 3 will take two to 10 days to complete.

Step 4a: Public Comment Period

For permits being issued under Section (7), (8) or (9), the draft permit must undergo a public notice process. Once the draft permit is reviewed and approved, it is prepared for public notice, which typically takes seven to ten days to complete. The public notice is published in a newspaper with general circulation in the area of the facility; however, every effort is made to publish the notice in a local newspaper. In addition, draft permits are available online at http://dnr.mo.gov/env/apcp/permit-public-notices.htm; at the respective regional office and at the main office in Jefferson City.

The public comment period lasts 30 days. During this time, the air program will accept all comments from sources, such as the Environmental Protection Agency (EPA), the general public, bordering states, local air quality programs and other state and federal agencies. All comments must be postmarked within the 30-day period. A public hearing may be requested during the public notice period.

Step 4b: Response to Comments

Once the public comment period has ended and a hearing held (if requested), a response document is drafted to address all of the public comments received. The response document is shared with all of those who commented and the facility, and it will become part of the permit record. This can take one to two weeks. If the permit requires substantial changes due to public comments, the permit may have to undergo another public comment period.

Step 5: Prepare and Issue Permit

After public comments are addressed, the permit will be prepared for signature, which takes three to seven days. Once the permit is signed, copies of the permit and an invoice of fees accrued during the review of the application are sent to the facility. Once payment of the fees has been received, the original permit is distributed to the appropriate party.

The entire permit process will take up to 90 days for Section (5) and (6) permits and up to 189 days for Section (7), (8) and (9) permits if there are no significant issues or problems and if the facility has submitted a complete application (including modeling). Many factors may affect the permit timeline including completeness of application, current workload, a confidentiality request, public hearing requests, responsiveness of the facility, variance requests and any difficulty the facility had demonstrating compliance with ambient air standards.