

## 1.05 AIR QUALITY STATE PERMIT TO OPERATE

- ❑ *Question: Did I receive an air quality permit to construct that required me to obtain an Air Quality State Permit to Operate?*

### Why do I need this approval?

Sources of air pollution with the potential to significantly affect air quality must obtain a permit to operate. The Department may impose reasonable terms and conditions on the permit to ensure compliance and to protect public health. Sources required to obtain state permits to operate are listed in COMAR 26.11.02.13. A permit to operate differs from a permit to construct because the permit to operate includes operating conditions.

The following are examples of air pollution sources that will generally require state permits to operate:

- Incinerators
- Sintering machines
- Scarfing machines
- Metal reclamation furnaces
- Lime kilns
- Rendering cookers
- Crushing equipment
- Distillation equipment
- Gypsum calcining kettles
- VOC storage tanks
- Galvanizing operations
- Chemical reclamation process
- Glass melting furnaces
- Large fuel burning equipment
- Grain elevators and terminals
- Inorganic pigment chemical process
- Portland cement clinker coolers
- Hot-mix asphalt plants
- Bulk gasoline storage terminals
- Metallurgical furnaces
- Impregnating operations
- Cement kilns
- By-product recovery furnaces
- Wood digesters
- Through-circulation dryers
- Chemical reactors
- Ball mills & roller mills
- Web printing lines
- Spray dryers
- Frit smelters
- Pulverized material separators
- Brick manufacturing
- Crematories
- Large coating operations
- Large paint or adhesive manufacturing
- Asphalt roofing
- Yeast manufacturing
- Ethylene oxide sterilizers

### What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Clean Air Act, sec. 110; 42 USC sec. 7410.

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.

### What is the process to get this approval?

For new permits:

- 1) The Department invoices the applicant for the appropriate fee and provides a blank application form.
- 2) The Department receives the permit application and reviews it for completeness. The applicant is notified of any deficiencies.
- 3) The Department determines the appropriate operational limits, work practices, monitoring, testing, record-keeping, and reporting that will be used to demonstrate compliance with the applicable air pollution control regulations and requests comments from the applicant on the permit conditions.
- 4) The Department makes a final determination, and issues the state permit to operate.

For permit renewals:

- 1) The company reapplies at least 60 days before the current permit expires.
- 2) The Department reviews the application and inspects the company to determine compliance with all applicable operating conditions required by permits to construct or orders, and all applicable state and federal air pollution control regulations.
- 3) The Department reissues the state permit to operate which may contain additional or revised conditions that enable the Department to ensure the company is operating in compliance with all applicable requirements of the Clean Air Act and state air pollution laws.

### How long should I expect it to take to get this approval once I submit a complete application?

90 days

### Once I get this approval, how long will it last?

Maximum of five years

### How much will this approval cost?

Sources requiring a state permit to operate pay an annual fee consisting of a base fee of \$200, plus an emission-based fee for each ton of emissions of a regulated pollutant excluding carbon monoxide. A

maximum of 4,000 tons of each regulated pollutant is used for fee calculation. The emissions-based fee is calculated by multiplying the total weight of annual emissions, in tons, of regulated pollutants times a dollar amount as follows:

\$41.02 per ton as of January 1, 2007, adjusted yearly according to the consumer price index.

**Do I need to know any additional information?**

Generally, temporary operating conditions are placed in a permit to construct, which allow the company to initiate operation for the purpose of conducting

emission tests and stabilizing the operation. The Department will issue a final state permit to operate when satisfied that the operations comply with all applicable air quality requirements.

**Who do I contact with additional questions?**

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Related link:

<https://mde.maryland.gov/airpermits>