

22.201(455B) Eligibility for voluntary operating permits.

22.201(1) Except as provided in 567—subrules 22.201(2) and 22.205(2), any person who owns or operates a major source otherwise required to obtain a Title V operating permit may instead obtain a voluntary operating permit following successful demonstration of the following:

a. That the potential to emit, as limited by the conditions of air quality permits obtained from the department, of each regulated air pollutant shall be limited to less than 100 tons per 12-month rolling period. The fugitive emissions of each regulated air pollutant from a stationary source shall not be considered in determining the potential to emit unless the source belongs to one of the stationary source categories listed in this chapter: and

b. That the actual emissions of each regulated air pollutant have been and are predicted to be less than 100 tons per 12-month rolling period. The fugitive emissions of each regulated air pollutant from a stationary source shall not be considered in determining the actual emissions unless the source belongs to one of the stationary source categories listed in this chapter; and

c. That the potential to emit of each regulated hazardous air pollutant, including fugitive emissions, shall be less than 10 tons per 12-month rolling period and the potential to emit of all regulated hazardous air pollutants, including fugitive emissions, shall be less than 25 tons per 12-month rolling period; and

d. That the actual emissions of each regulated hazardous air pollutant, including fugitive emissions, have been and are predicted to be less than 10 tons per 12-month rolling period and the actual emissions of all regulated hazardous air pollutants, including fugitive emissions, have been and are predicted to be less than 25 tons per 12-month rolling period.

22.201(2) Exceptions.

a. Any affected source subject to the provisions of Title IV of the Act or sources required to obtain a Title V operating permit under paragraph 22.101(1)“f” or any solid waste incinerator unit required to obtain a Title V operating permit under section 129(e) of the Act is not eligible for a voluntary operating permit.

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b. Sources which are not major sources but subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance for new stationary sources) or Section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants), 567-subrule 23.1(4) (emissions standards for hazardous air pollutants for source categories) or Section 112 of the Act are eligible for a voluntary operating permit. These sources shall be required to obtain a Title V operating permit when the exemptions specified in subrule 22.102(1) or 22.102(2) no longer apply.

EPA Rulemakings

CFR: 40 C.F.R. 52.820(c)(63)(i)(A)
 FRM: 61 FR 18958 (04/30/96)
 PRM: 60 FR 39907 (08/04/95)
 State Submission: 12/08/94
 State Proposal: IAB 08/17/94 (ARC 5035A)
 State Final: IAB 11/09/94 (ARC 5230A) (Effective 12/14/94)
 APDB File: IA-45
 Description: The EPA approved Iowa's voluntary operating permit program to serve as an alternative for sources otherwise subject to Title V of the Clean Air Act.

CFR: 40 C.F.R. 52.820(c)(63)(i)(B)
 FRM: 61 FR 18958 (04/30/96)
 PRM: 60 FR 39907 (08/04/95)
 State Submission: 12/08/94
 State Proposal: IAB 04/13/94 (ARC 4750A)
 State Final: IAB 12/07/94 (ARC 5299A) (Effective 01/11/95)
 APDB File: IA-45
 Description: This revision amended paragraph 22.201(1)a by adding the wording "as limited by the conditions of air quality permits obtained from the department."

CFR: 40 C.F.R. 52.820(c)(63)(i)(D)
 FRM: 61 FR 18958 (04/30/96)
 PRM: 60 FR 39907 (08/04/95)
 State Submission: 02/27/96
 State Proposal: IAB 06/07/95 (ARC 5655A)
 State Final: IAB 09/13/95 (ARC 5875A) (Effective 10/18/95)
 APDB File: IA-45
 Description: This revision amended paragraphs 22.201(1)a and b by establishing the conditions under which fugitive emissions must be considered in evaluating a source's emissions for the purpose of determining whether a source is eligible for a voluntary operating permit.

This revision also amended paragraph 22.201(2)a by restricting sources that are specifically required by Federal rule to obtain a Title V operating permit from obtaining a voluntary operating permit.

CFR: 40 C.F.R. 52.820(c)(67)(i)(D)
 FRM: 63 FR 34601 6/25/98
 PRM: 63 FR 34618 6/25/98
 State Submission: 10/21/97
 State Proposal: IAB 11/20/96
 State Final: IAB 4/9/97 1680
 APDB File: IA-58
 Description: This revision clarifies eligibility requirements for sources.

CFR: 40 C.F.R. 52.820(c)
 FRM: 67 FR 9591 (03/04/2002)
 PRM: 67 FR 9640 (03/04/2002)
 State Submission: 08/07/2000
 State Final: IAB 06/16/1999
 APDB File: IA-79
 Description: This revision removes the eligibility deadline for voluntary operating permits for those sources subject to sections 111 and 112 of the CAA. It also clarifies when these facilities would be required to obtain a Title V operating permit.

CFR: 40 C.F.R. 70, Appendix A, Iowa (c)
 FRM: 67 FR 9594 (03/04/2002)
 PRM: 67 FR 9641 (03/04/2002)
 State Submission: 01/29/2001
 State Final: IAB 06/16/1999
 APDB File: IA-79
 Description: This revision removes the eligibility deadline for voluntary operating permits for those sources subject to sections 111 and 112 of the CAA. It also clarifies when these facilities would be required to obtain a Title V operating permit.

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CFR: 40 C.F.R. 52.820 (c); 40 C.F.R. 70, Appendix A, Iowa (e)
FRM: 68 FR 10969 (03/07/2003)
PRM: 68 FR 11023 (03/07/2003)
State Submission: 04/25/2002
State Final: IAB 03/20/2002
APDB File: IA-87
Description: This revision clarifies whether a source subject to a new source performance standard or National Emission Standard for Hazardous Air Pollutants must apply for a Title V permit.

CFR: 40 C.F.R. 52.820 (c); 40 C.F.R. 70, Appendix A, Iowa (i)
FRM: 72 FR 58535 (10/16/2007)
PRM: 72 FR 58571 (10/16/2007)
State Submission: 04/26/2007
State Final: IAB 02/28/2007; effective 04/04/2007
APDB File: IA-122; Docket No. EPA-R07-OAR-2007-0718
Description: This revision to 22.201(2)"a" and "b" corrects cross references to the state's rules for Title V permits, Acid Rain permits and permits by rule for small sources.

Difference Between the State and EPA-Approved Regulation

None.