STATEMENT OF BASIS
HANFORD SITE AIR OPERATING PERMIT
NO. 00-05-006
RENEWAL 3

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
STATE OF WASHINGTON DEPARTMENT OF HEALTH
BENTON CLEAN AIR AGENCY

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BACKGROUND

This Statement of Basis (Statement) is issued by Washington State Department of Ecology (Ecology), Washington State Department of Health (Health), and Benton Clean Air Agency (BCAA), collectively referred to as the permitting agencies, as a separate supporting reference document to the Hanford Air Operating Permit (AOP). The Statement sets forth the legal and factual basis for the AOP conditions, and is not intended for enforcement purposes. The Statement includes references to the applicable statutory or regulatory provisions, technical supporting information on specific emission units, and clarifications of specific requirements. [Washington Administrative Code (WAC) 173-401-700(8)]

In 1990, U.S. Congress amended the Federal Clean Air Act (CAA). One of those amendments created air operating permits for industrial sources of air pollution (codified in Title 5 of the CAA). Prior to the creation of these permits, facility managers, regulators and the public had to look through many separate requirements to find those that applied to a certain facility. An air operating permit brings all applicable requirements into one place and requires the manager of the source to certify that it complies with all the applicable requirements. Further, the burden of proof for compliance changed from the regulating agencies to the sources.

In 1991, the Washington State Legislature updated the Washington CAA [Chapter 70.94 of the Revised Code of Washington (RCW)] to make it consistent with the new federal program. In 1993, Ecology developed Washington's operating permits regulation to comply with federal regulations [Part 70 of Title 40 of the Code of Federal Regulations (CFR), or Title 5 of the Federal CAA], and applied to the U.S. Environmental Protection Agency (EPA) for program approval. In November 1994, EPA granted Ecology interim approval for the operating permit program [WAC 173-401]. However, EPA also directed the state to correct several issues including insignificant emission units (IEUs). Over disagreement with the IEU issue, it took many years' negotiation and litigation to resolve the differences. Finally, full approval of the state program and IEU language was issued to the State of Washington by EPA effective on January 2, 2003.

The Washington State CAA requires Ecology and the local air authorities to establish a program of renewable air operating permit [RCW 70.94.161 and 40 CFR 70 Appendix A]. Ecology is the lead agency for the Hanford AOP. The Hanford AOP is regulated and enforced by three agencies: Ecology, Health, and BCAA. Ecology regulates non-radioactive toxic and criteria air emissions under the authority of 42 United States Code 7401, et seq, RCW 70.94, and WAC 173-401; Health regulates radioactive air emissions under the authority of RCW 70.92, WAC 173-480, and WAC 246-247; and BCAA regulates outdoor burning under delegation from Ecology under the authority of RCW 70.94, WAC 173-425, and BCAA Regulation 1, Article 5.

The Hanford Site AOP was initially issued on June 18, 2001, in accordance with WAC 173-401, covering the 5-year operating period from July 2, 2001 to July 1, 2006. Renewal 1 was issued on December 29, 2006 covering the 5-year operating period from January 1, 2007 to December 31, 2011. Renewal 2 was issued on April 1, 2013 covering the 5-year period from April 1, 2013, to March 31, 2018. The U.S.

Department of Energy (DOE) submitted application materials dated August 25 and received by Ecology on September 12, 2017. On November 7, 2017, the permitting agencies accepted the renewal application as complete.

The AOP renewal processes are subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected state and EPA reviews. [WAC 173-401-710(2)]

Definitions used in this Statement and the AOP are incorporated by reference from WAC 173-401-200, WAC 173-400-030, WAC 173-460-020, WAC 246-247-030, and those specified under BCAA Regulation 1 (and/or incorporated by reference therein). Specific definitions unique to this Statement and the AOP include the following:

- Discovery – qualitative determination that a potential threat to public health or safety exists or existed after an evaluation of pertinent information.
- Permitting Authority and Permitting Agencies – for the Hanford Site AOP, Ecology is the permitting authority as defined in WAC 173-401-200(23). Ecology, Health and BCAA are all permitting agencies with Ecology acting as the lead agency. Health and BCAA authorities are described in the Statements of Basis for Attachments 2 and 3, respectively.
- Significant emission unit or activity - for regulated air pollutants, excluding radionuclides, this is an emission unit that does not meet the criteria of IEUs as described in WAC 173-401-530.

The Ecology, Health, and BCAA Statements of Basis are non-enforceable, but supporting reference documents that provide a rationale for the development of the permit and offers clarification where deemed necessary. The terms “permit” and “license” are synonymous; when a requirement pertains to compliance with the AOP the term “permit” will be used, while when a requirements references a WAC 246-247 action the term “license” will be used.

The effective period of the AOP renewal (Renewal 3) covers the 5-year period from August 1, 2019 to August 1, 2024. The effective reporting periods for annual reports will be from January 1 to December 31. For semi-annual reports, the reporting periods will be from January 1 to June 30 and from July 1 to December 31. [WAC 173-401-610]

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1.0 LIST OF ABBREVIATIONS

AA	administrative permit amendment
AMP	Air Monitoring Plan
AOP	Air Operating Permit
ARAR	Applicable or Relevant and Appropriate Requirements
BCAA	Benton Clean Air Agency
CERCLA	*Comprehensive Environmental Response, Compensation and Liability Act of 1980*
CFR	Code of Federal Regulations
CNRR	changes not requiring a permit revision
CO_2e	carbon dioxide equivalent
DOE	U.S. Department of Energy
Ecology	State of Washington Department of Ecology
EE/CA	Engineering Evaluation/Cost Analysis
EPA	U.S. Environmental Protection Agency
FCAA	Federal Clean Air Act
GHG	greenhouse gas
Health	State of Washington Department of Health
IEU	insignificant emission unit
MM	minor permit modification
NESHAP	National Emission Standard for Hazardous Air Pollutants
NOC	notice of construction
NOT	Notice of Transition
OPC	off-permit change
POC	point of contact
PSD	prevention of significant deterioration
RAWP	Risk Assessment Work Plan
RCW	Revised Code of Washington
SM	significant modification
Statement	Statement of Basis
WAC	Washington Administrative Code

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2.0 GENERAL HANFORD SITE INFORMATION

The Hanford Site is included in the Federal CAA Title V AOP Program because it is a "major source" as defined in the CAA Section 112. Section 112 defines the term "major source" as "any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants." The renewal application submitted by the permittee, DOE, updated the North American Industry Classification System (NAICS) category codes to the 2017 revision of the NAICS.

When a facility or entity is located on the Hanford Site, the presumption is that the facility or entity is under the control of one of the DOE Hanford Site operations offices that control waste management and restoration operations on the Hanford Site, specifically, under the control of the Richland Operation Office), the Office of River Protection, or the Office of Science, Pacific Northwest Site Office. Several entities operating on or near the Hanford Site under a contract or lease and are not under DOE control. The presumption of common control may be overcome and DOE Hanford Site operations offices may seek to exclude an entity from the Hanford Site AOP on a case-specific basis. The final decision is made and approved by Ecology with agreement from EPA.

In general, the following criteria will be used by Ecology and/or EPA to determine whether a source is to be included in the Hanford Site AOP.

1. Is the percentage of the entity's output provided to DOE Hanford Site operations offices greater than 50%?
2. Do the lease/contract terms indicate that DOE Hanford Site operations offices will control the entity?
    a) What do the lease/contract terms indicate with regard to pollution control/permitting responsibilities?
    b) Who accepts responsibility for compliance with air quality control requirements?
    c) Who accepts responsibility for violations of the requirements?
    d) Does DOE have the power to issue a stop-work order to the entity for incidents or conditions harmful to the environment?
    e) Does DOE exercise directing influence over the entities economic or other pollutant-emitting activities?
    f) Does DOE have the power to make or veto decisions to implement major emission-control measures or to influence production levels or compliance with environmental regulations?
    g) Does DOE control the performance of the entity?
3. Can DOE Hanford Site operations offices make decisions that affect the entity's pollution control technologies?
4. Does the entity share products, byproducts, equipment, other property, or pollution control equipment with DOE?
5. Does the entity share a common workforce, plant manager, security forces, corporate executive officers, payroll activities, employee benefits, health plans, retirement funds, insurance coverage, or other administrative functions with DOE or a DOE contractor?

There are a number of privatized commercial facilities, including a nuclear power plant, a research facility to study gravitational waves, and a commercial low-level radioactive waste burial site located within the boundaries of the Hanford Site. Ecology has concluded these activities are not under the common control of DOE Hanford Site operations offices, and, consequently these facilities are not part of the Hanford Site. [WAC 173-401-200(17)]

For sites with multiple types of entities and relationships, the EPA has also provided additional interpretive guidance for determining which sources are to be included as part of the major source to be addressed in an AOP[1].

The following paragraphs are provided to support the determination to exclude those facilities and activities listed in Section 2.0 of the "Standard Terms and Conditions" portion of the Hanford Site AOP. All future excluded facilities and activities will also be guided by the process outlined above. The following have been reviewed to not be part of the Hanford major source.

- PermaFix Northwest, Inc., Richland Facility
- UniTech Services Group
- Pacific Northwest National Laboratory Operated by Battelle Memorial Institute
- Applied Process Engineering Laboratory
- The Laser Interferometer Gravitational-Wave Observatory
- Energy Northwest Facilities
- All Port of Benton Facilities
- US Ecology, Inc. Commercial Low-Level Radioactive Waste Burial Site
- Kaiser Aluminum and Chemical Corporation Extrusion Press Located in the 1100 Area
- AREVA NP
- Tri-City and Olympia Railroad
- PN Services
- Environmental and Molecular Science Laboratory
- Oasis Physical Therapy located at the Stevens Center
- Montessori School located at the Stevens Center
- Bulk Vitrification Testing Facility located across from Hammer in Richland

3.0 EMISSION UNITS IDENTIFICATION

Emission units subject to this permit are identified in Attachments 1 through 3 of the Hanford Site AOP.

4.0 PERMIT PROVISOS

All emission units within the Hanford Site AOP shall comply with all standard terms and conditions in WAC 173-401-620(2). The standard terms and conditions are applicable to all Chapter 401 [WAC 173-401] sources, including IEUs, in the State of Washington.

Subsection 4.1 of the AOP identifies 40 CFR 70 permit shield that 'shields' the liability of an owner or operator of a source for approved operating conditions if the certified permit applications were true and accurate. Nothing in any 40 CFR 70 permit shall alter or affect the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance. [40 CFR 70.6(f)(3)(ii)].

The 1997 EPA Guidance [EPA Guidance on Title V Permit Shield Implementation, 4APT-ARB May 23, 1997, by EPA-4 Air & Radiation Technology Branch Chief R. Douglas Neeley] summarized EPA's position on the appropriate implementation of the Title V permit shield. The State of Washington maintains the same position as indicated in WAC 173-401-640 regarding applicable requirements, inapplicable requirements, omissions and exclusions.

[1] EPA Guidance "Questions and Answers on the Requirements of Operating Permits Program Regulations, July 7, 1993," and later correspondence on common control issues.

A timely and complete application for the third renewal of the AOP was submitted in August and accepted by the agencies in November 2017, therefore the application shield was be granted and the Hanford Site can continue operations under the existing AOP until the new permit is issued and approved pursuant to WAC 173-401-710.

A source seeking a determination of non-applicability for new source review requirements to a particular change would need to provide the permit authority with detailed information regarding that change. The inapplicable requirements are identified in Table 5-1 of the Standard Terms and General Conditions of the AOP. Before the permit shield can extend to requirements that are not imposed on the source in the permit, the permit authority must specifically determine, based on information provided by the source in the permit application, that such other requirements do not apply to the source. A request to extend the permit shield to requirements deemed inapplicable to the source may be made either in the original permit application or in an application for a permit modification.

Regulations promulgated under statutory authority other than the FCAA [e.g., *Resource Conservation and Recovery Act of 1976* and *Comprehensive Environmental Response, Compensation and Liability Act* (CERCLA) *of 1980*] are not Title V applicable requirements and are not included in this AOP, e.g., Subparts AA, BB, and CC of 40 CFR 264 and 265. In addition, actions taken pursuant to CERCLA, after proper documentation and verification of removal and remediation activities, are exempt from clean air permitting requirements. There are two key considerations to satisfy in the transition process: (1) proper public notice and review, and (2) no lapse from CAA permitting requirements to onset of CERCLA activities.

The following process delineates the steps to remove AOP permitting conditions or certifications for facilities or activities under CERCLA transition:

- Permittee will prepare Engineering Evaluation/Cost Analysis (EE/CA) or equivalent CERCLA documentation for a facility (or activity) identified for CERCLA transition. This document shall be reviewed by regulators, stakeholders, and the public.
- This document will clearly identify general CAA requirements to be transitioned to CERCLA. Consistent with the WAC 173-401-800 requirement, the public review period shall be a minimum of 30 days with proper notification on the AOP Permit Register and local newspaper. The notice on the AOP permit register will state that the facility's air permits will be discontinued upon onset of remediation activity in the field.
- After the EE/CA or equivalent is approved, permittee will prepare a Risk Assessment Work Plan (RAWP) or equivalent Applicable or Relevant and Appropriate Requirements (ARAR) implementation document, such as an Air Monitoring Plan (AMP) to identify method to meet the substantive portions of existing air permit conditions, and describe the transition plan for CERCLA air monitoring. EPA, Ecology, and Health will review the ARAR implementation document, as directed by the lead agency.
- Concurrently, permittee will submit to Ecology, Health, and EPA a Notice of Transition (NOT) (from CAA to CERCLA) for review and approval. The NOT shall reference the CERCLA authority documentation, identify any/all documentation of agency air approvals (EPA/Health/Ecology) in place prior to and after CERCLA transition.
- Ecology/Health/EPA will review the NOT. If the NOT is contested by an agency, an issue resolution process will be initiated between the lead agency and the lead regulatory agency. For actions not contested, the effective date (not the approval date) will coincide with the onset of the CERCLA remediation activity in the field. The facility's air permits can be discontinued after the effective date of the NOT.

- Via formal correspondence, permittee will notify affected agencies of date to begin remediation activity. It is important to notify Ecology and/or Health that physical fieldwork of the CERCLA action has commenced. Upon receiving the notice of fieldwork commencement, Ecology will then notify the public that the previously applicable permits, licenses, NOC, and AOP requirements have now been supplanted by the ARAR implementation document (e.g., RAWP and AMP). Permittee is no longer required to certify to AOP requirements after the onset of the actual decontamination and decommissioning activity.
- Ecology and Health will delete the affected licenses and NOCs from the enforceable list, and remove permitting conditions from the AOP as an administrative modification at the next significant modification.
- The CAA transition to CERCLA process is deemed complete at this point.

Subsection 4.1.1 of the AOP describes how compliance with the terms and conditions of the AOP is deemed compliant with the applicable requirements on which that condition is based as of the date of the AOP issuance.

Subsection 4.1.2 of the AOP describes how WAC 173-401-530 establishes several criteria for determining if an emission unit is insignificant. Section 1.1 of the Statement of Basis for Attachment 1 contains a list of IEUs from the AOP renewal application (DOE/RL-2017-31, Section 2.4). WAC 173-401 defines how lists should be maintained during the application phase and following permit issuance. The applicant is required to amend their application if an IEU, based on actual emissions, subsequently will exceed an actual emission threshold, and the IEU must be listed in the AOP. This requirement extends until the draft permit is issued. The AOP regulations do not require that each IEU be listed in the AOP. Following AOP issuance, no emission unit that qualifies as an IEU based on actual emissions can exceed the emission thresholds in WAC 173-401 without first obtaining a permit modification.

Attachment 1 of AOP, Section 1.4, "Discharge Points" includes only the emission limits and conditions identified in the "Approval Conditions" section of the regulatory orders or pertinent National Emission Standard for Hazardous Air Pollutants (NESHAPs). Information included in other sections of the orders, such as "Findings," "Background," "Description," or similarly titled sections are not included in Section 1.4. Section 1.4 is intended to capture the periodic monitoring, emission limits, and other approval conditions for emission units. However, Section 1.4 does not list all conditions. Most of the excluded conditions have been captured elsewhere in the AOP as applicable requirements. The categories of excluded approval conditions include the following:

- Conditions and requirements addressed in Section 3.0, Standard Terms and Conditions, of the Hanford Site AOP;
- Conditions and requirements addressed in Section 5.0, Standard Terms and Conditions, of the Hanford Site AOP, such as the condition to send reports to the Ecology office or the requirement to allow access to the facility for inspection;
- Conditions and requirements that re-state portions of applicable codified regulations; and
- The requirement to prepare and maintain an Operation and Maintenance Manual.

Subsection 4.10 of the AOP describes the conditions for a permit modification. The AOP modification process and permit change determination key is documented in Appendix B of this Statement.

Subsection 4.11 of the AOP describes the condition for AOP continuation in case that the renewed AOP has not been issued on or before the expiration date. All terms and conditions of the existing AOP, including any permit shield provided under WAC 173-401-640, shall not expire until renewal permit has been issued if a timely and complete application has been submitted. An application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued if a timely and complete application has been submitted.

5.0 PERMIT ADMINISTRATION

General conditions (including monitoring, compliance inspection, recordkeeping, and reporting requirements) are applicable to all emission units in the Hanford Site AOP.

Subsection 5.4 of the AOP ensures that the records to demonstrate compliance are available within a reasonable time. Reasonable time for most records that are kept at an emission unit should be available with 24 to 48 hours, while records maintained at central repository at the Hanford Site or within a contractor's record management system should be made available upon a written request from the agency with a deadline listed based on volume, age and type of record requested, (electronic versus hard copies).

The permittee shall provide requested classified documents to representatives of Ecology, Health, or BCAA who have the appropriate security clearance and a demonstrable need to know. The records will be processed through the clearance process established by DOE and submitted to the agency within a reasonable time after they are cleared.

Subsection 5.5 of the AOP describes the requirements for any, form, application, notice, report, or compliance certification required under chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulations, permit, or order in force pursuant thereto. The permittee should not tamper or make false statements, and should ensure truth, accuracy, and completeness in every document submitted to the regulatory agencies that has a regulation applicable under this permit.

Approval orders applicable to activities will end at activity completion, as described in the notice of construction (NOC) application. The permittee is not required to continue to comply with approval order terms and conditions after these become irrelevant. Examples are initial testing requirements and completed and closed NOCs and emission units. Section 8.0 of this Statement, Appendix A, lists Ecology completed or closed NOC Approvals, Terms and Conditions or Emission Units. Health Obsolete NOC Approvals and Obsolete or Closed Emission Units are included in AOP Attachment 2.

Subsection 5.6 of the AOP describes the semiannual report content and required data to be submitted every 6 months. The semiannual report will not include IEUs for Ecology and will not include diffuse and fugitive minor emission units and as low as reasonably achievable control technologies for Health. The reporting of diffuse and fugitive minor emission units in the annual NESHAPs report will ensure adequate compliance to the specific terms and conditions and the Standards Terms and Conditions applicable to emission generation for these types of emission units. In addition to these diffuse and fugitive emission units, it is understood per agreement with Health that the "Emission Unit Information" section of emission units listed in the Health License (FF-01) will not be required to be certified under the annual compliance certification.

Health has consolidated the Hanford Site Radiological Licenses into a single License (FF-01 contained in Attachment 2) as such the revision process to the License should be the only requirement to report on for semiannual reports. As such, each license revision letter number will be listed in the semiannual reports, along with any NOC approvals issued by either Ecology or Health.

For all approvals, License activities, and emission units that are closed prior to the reporting period and considered irrelevant and the applicable AOP modification is submitted to the agency under Section 5.15 the permittee is not required to report.

Subsection 5.8 of the AOP stipulates that the permittee is not required to conduct monitoring and associated recordkeeping for emission units that do not operate continuously and are temporarily or permanently shut down. For example, if the monitoring requires continuous sampling or recording pressure drop daily, such readings would not be required on any full day in which the emission unit did not operate. The information required to be reported when the emission unit is not operational is described.

For all approvals, License activities, and emission units that are closed and considered irrelevant and the applicable AOP modification is submitted to the agency under Section 5.15 the permittee is not required to conduct the monitoring and associated recordkeeping.

Subsection 5.10 of the AOP describes the annual compliance certification content and required data to be submitted every year for the previous year's operations of the emission units listed in the AOP. The annual compliance certification will not include IEUs for Ecology and will not include diffuse and fugitive minor emission units for Health. The reporting of diffuse and fugitive minor emission units in the annual NESHAPs report will ensure adequate compliance to the specific terms and conditions and the Standard Terms and Conditions applicable to emission generation for these types of emission units. In addition to these diffuse and fugitive emission units, it is understood per agreement with Health that the "Emission Unit Information" section of emission units listed in the Health License FF-01 will not be required to be certified under the annual compliance certification.

For all approvals, License activities, and emission units that are closed and considered prior to January of the reporting period will not be included in the annual compliance certification.

Subsection 5.15 of the AOP describes actions that the permittee may take when an emission unit, condition, term, limit or other requirement not related to monitoring or recordkeeping becomes irrelevant during the term of the AOP.

Approval orders/licenses applicable to activities will end at activity completion, as described in the NOC applications. The permittee is not required to continue to comply with approval order terms and conditions after they become irrelevant. For example, many approval orders contain the requirement to conduct an initial, one time only, startup test. Once that initial startup test requirement has been satisfactorily completed, that condition is deemed irrelevant, and the permittee is no longer bound by that particular requirement. An approval or license activity that is closed pursuant to the agency's regulations is considered irrelevant. In addition, the permittee may remove the approval order or license activity and associated terms and conditions from the AOP by submitting a change not requiring a permit revision AOP modification to the applicable agency and Ecology.

Subsection 5.17 of the AOP describes the actions required for greenhouse gases (GHGs). On October 30, 2009, EPA published a rule for the mandatory reporting of GHGs (also referred to as 40 CFR Part 98) from large GHG emissions sources. The rule applies to certain facilities, including those which emit 25,000 metric tons of carbon dioxide equivalents (CO_2e) or more per year in combined emissions from all applicable sources, including stationary fuel combustion sources. Hanford's greenhouse gas emissions for calendar years 2012 - 2016 were about 15,000 tons. Hanford's potential GHG emissions will be approximately 285,768 metric tons of CO_2e per year when the Waste Treatment Plant facilities begin operations. Therefore, Hanford may be subject to the Mandatory Greenhouse Gas Reporting rule.

Regardless of applicability of the Mandatory Greenhouse Gas Reporting rule to Hanford, Title 40 CFR Part 98, Federal Mandatory Reporting of Greenhouse Gases, is not an AOP applicable requirement. According to EPA guidance as published in the Federal Register (56288 FR 74:209, Friday, October 30, 2009), the requirements imposed by this rule are not applicable requirements under the Title V operating permit program. Therefore, requirements of the GHG rule have not been included in this permit.

On December 1, 2010, Ecology promulgated Chapter 173-441 WAC – Reporting of Emissions of Greenhouse Gases. The WAC incorporates by reference certain, but not all, calculation methods and other requirements from 40 CFR Part 98, the federal Mandatory Greenhouse Gas Reporting rule. The WAC applies to any facility that emits 10,000 metric tons of CO_2e or more per calendar year in total GHG emissions, including biogenic carbon dioxide, from all applicable source categories listed in WAC 173-441-120.

Hanford may be subject to the requirements of Chapter 173-441 WAC if actual GHG emissions are greater than 10,000 metric tons of CO_2e per year. Potential GHG emissions at Hanford are 285,768

metric tons of CO_2e per year. As owner of the Hanford Site, DOE is required to demonstrate compliance with all applicable provisions of WAC 173-441.

EPA-457/B-11-001, "PSD and Title V Permitting Guidance for Greenhouse Gases" states that under the Tailoring Rule, "… any applicable requirement for GHGs must be addressed in the title V permit (i.e., the permit must contain conditions necessary to assure compliance with applicable requirements for GHGs). It is important to note that GHG reporting requirements for sources established under EPA's final rule for mandatory reporting of GHGs (40 CFR Part 98: Mandatory Greenhouse Gas Reporting, hereafter referred to as the "GHG reporting rule") are currently not included in the definition of applicable requirements in 40 CFR 70.2. Although the requirements contained in the GHG reporting rule currently are not considered applicable requirements under the Title V regulations, the source is not relieved from the requirement to comply with the GHG reporting rule separately from compliance with their title V operating permit. It is the responsibility of each source to determine the applicability of the GHG reporting rule and to comply with it, as necessary. However, since the requirements of the GHG reporting rule are not considered applicable requirements under Title V, they do not need to be included in the Title V permit."

As the permittee currently has no other federally enforceable requirements related to GHG emissions (e.g. GHG best available control technology requirements resulting from prevention of significant deterioration (PSD) review process), Section 5.17 covers state only GHG requirements in WAC 173-441. WAC 173-441 reporting requirements are in metric tons.

Subsection 5.18 of the AOP describes the obligations of the permitting agencies and the permittee. Ecology receive the DOE AOP renewal application on September 12, 2017. The application was deemed complete according to the criteria in WAC 173-401-500. The renewal application was submitted more than 6 months before the date of AOP expiration on March 31, 2018, and hence regarded as timely application. The permittee's rights to operational continuity and permit shield are described in WAC 173-401-620 and -640.

This AOP renewal (Renewal 3) will cover the 5-year period from August 1, 2019, to August 1, 2024. The next renewal application will be submitted by DOE no later than 6 months prior to the AOP expiration date. The permitting authority shall send a permit application to each source at least 6 months before a complete application is due. The "complete" renewal application shall outline the information required for the three agencies (Ecology, Health, and BCAA) to update their respective permitting conditions.

The permitting authority may require that a permit renewal application must be submitted earlier. The permitting agency must mail this written notice to the source at least one year before the new application deadline to ensure that the terms of the permit will not lapse before the permit is renewed.

Subsection 5.27 of the AOP describes why certain regulatory requirements are not applicable to the Hanford Site AOP. Inapplicable requirements at the time of AOP issuance are shown in Table 5-1.

6.0 STATEMENT OF BASIS

This Statement is issued as a separate supporting reference document to the AOP. It is non-enforceable, and sets forth the legal and factual basis for permit conditions. This Statement includes references to the applicable statutory or regulatory provisions, technical supporting information on specific emission units, and clarifications of specific requirements. [WAC 173-401-700(8)]

7.0 ATTACHMENTS

Attachment 1: Ecology Permit

The permittee is authorized to operate the non-radioactive portion of the air emission units identified in this attachment and all insignificant emission units not specifically identified in this permit.

Attachment 2: Health License

The permittee is authorized to operate the radioactive portion of the air emission units identified in this attachment.

Attachment 3: Benton Clean Air Agency Permit

The permittee is authorized to operate the air emission units identified as open burning related activities. Because these requirements could be triggered at various places on the Hanford Site, the emission units are not listed individually in the air operating permit.

8.0 APPENDIX A

Reserved

9.0 APPENDIX B

B-1 AOP Modification Process

Determine the type of modification desired, select the correct form below, and follow the processes described for each type of modification or revision to the Hanford Site AOP. These forms and process are not to be used for any type of NOC approval or License revisions submitted to the agencies.

These decision flow charts provide a streamlined reflection of the codified requirements for administrative changes to WAC 173-401 major stationary sources. Forms, decisions points, and processes described herein, including appropriate verbatim language from the regulation, are intended to supersede all previous internal DOE/contractor guidance for processing AOP modifications at the Hanford Site.

Each of WAC 173-401 permit modifications and revisions have been listed in a format that provides the requirements, then a method to be used to determine if a modification or revision should or should not be used, followed by the form that should be completed, and the responsibilities of the permittee and the agency. It should be noted that individual emission units (for either toxic or radiological emissions) have their own individual modification and revision process. These unit specific modifications and revisions are expected to be integrated into the AOP when the AOP is revised or renewed.

B-2 Administrative Permit Amendment (AA) (WAC 173-401-720)

This change is allowed pursuant to WAC 173-401-720(1) and WAC 173-401-720(2):

(1) Definition. An "administrative permit amendment" is a permit revision that:

(a) Corrects typographical errors,

(b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source,

(c) Requires more frequent monitoring or reporting by the permittee,

(d) Allows for a change in ownership or operational control of a source where the permitting authority determines that no other change is necessary, provided that a written agreement containing the specific information of the transfer between the current and new permittee has been submitted to the permitting authority,

(e) Incorporates into the Chapter 401 permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program; provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-402-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650.

(2) Acid Rain provisions. [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

Method

[Note: It is possible an AA may be used for something not listed below, check with the site contractor responsible for the AOP.]

Using the requirements listed above in the box, an AA for the Hanford Site AOP would be developed and submitted for any of the following:

- Correct typographical errors to any section, requirement, term, definition, conditions, standard, abatement, monitoring, statement of basis, etc.
- Change of DOE personnel/points of contact (POCs), contractors, name of business, agency POCs, etc.
- Change increases the frequency of monitoring and/or reporting for an emission unit. This increase could be a change to a program or a particular emission unit procedure, etc.
- Change of ownership and operation of emission units currently listed in the AOP under the applicable DOE Offices: Richland, Office of River Protection, and Pacific Northwest Site Office.
- If a NOC approval and/or License is processed through public review (EPA-approved) that meets substantially procedural and compliance requirements of cited requirements in WAC 173-401-720(1)(e) as part of the agency approving process for the document, then the conditions and limitations for operating the emission unit may be incorporated into the AOP by an AA.

The AA is not used for making changes to the AOP Statement of Basis, NOC approvals or Licenses listed in the AOP, notifying the agency of changes to applicable requirements, decreasing the frequency of monitoring and/or reporting, change in contractor under DOE contracts, adding new NOC approvals or Licenses requirements that are not approved per procedural and compliance requirements.

Combining emission units under a single AA should be considered only if the change is the same for multiple emission units, i.e., abatement technology is misspelled for more than one unit, or a condition and limitation listed for a project has a typographical error and is listed for multiple emission units.

Otherwise it is preferred that separate forms are used for each identified error/change per emission unit.

If this modification is not what is required to change the Hanford Site AOP, please review the following other types of modifications and revisions.

Responsibilities

Hanford Site Actions

1. Develop the AA by emission unit by using the form following this section.
2. Seek consensus with the site contractor for the AOP prior to submittal of the request.
3. Submit an AA to the AOP via a letter to DOE and request DOE to submit the AA to the agencies.
4. On the submittal request, copy organizations that retain a copy of the AOP or request the lead agency to notify AOP holders per WAC 173-401-720(3)(a).
5. Permittee can make change immediately to the AOP on submittal of the request to Ecology and Health. [WAC 173-401-720(3)(c)]
6. Although not required by regulation, the permittee should retain a copy of the AA either in a record file or attach to the AOP for tracking incorporation into the AOP by the next modification.

Agency Actions

1. Permitting authority (Ecology) shall take no more than 60 days from receipt of a request for an AA to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that it designates any such AOP revisions as having been made pursuant to this paragraph. [WAC 173-401-720(3)(a)]
2. Ecology will submit a copy of the revised AOP to the Administrator (EPA).
3. Ecology shall upon taking final action granting a request for an AA, allow coverage by the permit shield in WAC 173-401-640 for AAs made pursuant to subsection WAC 173-401-720(1)(e).
4. Notify other permit holders with copies of the AA.

HANFORD SITE AIR OPERATING PERMIT

Notification of Administrative Permit Amendment

This notification is provided to the Washington State Department of Ecology, Washington State Department of Health, and the U.S. Environmental Protection Agency as notice of an administrative permit amendment described as follows.

This change is allowed pursuant to WAC 173-401-720(1) and WAC 173-401-720(2):

(1) Corrects typographical errors,

(2) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source,

(3) Requires more frequent monitoring or reporting by the permittee,

(4) Allows for a change in ownership or operational control of a source where the permitting authority determines that no other change is necessary, provided that a written agreement containing the specific information of the transfer between the current and new permittee has been submitted to the permitting authority,

(5) Incorporates into the Chapter 401 permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program; provided that the program meets procedural requirements listed in WAC 173-401, and

(6) Changes addressed in the administrative permit amendment can be implemented immediately upon submittal.

Permit Number: 00-05-006

Provide the following information pursuant to WAC-173-401-720:

Description of the change:
Submittal Date of Change:
Describe the emissions from orders approving notice of construction applications processed under an EPA-approved program; provided that the program meets procedural requirements listed in WAC 173-401:
List the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program; provided that the program meets procedural requirements listed in WAC 173-401:

B-3 Changes Not Requiring a Permit Revision (CNRR) (WAC 173-401-722)

This change is allowed pursuant to WAC 173-401-722(1), WAC 173-401-722(2), and WAC 173-401-722(5):

(1) General

(a) A Chapter 401 source is authorized to make the changes described in this section without a permit revision, providing the following sections are met:

(i) The proposed changes are not a Title I modifications;

(ii) The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;

(iii) The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and

(iv) The facility provides the administrator and permitting authority with written notifications at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.

(b) Permit attachments. The source and permitting authority shall attach each notice to their copy of the relevant permit.

(2) Section 502(b)(10) changes. Pursuant to the conditions in subsection (1) of this section, a Chapter 401 source is authorized to make section 502(b)(10) changes (as defined in WAC 173-501-200) without a permit revision.

(a) For each such change, the written notification required under subsection (1)(a)(iv) of this section shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or conditions that is no longer applicable as a result of the change.

(b) The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.

(3) State implementation plan authorized emission trading. [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

(4) Emissions cap. [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

(5) A source making a change under this section shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152.

<u>Method</u>

[Note: It is possible a CNRR may be used for something not listed below, check with the site contractor responsible for the AOP.]

Using the requirements listed above in the box, a CNRR for the Hanford Site AOP would be developed and submitted for any of the following:

- Changes that decrease emission rates or total emission for an emission unit or Hanford Site.
- Changes that remove irrelevant terms and conditions.
- Changes that remove terms and conditions of either a closed emission unit or NOC approval or License section.

- Changes to abatement technology which do not impact the enforcement limitation of the permit to control emissions, such as but not limited to, adding new abatement, changing the required number of units, as long as the new condition is more stringent; clarifying additional descriptions, as long as the change does not change the actual field configuration and the change has no direct impact on emission; etc.
- A change under 502(b)(10) allows for any change that does not violate permit terms and conditions, therefore a change to conditions and limitations such as but not limited to: description, operations that are not associated with emission generation, flow rate, temperature, dimensions, equipment, etc., are acceptable under 502(b)(10).
- Changes to monitoring and sampling for individual emission units as long as the Hanford monitoring and sampling program is not changed and the change follows the site programs, i.e., a 4 week per year sampling is changed to a one 4 week sample per year condition. The method and equipment is not changed and compliance is still enforced.
- Adding changes to the Health License as long as the changes do not impact emission rates, or monitoring, recordkeeping, and other requirements, as listed above, this would include removing terms and conditions that have been approved via the license revision, NOC approval process or closure process and the changes do not require public comment.

The proposed CNRR changes are not for Title I modifications [Standards of Performance for New Stationary Sources or Hazardous Air Pollutants, see WAC 173-401-200(35) for complete definition]. (WAC 173-401-722)

Combining emission units under a single CNRR should be considered only if the change is the same for multiple emission units, i.e., abatement technology needs to be changed for more than one unit, or a new approval is applicable or a condition and limitation listed for a project is irrelevant and is listed for multiple emission units. Otherwise it is preferred that separate forms are used for each identified change per emission unit.

A CNRR requires a seven day notification prior to implementing or making a change to the AOP, and the CNRR must be attached to the AOP following the effective date of the change. Any change made through the CNRR process is not covered by the AOP permit shield, therefore there is risk associated with the change to be challenged and new applicable requirements being amended to the AOP by a CNRR.

If this revision is not what is required to change the Hanford Site AOP, please review the following other types of modifications and revisions.

Responsibilities

Hanford Site Actions

1. Develop the CNRR by emission unit by using the form following this section. The form, if filled out correctly and completely shall furnish the information required of a CNRR notification.
2. Seek consensus with the site contractor for the AOP prior to submittal of the request.
3. Submit a CNRR to the AOP via a letter to DOE and request DOE to submit the CNRR to the agencies.
4. On the submittal request, copy organizations that retain a copy of the AOP or request the lead agency to notify AOP holders.
5. Permittee can make change to the AOP seven days following submittal of the request to Administrator (EPA) and permitting authority (Ecology). [WAC 173-401-722(1)(a)(iv)]
6. Attach each notice to the record copy of the relevant AOP.
7. Comply with applicable preconstruction review requirements for any CNRR.

Agency Actions

1. Review and concur (or deny) proposed changes prior to the implementation date, which is a minimum of seven days from the date of submittal. Ecology has agreed to a three (3) working day approval of this type of AOP revision/modification.
2. Ecology will attach each notice to its copy of the relevant AOP.
3. Notify other permit holders with copies of the CNRR.

HANFORD SITE AIR OPERATING PERMIT

Notification of Changes Not Requiring Permit Revision

Section 502(b)(10) Change*

This notification is provided to the Washington State Department of Ecology, Washington State Department of Health, and the U.S. Environmental Protection Agency as notice of a change not requiring permit revision described as follows.

This change is allowed pursuant to WAC 173-401-722(1), WAC 173-401-722(2) and WAC 173-401-722(5):

(1) Change is not a Title I modification;

(2) Change does not result in emissions that exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;

(3) Change does not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit;

(4) Notification is provided to Ecology, Health, and EPA at least 7 days before making the change, and

(5) Change does not violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

(6) A source making a change under this section shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152.

Permit Number: 00-05-006

Provide the following information pursuant to WAC-173-401-722(2)(a):

Description of the change:
Date of Change:
Describe the emissions resulting from the change:

* WAC 173-401-200(30) states that "Section 502 (b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

List any permit term or condition that is no longer applicable as a result of the change:

1

B-4 Off-Permit Change (OPC) (WAC 173-401-724)

This change is allowed pursuant to WAC 173-401-724(1), WAC 173-401-724(2), and WAC 173-401-724(6):

(1) The source shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions, without requiring a permit revision provided that the proposed changes do not weaken the enforceability of the existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.

(2) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(4) The change shall not qualify for the permit shield under WAC 173-401-640.

(6) A source making a change under this section shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152.

Method

[Note: It is possible an OPC may be used for something not listed below, check with the site contractor responsible for the AOP.]

Using the requirements listed above in the box, an OPC for the Hanford Site AOP would be developed and submitted for any of the following:

- Changes that are similar to the type of emission units and terms and conditions listed in the AOP.
- Add new emission units and approvals/License requirements issued by the agencies. Most agency issued NOC approvals/Licenses are considered OPC.

The OPC is not used for changes that are specifically prohibited by the AOP and weaken the enforceability of existing terms, or Title I modification or is a change subject to acid rain requirements under Title IV of the FCAA.

Combining emission units under a single OPC should be considered only if the change is the same for multiple emission units, i.e., abatement technology needs to be changed for more than one unit, or a new approval is applicable or need to be listed for multiple emission units. Otherwise it is preferred that separate forms are used for each identified error/change per emission unit.

The source shall be allowed to makes changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of the existing permit conditions. Any change made through the OPC process is not covered by the AOP permit shield, therefore there is risk associated with the change to be challenged and new applicable requirements being amended to the AOP by an OPC.

If this revision is not what is required to change the Hanford Site AOP, please review the following other types of modifications and revisions.

Responsibilities

Hanford Site Actions

1. Develop the OPC by emission unit by using the form following this section. The form, if filled out correctly and completely shall furnish the information required of an OPC notification. In addition, a NOC/License revision or new source permit application can be used or attached to the OPC as a mechanism to complete the form.
2. Seek consensus with the site contractor for the AOP prior to submittal of the request.

3. Submit an OPC to the AOP via a letter to DOE and request DOE to submit the OPC to the agencies.
4. On the submittal request, copy organizations that retain a copy of the AOP or request the lead agency to notify AOP holders.
5. Permittee can make the change to the AOP following submittal of the request to Administrator (EPA) and permitting authority (Ecology). [WAC 173-401-724(1)]
6. Keep records describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the AOP, and the emissions resulting from those changes.
7. Comply with applicable preconstruction review requirements for any OPC.
8. Although the permittee can make change immediately upon submittal of the request to Ecology and EPA, and, as appropriate, Health, final changes are to be implemented after agency review/concurrence.

Agency Actions

1. Review and concur (or deny) proposed changes upon receipt of submittal. Ecology has agreed to a three (3) working day approval of this type of AOP revision/modification.
2. Notify other permit holders with copies of the OPC.
3. Changes will be incorporated into the AOP at the next AOP revision/modification subject to public review.

Notification of Off-Permit Change

Permit Number: 00-05-006

This notification is provided to Washington State Department of Ecology, Washington State Department of Health, and the U.S. Environmental Protection Agency as a notice of an off-permit change described as follows.

This change is allowed pursuant to WAC 173-401-724(1), WAC 173-401-724(2), and WAC 173-401-724(6):

(1) Change is not specifically addressed or prohibited by the permit terms and conditions;

(2) Change does not weaken the enforceability of the existing permit conditions;

(3) Change is not a Title I modification or a change subject to the acid rain requirements under Title IV of the FCAA;

(4) Change meets all applicable requirements and does not violate an existing permit term or condition;

(5) Change has complied with applicable preconstruction review requirements established pursuant to RCW 70.94.152.

Provide the following information pursuant to WAC-173-401-724(3):

Description of the change:
Date of Change: (To be provided in the agency approval order.)
Describe the emissions resulting from the change:
Describe the new applicable requirements that will apply as a result of the change: (To be provided in the agency approval order.)

B-5 Minor Permit Modification (MM) (WAC 173-401-725(2))

Minor permit modifications are allowed under WAC 173-401-725(2):

(1) Definition. A permit modification is any revision to a chapter 401 permit that cannot be accomplished under provisions for administrative permit amendments under WAC 173-401-720.

(2) Minor permit modification procedures.

(a) Criteria.

(i) Minor permit modification procedures shall be used for those permit modifications that:

(A) Do not violate any applicable requirement;

(B) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

(C) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

(D) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:

(I) A federally enforceable emission cap assumed to avoid classification as a modification under any provision of Title I of the FCAA; and; [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

(II) An alternative emission limit approved pursuant to regulations promulgated under Section 122(i)(5) of the FCAA; [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

(E) Are not modifications under any provision of Title I of the FCAA;

(ii) Notwithstanding (a)(i) of this subsection, and subsection (3)(a) of this section, the permitting authority may allow the use of the minor modification procedures for permit modifications involving the use of economic incentives, marketable permits, emission trading, and other similar approaches, to the extent that the use of such minor permit modifications procedures are explicitly provided for in the Washington state implementation plan or in applicable requirements promulgated by EPA and in effect on April 7, 1993. [This requirement is not applicable to the Hanford Site per Table 5-1 of the AOP.]

<u>Method</u>

[Note: It is possible a MM may be used for something not listed below, check with the site contractor responsible for the AOP.]

Using the requirements listed above in the box, a MM for the Hanford Site AOP would be developed and submitted for any of the following:

- Any modification that could not be processed as an AA. This does not address revisions that could be processed as a CNRR or OPC.
- Changes that do not violate any of the applicable requirements of the current AOP, such as but not limited to regulations identified as being applicable, NOC approvals listed in the AOP and associated terms and conditions, Health Licenses and associated terms and conditions,
- Any change that is not significant to existing monitoring, reporting or recordkeeping, defined as but not limited to: changing a sampling requirement (including method and analysis), changing reporting of emissions, test data, etc. that does not change the Hanford program, but provides clarification and standardization of such reporting for all emissions listed in the AOP, changes

recordkeeping in which the compliance determination method listed in the annual certification is a system or program and the change does not affect the overall system or program but provides clarification and standardization of the requirements to all emission units listed in the AOP.

- Add new emission units and approvals/License requirements issued by the agencies.

The MM is not used for Title I modifications of the FCAA, a revision to the permit that should be addressed under a CNRR or OPC, or a significant modification (a significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions). The best way to define a MM is examples such as:

- Sluicing process change for C-106 in December 2002. The activity modification resulted in a new NOC (DOE application 02-ED-038) with no change in radioactive releases.
- Minor design change for the Hanford Tank Waste Treatment and Immobilization Plant. The design change resulted in Amendment 1 of NOC DE02NWP-002 on November 24, 2003. The resulting changes in non-radioactive emissions were not significant.

A MM change can be made following submittal of the request to Administrator (EPA) and permitting authority (Ecology). If the MM is associated with a NOC approval or application for a new emission unit, then the permittee must ensure that the NOC application has been reviewed and approved by the agency before implementation. In addition, the permittee must comply with both the applicable requirements governing the changed and the proposed terms and conditions until the agency takes final action. Any change made through the MM process is not covered by the AOP permit shield, therefore there is risk associated with the change to be challenged and new applicable requirements being amended to the AOP by a MM.

If this revision is not what is required to change the Hanford Site AOP, please review the other types of modifications and revisions.

Responsibilities

Hanford Site

1. Develop the MM by emission unit by using the form following this section. The form, if filled out correctly and completely shall furnish the information required of an MM notification. In addition, a NOC/License revision or new source permit application can be used or attached to the MM as a mechanism to complete the form.
2. Determine if the modification request is for group processing (refer to Group Processing Discussion).
3. Seek consensus with the site contractor for the AOP prior to submittal of the request.
4. Submit a MM to the AOP via a letter to DOE and request DOE to submit the MM to the agencies. On the submittal request, copy organizations that retain a copy of the AOP or request the lead agency to notify AOP holders. Prepare and submit forms for Ecology to use to notify the Administrator, tribes, and affected states as required under WAC 173-401-810 and 173-401-820
5. Ensure the MM form/request has a signed certification per WAC 173-401-520.
6. Permittee can make the change following submittal of the request to Administrator (EPA) and permitting authority (Ecology) [WAC 173-401-725(2)(f)]. If the MM is associated with a NOC approval or application for a new emission unit, then the permittee must ensure that the NOC application has been reviewed and approved by the agency before implementation. In addition, the permittee must comply with both the applicable requirements governing the changed and the proposed terms and conditions until the agency takes final action.

Agency Action

1. Review and concur (or deny) proposed changes within 90 days of Ecology's receipt of a MM application or 15 days after the end of the Administrator's 45 day review period, whichever is later, Ecology will:
   - Issue the AOP modification as proposed,
   - Deny the AOP modification application,
   - Determine that the requested modification does not meet the AOP MM criteria and should be reviewed under the significant modification procedures, or
   - Revise the draft AOP modification and transmit to the Administrator the new proposed AOP modification as required by WAC 173-401-810.
2. Within five (5) working days of receipt of a complete AOP MM, Ecology will meet its obligation under WAC 173-401-810 and 173-401-820 to notify the Administrator, tribes, and affected states of the requested AOP modification. Ecology promptly will send any notice required under WAC 173-401-820(2) to the Administrator.
3. Concurrent with the notice to the Administrator, tribes and affected states, Ecology will submit to the AOP register a notice of each proposed minor AOP modification. Publication in the next available issue of the AOP register will signal the beginning of a public comment period of 21 days. Each notice must describe the proposed revisions and specify the deadline to file comments with Ecology on the proposed modification.
4. At the conclusion of 21 day public comment period, resolve comments if any, and submit to EPA for its 45 day review.
5. The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.

B-6 Group Processing of MMs Discussion (WAC 173-401-725(3))

Minor permit modifications are allowed under WAC 173-401-725(3):

Group processing of minor permit modifications. Consistent with this subsection, the permitting authority may process groups of a source's applications for certain modifications eligible for minor permit modification processing.

(1) Criteria. Group processing of minor permit modification may only be used for those permit modifications:

(a) That meet the criteria for minor permit modification procedures under subsection (2)(a) of this section; and

(b) That collectively are below 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in WAC 173-401-200, or 5 tons per year, whichever is least.

Method

[Note: It is possible a MM may be used for something not listed below, check with the site contractor responsible for the AOP.]

Using the requirements listed above in the box, a MM for the Hanford Site AOP would be developed and submitted for any of the following:

- A Group Processing can only contain more than one MM either being submitted or which an agency has received and is agreed by the permittee to process as a group.
- The group as a single application (grouping of MM, more than one) must be below the least/lowest one of the following:
  - Ten percent of the emissions allowed for the emissions unit for which the change is being requested, means that if I have two MMs for two emission units and the emissions allowed for these two emission units is 10 pounds per year, then the group MM change in emissions must be less than 1 pound per year, or
  - Twenty percent of the applicable definition of major source [10 tons per year for hazardous air pollutants, 25 tons per year or more of any combination of such hazardous air pollutants], or [100 tons per year or more of any air pollutant], means 20 percent of either 10 tons per year, 25 tons per year or 100 tons per year {or more means if Hanford is a major source because it emits more than 25 or 100 tons per year you would then use that number} the group process MM would be less than 2.0, 5 or 20 tons per year, respectively, or
  - The group MM would have emission less than 5 tons per year.

Responsibilities

In addition to the requirements for filing a Minor Modification request (previously discussed) the group processing request needs to include a list of the permittee's other pending applications (i.e. notice of construction applications or notice of construction revision forms plus the completed forms) awaiting group processing, and a determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold. The group processing requires a certification and notification forms for the Administrator (EPA), tribes and affected states.

The advantage of group processing is that the modifications are held by the agency and added to the AOP as a single action, thus avoiding several, and possibly overlapping, public reviews. The permittee is still allowed to make the change immediately after a complete application is filed, provided that any regulatory agency approval/license has been reviewed and approved by the agency [WAC 173-401-725(2)(f)]. Concurrent with the notice to the Administrator, tribes and affected states, Ecology will

submit to the AOP register a notice of each proposed minor AOP modification. Publication in the next available issue of the AOP register will signal the beginning of a public comment period of 21 days. The agency must complete the group processing AOP modification process within 180 days after receipt of the first group modification request or 15 days after the end of the Administrator's 45 day review/approval, whichever is later.

Any change made through the Group MM process is not covered by the AOP permit shield, therefore there is risk associated with the change to be challenged and new applicable requirements being amended to the AOP by a Group MM.

If this revision is not what is required to change the Hanford Site AOP, please review the following other types of modifications and revisions.

HANFORD SITE AIR OPERATING PERMIT

Minor Permit Modifications Request

Permit Number 00-05-006

Attach the completed Notification of Permit Modification Request Form to the EPA/Tribes/Affected States.

Minor permit modifications are allowed under WAC 173-401-725(2):

(1) Does not violate any applicable requirement,

(2) Does not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit,

(3) Is not a Title I modification.

Provide the following information pursuant to WAC-173-401-725(2)(b)

Description of the change:	
Describe the emissions resulting from the change:	
Describe the new applicable requirements that will apply as a result of the change:	
Suggested Draft Permit Language: *For example:* • *Monitoring/PCM that will be used to support compliance determination/certification.* • *Description of air pollution control equipment (abatement technology).* • *Other controls such as limits on inventory; process limits such as throughput, hours of operation, or acceptance criteria; or other assumptions used in Potential-to-Emit calculations.* • *Other process descriptions that constitute a term or condition, such as reporting or recordkeeping requirements.*	
CERTIFICATION *Provide certification pursuant to [WAC 173-401-725(2)(b)(iii))]*	
I certify that based on information and belief formed after reasonable inquiry of the person or persons who perform activities, or those persons directly responsible for gathering the information, the statements and information provided in this modification request are true, accurate, and complete. I also certify that the proposed modification meets the criteria for use of minor permit modification procedures, as hereby requested.	
Responsible Official:	
Title:	
Signature:	Date:

HANFORD SITE AIR OPERATING PERMIT

Group Processing of Minor Permit Modifications Request

Permit Number 00-05-006

Attach the completed Notification of Permit Modification Request Form to the EPA/Tribes/Affected States.

Group processing of minor permit modifications are allowed under WAC 173-401-725(3):

(1) That meet the criteria for minor permit modification procedures under subsection (2)(a) of this section; and

(2) That collectively are below 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in WAC 173-401-200, or 5 tons per year, whichever is least.

Provide the following information pursuant to WAC-173-401-725(3)(b):

Description of the change:	
Describe the emissions resulting from the change:	
Describe the new applicable requirements that will apply as a result of the change:	
Suggested Draft Permit Language: *For example:* • *Monitoring/PCM that will be used to support compliance determination/certification.* • *Description of air pollution control equipment (abatement technology).* • *Other controls such as limits on inventory, process limits such as throughput, hours of operation, or acceptance criteria, or other assumptions used in Potential-to-Emit calculations.* • *Other process descriptions that constitute a term or condition, such as reporting or recordkeeping requirements.*	
List all other pending applications waiting group processing: [WAC 173-401-725(3)(b)(iv)]	
Determination that group is below emission threshold: [WAC 173-401-725(3)(b)(iv)]	
Do the emissions stated in this permit modification request added to the emissions from the minor modification requests listed below equal or exceed the group processing thresholds? (Y or N)	
CERTIFICATION *Provide certification pursuant to [WAC 173-401-725(3)(b)(v)]*	
I certify that based on information and belief formed after reasonable inquiry of the person or persons who perform activities, or those persons directly responsible for gathering the information, the statements and information provided in this modification request are true, accurate, and complete. I also certify that the proposed modification meets the criteria for use of group processing of minor permit modification procedures, as hereby requested.	
Responsible Official:	
Title:	
Signature:	Date:

Notification of Permit Modification to EPA-Region 10, the Tribes, and Affected States

Attached is a request to revise the Hanford Site Air Operating Permit. This form serves as notification to EPA, tribes, and affected States of a request for an Air Operating Permit Modification per WAC 173-401-725(2), (3) and (4).

Air Operating Permit Number: 00-05-006	
Source: U.S. Department of Energy, Hanford Site	
Mailing Address:	**Physical Address:**
Brief Description:	
Contact Name:	**Phone:**
Title: Manager U.S. Department of Energy	
FOR ECOLOGY USE ONLY	
Application Number:	**Date Received:**
Ecology Contact:	
Date of Publication in Permit Register:	**Public Comment Period Ends:**

B-7 Significant Modification (SM) (WAC 173-401-725(4))

Significant permit modifications are allowed under WAC 173-401-725(4) for those modifications that do not meet the requirements for a minor permit modification or an administrative amendment.

Method

[Note: It is possible a SM may be used for something not listed below, check with the site contractor responsible for the AOP.]

The SM is not used for a revision to the permit that should be addressed under a CNRR or OPC, or a MM. SM procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative permit amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant.

SM shall meet all requirements of WAC 173-401, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. A SM can be implemented on the date of its approval. Any change made through the SM process is covered by the AOP permit shield.

Responsibilities

Hanford Site Actions

1. Develop the SM by emission unit by using the form following this section. The form, if filled out correctly and completely shall furnish the information required of an MM notification. In addition, a NOC/License revision, or new source permit application can be used or attached to the SM as a mechanism to complete the form.
2. Seek consensus with the site contractor for the AOP prior to submittal of the request.
3. Submit a SM to the AOP via a letter to DOE and request DOE to submit the SM to the agencies. On the submittal request, copy organizations that retain a copy of the AOP or request the lead agency to notify AOP holders. Prepare and submit forms for Ecology to use to notify the Administrator, tribes, and affected states as required under WAC 173-401-810 and 173-401-820
4. Ensure the SM form/request has a signed certification per WAC 173-401-520.
5. Permittee can make change only after issuance of the permit revision by the agency.

Agency Actions

1. Provide EPA a copy of permit application.
2. Maintain and update permit register.
3. Determine notice of construction application completeness.
4. Prepare and publish public notices and/or public hearing.
5. Conduct 30 day public and affected states review period.
6. Respond to any public, tribal nations, and affected state's comments, prepare responsiveness summary, and revise application accordingly
7. Provide to EPA for 45 day review
8. Issue within 15 days after EPA review/approval or deny change.
9. Update and publish modified AOP as required.
10. Complete review on the majority of significant AOP modifications within 9 months after receipt of a complete NOC application

HANFORD SITE AIR OPERATING PERMIT

Significant Permit Modification Request

Permit Number 00-05-006

Significant permit modifications are allowed under WAC 173-401-725(4) for those modifications that do not meet the requirements for a minor permit modification or an administrative amendment.

Provide the following information pursuant to WAC-173-401-725(4):

Description of the change:
Describe the emissions resulting from the change:
Describe the new applicable requirements that will apply as a result of the change: (To be provided in the agency approval order.)
Suggested Draft Permit Language: *For example:* ▪ *Monitoring/PCM that will be used to support compliance determination/certification.* ▪ *Description of air pollution control equipment (abatement technology).* ▪ *Other controls such as limits on inventory, process limits such as throughput, hours of operation, or acceptance criteria, or other assumptions used in Potential-to-Emit calculations.* ▪ *Other process descriptions that constitute a term or condition, such as reporting or recordkeeping requirements.*
CERTIFICATION *Provide certification pursuant to (WAC 173-401-520)*
I certify that based on information and belief formed after reasonable inquiry of the person or persons who perform activities, or those persons directly responsible for gathering the information, the statements and information provided in this modification request are true, accurate, and complete.
Responsible Official:
Title:
Signature: Date:

Notification of Permit Modification EPA-Region 10, the Tribes, and Affected States

Attached is a request to revise the Hanford Site Air Operating Permit. This form serves as notification to EPA, tribes, and affected States of a request for an Air Operating Permit Modification per WAC 173-401-725(2), (3) and (4).

Air Operating Permit Number: 00-05-006	
Source: U.S. Department of Energy, Hanford Site	
Mailing Address:	**Physical Address:**
Brief Description:	
Contact Name:	**Phone:**
Title: Manager U.S. Department of Energy	
FOR ECOLOGY USE ONLY	
Application Number:	**Date Received:**
Ecology Contact:	
Date of Publication in Permit Register:	**Public Comment Period Ends:**