



Focus on Washington's Air Operating Permit Program

From the Department of Ecology's Air Quality Program

Background information

The 1990 amendments to the federal Clean Air Act required all states to develop statewide operating permit programs for businesses and industries that emit air pollution. In 1991, the Washington Clean Air Act set the following guidelines for Washington's permitting program:

- Permits must be renewed every five years;
- General permits can be issued to categories of sources;
- A professional engineer must review all permits;
- A Business Assistance Program provides technical assistance to sources; and
- A fee structure supports the permit program (per the federal amendments).

What is in an Air Operating Permit?

An Air Operating Permit contains all the requirements that apply to an air pollution source. Most permits include:

Emission limits and standards: A permit identifies all requirements for a specific source, and gives limits and conditions to ensure the source complies with its requirements.

Monitoring: A permit specifies an appropriate method of monitoring that the source can use to show it is complying with limits and standards. The monitoring method may include analytical methods and/or monitoring frequency.

Reporting and record-keeping: A permit specifies what kinds of information the source must keep to show it is in compliance with its permit requirements. The permit also states how often the source must report this information to its permitting authority.

Compliance certifications: A permit gives a schedule for the source to certify that it is in compliance with its permit requirements. Sources must submit certifications of compliance to their permitting authorities at least once a year. The certification must be signed by a responsible official at the source.

General provisions: Each permit contains standard language about permit fees, access to property, duty to comply with requirements, etc.

What is in the Air Operating Permit regulation?

Ecology wrote the regulation (Chapter 173-401 WAC) for Washington's Air Operating Permit Program. It describes how Ecology and delegated local air quality agencies issue permits. It also states:

- Who must get a permit (applicability criteria);
- What a source must put in its permit application;
- How permitting authorities will review applications;
- How permitting authorities will issue, revise, and renew permits;
- What is in the permits (see What is in an Air Operating Permit? above);
- Public participation procedures; and
- How Ecology can delegate permitting authority to local air quality agencies.

Who needs an Air Operating Permit?

A facility must get an Air Operating Permit if it has the potential to emit any of the following:

- More than 100 tons per year of any pollutant, or
- More than 10 tons per year of any hazardous air pollutant, or
- More than 25 tons per year of a combination of hazardous air pollutants.

Even if a facility does not have the potential to emit the above amounts, it may still need an Air Operating Permit if it is subject to certain federal air quality requirements, including:

- the Title IV Acid Rain Program,
- New Source Performance Standard (NSPS), or
- a National Emission Standard for Hazardous Air Pollutants (NESHAP).

Facilities that have the potential to emit more than the thresholds for major source status, but actually emit less, can ask for and receive a legal order from the permitting authority. The order will place limits on the facility's operations, and will limit its emissions to below the thresholds. Examples of limits on operations could be: limits on the hours of operation, limits on types of solvents allowed at a facility, or requirements to install and use the latest air pollution control devices.

For more information

Visit Ecology Air Operating Permits web site at:

http://www.ecy.wa.gov/programs/air/AOP_Permits/AOP_permits.html or contact:

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