

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

### Environmental Regulation Executive Summary - Air Permits

The following is intended to be a high-level guide for businesses seeking to navigate Indiana's environmental air permitting processes. The executive summary provides information on the most common permitting needs related to the Indiana Department of Environmental Management's (IDEM) Office of Air Quality. All forms that may be necessary when submitting a permit application may be found on the IDEM forms page, [here](#).

#### OFFICE OF AIR QUALITY

*Administered by the Indiana Department of Environmental Management*

One of the many responsibilities of IDEM is to protect the quality of Indiana's air. A national approach to air pollution control is established in the federal Clean Air Act (CAA), with National Ambient Air Quality Standards (NAAQS) as the foundation for reducing six common (criteria) pollutants including carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. United States Environmental Protection Agency (U.S. EPA) and the states have authority and certain responsibilities for implementing the CAA. IDEM's Office of Air Quality (OAQ) implements CAA requirements in Indiana in a least stringent rules as possible. The State of Indiana understands there are several considerations that must be accounted for when navigating air permit requirements. Below you will find quick considerations for what your company may require when it comes to air permitting.

#### BASIC OVERVIEW

- ▶ The applicant shall pay a construction fee based upon the cost of processing and reviewing a new application.
- ▶ Annual Base Air Permit Fee: \$200 to \$2,382 based on the level of permit needed (subject to Environmental Rules Board fee authorization)
- ▶ Title V per-ton emissions fee: \$52.38/ton plus Annual Base Air Permit Fee

- ▶ Air Permit Statutory Timeline Range (Depending on permit): 60 days – 270 days
  - While the state cannot guarantee any permit approvals before the statutory deadlines, the IDEM has no backlog on permits to approve and can, in many instances, work with the applicant to meet necessary deadlines.

#### CONSTRUCTION ACTIVITIES

Upon permit application submission, IDEM will verify as best as possible that the project is not major for Prevention of Significant Deterioration (PSD), and once verified will allow site prep and activities that fall under the definition of construction.

*Defined in 326 IAC 1-2-21: "Construction" means fabrication, erection, or installation of one (1) or more emissions units at the location intended for its use. Construction does not include any of the following: (1) Installation of building supports and foundations. (2) Laying underground piping or arbors. (3) Erection of storage structures. (4) Dismantling existing equipment and control devices. (5) Ordering of equipment and control devices. (6) Off-site fabrication. (7) Temporary storage other than where permanent installation will occur. This section does not apply to a major PSD.*

#### CONSTRUCTION PERMITS

- ▶ **Major PSD vs Major Emission Offset (EO)**  
PSD and EO are new source review (NSR) permits for new, large sources of air emissions or major modifications to existing sources. Major EOs are more stringent than PSD and issued in areas designated as nonattainment in accordance with NAAQ standards. Only 2 of Indiana's 92 counties are designated as nonattainment, of which both are only partial county designations.
- ▶ **Minor Source**  
Do not require PSD or EO permits. In Indiana, often these permits are referred to as construction permits, and their standards are merged with air operating permit standards.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)**

## Environmental Regulation Executive Summary - Air Permits, cont.

**1. Minor Source Operating Permit (MSOP)**

**Description:** Issued for sources whose potential to emit (PTE) without any pollution controls or limitation is below Title V thresholds. Often referred to as a natural minor permit.

**Timeline:** 120 - 270 days depending on if major or minor for PSD

**Renewal:** Initial permit must be renewed within five years, and then every ten years thereafter

**2. Federally Enforceable State Operating Permit (FESOP)**

**Description:** Issued for sources subject to the Title V program based on PTE but agree to limit PTE below Title V major source thresholds with best available control technology (BACT) or limitations in place. Often referred to as a synthetic minor permit.

**Timeline:** 120-270 days depending on if major or minor for PSD

**Renewal:** Initial permit must be renewed within five years, and then every ten years thereafter

**3. Title V**

**Description:** Issued for very large and complex processes that have a high PTE. Considered the highest standard for BACT air permits.

**Timeline:** 120 - 270 days depending on if minor or major for PSD

**Renewal:** Initial permit must be renewed within five years

**4. Exemptions and Registrations**

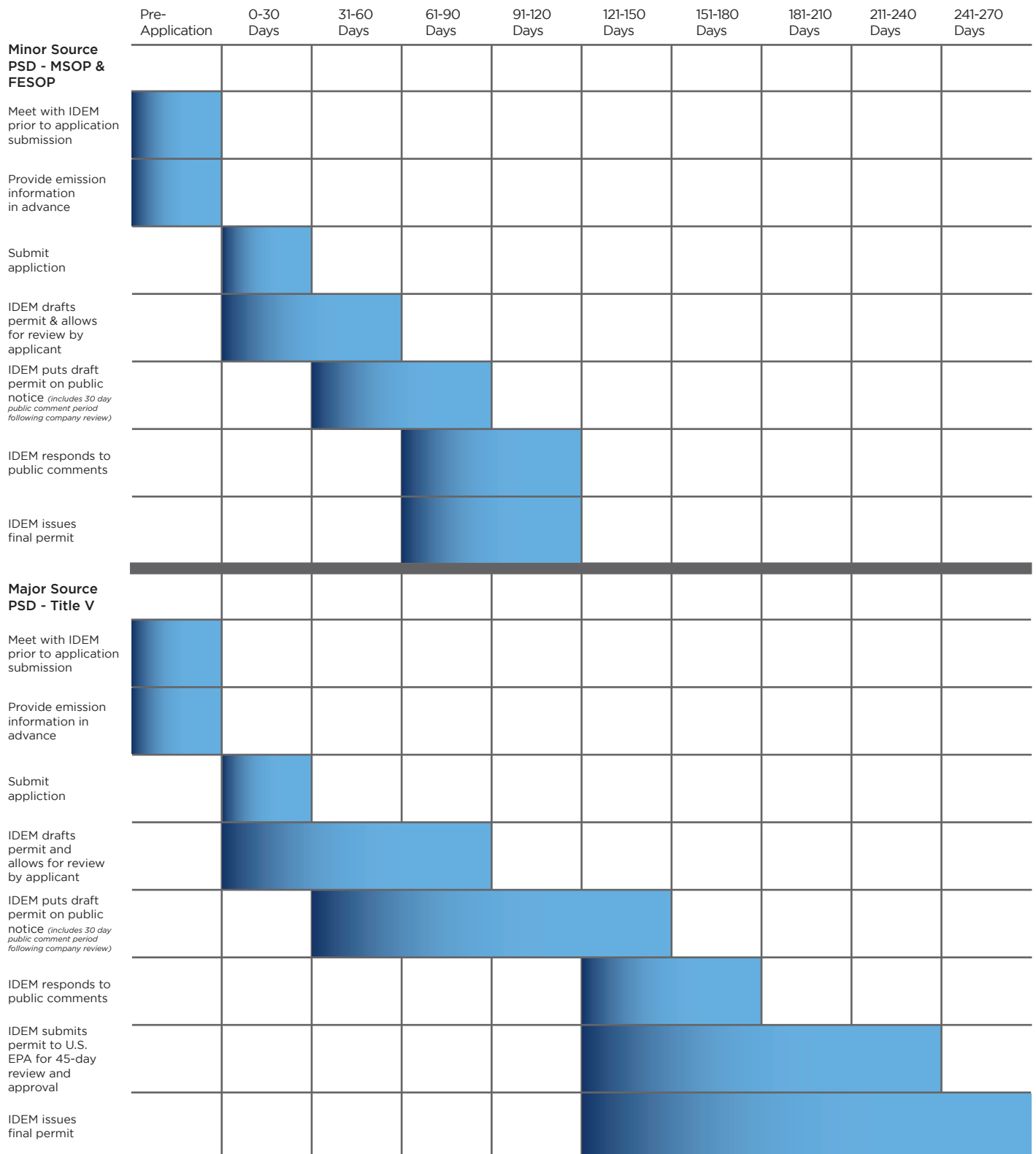
Sources whose PTE is below the thresholds for Registration are exempt from the requirement to obtain a permit or registration and may construct without IDEM approval.

Alternatively, when PTE thresholds are below the MSOP standards, but still above exemption status, the source will be required to obtain a Registration prior to construction and operation of a source

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

### Environmental Regulation Executive Summary - Air Permits, cont.

#### IDEM Permitting Statutory Timeline



**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)**

## Environmental Regulation Executive Summary - Air Permits, cont.

**Air Emission Thresholds Table**

<b>POLLUTANTS (TONS PER YEAR)</b>	<b>REGISTRATION</b>	<b>MSOP OR FESOP</b>	<b>MAJOR SOURCE PSD - TITLE V</b>
VOCs – where air pollution control equipment is not required to comply with VOC emission rules	≥ 10 and < 25		
VOCs – where air pollution control equipment is required to comply with VOC emission rules	≥ 5 and < 25		
VOCs Volatile Organic Compounds		≥ 25 and < 100	100* or more
NO <sub>x</sub> Nitrogen dioxide and oxides of nitrogen	≥ 10 and < 25	≥ 25 and < 100	100 or more
CO Carbon Monoxide	≥ 25 and < 100	< 100	100 or more
SO Sulfur dioxide	≥ 10 and < 25	≥ 25 and < 100	100 or more
PM Particulate Matter	≥ 5 and < 25	≥ 25 and < 100	
PM <sub>10</sub> Particulate matter less than 10 microns	≥ 5 and < 25	≥ 25 and < 100	100 or more
PM <sub>2.5</sub> Particulate matter smaller than 2.5 microns	≥ 5 and < 25	≥ 25 and < 100	100 or more
PB Lead**	≥ 0.2 (400 pounds) and < 5	≥ 5 and < 100	100 or more
Fluorides***	≥ 5 and < 25	≥ 25 < 100	100 or more
H <sub>2</sub> S Hydrogen sulfide	≥ 5 and < 25	≥ 5 and < 25	25 or more
Total Reduced Sulfur	≥ 5 and < 25	≥ 5 and < 100	100 or more
Reduced Sulfur Compounds	≥ 5 and < 25	≥ 5 and < 100	100 or more
Single HAP Any single Hazardous Air Pollutant	< 10	< 10	10 or more
Total HAPs A combination of two or more Hazardous Air Pollutants	< 25	< 25	25 or more
Statutory Decision Deadline	60 days	120 - 270 days	270 days

\* >25 tons per year in severe nonattainment areas, but Indiana doesn't currently have any severe nonattainment areas.

\*\* Secondary Lead Smelters are required to have a Title V permit by 40 CFR 63 Subpart X. This threshold is for element lead. Lead compounds are a HAP and subject to the 10 ton per year threshold.

\*\*\* Specific fluoride compounds are listed as HAPs. Those compounds are subject to the 10 and 25 ton per year thresholds.