

GHG 5-YEAR STUDY QUESTIONNAIRE

I. INSTRUCTIONS

The purpose of the greenhouse gases permitting authority burden form is to gather information for various time periods on GHG PSD and title V permitting experiences and burden from selected permitting authorities. The form is divided into three sections. The first section asks questions on permitting resources and burden, the second section focuses on questions regarding streamlining approaches that might have been adopted by your permitting authority and the third questions allows you to provide comments on this form or any part of the GHG permitting process.

The form will be available as a fillable electronic Portable Document Format (PDF) with the intention of minimizing the amount of information to be collected as well as to give you the opportunity to fill and email the form to us at montanez.jessica@epa.gov.

The form will be used to collect data on permitting resources, burden and streamlining approaches for various time periods and complete forms are due under the following schedule:

- Permitting data and burden from January 2, 2011 to December 31, 2011 is due on September 2013
- Permitting data and burden from January 1, 2012 to December 31, 2012 is due on January 2014
- Permitting data and burden from January 1, 2013 to December 31, 2013 is due on April 2014
- Permitting data and burden from January 1, 2014 to December 31, 2014 is due on January 2015

A separate response to each question and subpart of a question set forth in this request as applicable is necessary. If an attachment is necessary to answer any question, the number of the question to which the attachment corresponds should be included.

II. DEFINITIONS

1. The term “Best Available Control Technology (BACT)” means an emissions limitation as set forth in section 165(a)(4) of the CAA and defined in CAA §169(3).
2. The term “electronic permitting” generally means an electronic system that allows sources and the permitting authority to complete a wide variety of permitting steps electronically while reducing potential data entry errors and increasing efficiency.
3. The term “general permit” refers to a permit issued by a permitting authority that may be applied to a number of similar emissions units or sources. The purpose of the general permit is to simplify the permit issuance process for similar facilities so that a permitting authority’s limited resources need not to be expended for case-by-case permit development for such facilities. A general permit may be written to address a single emission unit or a group of the same type of emissions units.

4. The term “permit-by-rule (PBR)” generally means a simplified permitting process that allows the air pollution source avoid the traditional case-by-case permitting process. Sources applying for a PBR still need to follow certain qualifying criteria, emission limitations, conditions for operation, and requirements for record keeping and reporting.
5. The term “plantwide applicability limit (PAL)” as defined in 40 CFR § 51.166 w((2)(v) means a site-specific plantwide emission level for a pollutant that allows the source to make changes at the facility without triggering the requirements of the PSD program, provided that emissions do not exceed the PAL level. For purposes of the PSD program, PALs can be established on a mass basis (tons per year of a pollutant) or a CO₂e basis. CO₂e emissions are defined as the sum of the mass emissions of six individual greenhouse gases (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) multiplied by their respective global warming potential (GWP). The GWP values are found in 40 Code of Federal Regulations (CFR) Part 98, Subpart A, Table A-1.
6. The term “potential to emit” means, among other requirements, the maximum capacity of a stationary source to emit a pollutant or any air pollutant under its physical and operational design as defined in 40 CFR Part 51.166(b)(4) and 40 CFR Part 70.2 respectively.
7. The term “major source,” for purposes of the NSR program and this form, refers to the definition of major stationary source in 40 CFR Part 51.166(b)(1)(i) and the definition of major modification in 40 CFR Part 51.166(b)(2).
8. The term “major source” for purposes of the title V program refers to the definition of major source in 40 CFR Part 70.2.
9. The term “state implementation plan” means the federally approved and enforceable plan by which each state identifies how it will attain and/or maintain the health-related primary and welfare-related secondary National Ambient Air Quality Standards described in Section 109 of the CAA and 40 CFR Part 50.4 through 50.12.
10. The term “streamlining approach” means any technique that may make the permitting programs much more efficient to administer for GHGs. As described in the final Tailoring Rule these approaches may include: (1) Defining potential to emit (PTE) for various source categories, (2) establishing emission limits for various source categories that constitute presumptive BACT, (3) establishing procedures for use of general permits and permits-by-rule, (4) establishing procedures for electronic permitting, and (5) applying lean techniques. In addition, the Tailoring Rule Step 3 promulgated approaches to allow the establishment of PALs on a CO₂e basis to allow sources and permitting authorities to address GHGs one time for a source and avoid repeated subsequent permitting actions for a 10-year period.
11. The term “synthetic minor source” means a source that otherwise has the potential to emit regulated NSR pollutants as defined in 40 CFR 51.166 or regulated air pollutants as defined in 40 CFR § 71.2 in amounts that are at or above those for major sources in 40 CFR § 51.166 or § 71.2, as applicable, but that has taken a restriction so that its potential to emit is less than such amounts for major sources. Such restrictions must be enforceable as a practical matter.
12. The term “true minor source” means a source that emits or has the potential to emit regulated NSR pollutants in amounts that are less than the major source thresholds in

40 CFR § 51.166 or 40 CFR § 70.2 without the need to take an enforceable restriction to reduce its potential to emit to such levels. That is, a true minor source is a minor source that is not a synthetic minor source.

13. The terms “you” or “yours,” as used in each of the questions set forth in this request, refers to, and shall mean, the permitting authority for which this request is addressed including its divisions, directors, employees, representatives, attorneys and all other persons acting on its behalf.

III. QUESTIONS

Section one, titled permitting resources and burden, asks the following ten questions. Please answer every question and subpart of a question by either selecting yes or no, selecting an amount or percentage or entering the requested information.

1. In your opinion, did your permitting authority experience any change in the type and/or number of permit actions during this time period compared to previous permitting levels?
2. Is your permitting authority strained for resources? If so, what are the reasons? Select all that apply.
3. Did your permitting authority experience budget cuts during this time period? Select all that apply.
4. What burden did GHG permitting add to the overall permitting process during this time period?
5. On average, how many major source permits did your permitting authority issue during this time period?
6. On average, how many synthetic minor permits did your permitting authority issue during this time period?
7. On average, how many true minor permits did your permitting authority issue during this time period?
8. On average, what is your permitting authority per-permit processing cost?
9. If the GHG permitting thresholds are lowered in the future, would there be any sources potentially subject to title V that would be expected to have no SIP or CAA applicable requirements?
10. How much time would your state need to start issuing permits if a significant number of new PSD and Title V permits need to be issued due to lower applicability thresholds? What would be a significant number of permits for your state?

Section two, titled permitting streamlining measures, asks the following two questions. Please answer every question and subpart of a question by either selecting yes or no or entering the requested information.

1. Please indicate if your permitting authority implements any of the listed streamlining approaches and, if so, for which source categories. Please also indicate if any of these streamlining approaches have been incorporated into your state implementation plan.
2. If your permitting authority has implemented any streamlining approaches, please comment on the effectiveness of these approaches.

Section three, titled comments, provides the opportunity for you to comment about any part of this form or any other information we should be aware of as we gather information for this GHG Tailoring Rule study.

DRAFT

Greenhouse Gases Permitting Authority Burden Form

	United States Environmental Protection Agency State, Tribal or Local Program Name Contact Name Address Phone Fax	Please submit information by email to: <i>Email address</i>
GREENHOUSE GASES PERMITTING AUTHORITY BURDEN FORM		
Time Period: Click here to enter a date. to Click here to enter a date.		

A. PERMITTING RESOURCES AND BURDEN

Resource or Burden	Response	
1. In your opinion, did your permitting authority experience any change in the type and/or number of permit actions during this time period compared to previous permitting levels?	Indicate Yes or No. (If No, proceed to Question 2)	
a Sources requested synthetic minor limits to avoid GHG permitting	Indicate Yes or No.	
b Economy impacted the number of sources that applied for permits	Indicate Yes or No.	
c Other (Please specify)		
2. Is your permitting authority strained for permitting resources? If so, what are the reasons? Select all that apply.	Indicate Yes or No. (If No, proceed to Question 3)	
a GHG permitting	Indicate Yes or No.	
b Other permitting issues (e.g., SO ₂ or NO _x permitting)	Indicate Yes or No.	
c Decline in PSD or title V fee revenue?	Indicate Yes or No.	
d Increase in number of applicants		
e Budget cuts	Indicate Yes or No.	
f Other (Please specify)		
3. Did your permitting authority experience budget cuts during this time period? Select all that apply.	Indicate Yes or No. (If No, proceed to Question 4)	
a What percentage of the overall budget did it represent?	Select Percentage	
b Did it result in increased permit processing time? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent
c Did it cause or contribute to a backlog of unissued permits? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent
d Did it cause a decrease in the number of permitting personnel? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent
e Did it have any effect on your ability to issue permits?	Indicate Yes or No.	
4. What burden did GHG permitting add to the overall permitting process during this time period?		
a Increased number of source meetings?	Indicate Yes or No.	
b Increased number of inquiries on GHG requirements?	Indicate Yes or No.	
c Increased number of GHG permitting trainings for permitting staff? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent
d Added to the permitting authority's outreach burden to smaller sources that might not be aware of their GHG permitting obligations?	Indicate Yes or No.	
e Increased number of incomplete permit applications? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent
f Increased permit processing time for each permit? If so, approximately by what percentage?	Indicate Yes or No.	Select Percent

Resource or Burden		Response	
5. On average, how many major source permits did your permitting authority issue during this time period?		PSD	Title V
a	With GHG Applicable Requirements	Enter Amount	Enter Amount
b	Without GHG Applicable Requirements	Enter Amount	Enter Amount
6. On average, how many synthetic minor permits did your permitting authority issue during this time period?			
a	With GHG Applicable Requirements	Enter Amount	Enter Amount
b	Without GHG Applicable Requirements	Enter Amount	Enter Amount
7. On average, how many true minor permits did your permitting authority issue during this time period?			Enter Amount
8. On average, what is your permitting authority per-permit processing cost?		PSD	Title V
a	PSD and Title V Permits with GHG and other applicable requirements?	Enter Amount	Enter Amount
b	PSD and Title V Permits with GHG applicable requirements only?	Enter Amount	Enter Amount
c	PSD and Title V Permits without GHG applicable requirements?	Enter Amount	Enter Amount
d	Synthetic Minor Permits to avoid PSD or Title V requirements with GHG and other applicable requirements?	Enter Amount	
e	Synthetic Minor Permits to avoid PSD or Title V requirements with GHG applicable requirements only?	Enter Amount	
f	Synthetic Minor Permits to avoid PSD or Title V requirements without GHG applicable requirements?	Enter Amount	
g	True Minor Sources with no GHG Requirements	Enter Amount	
9. If the GHG permitting thresholds are lowered in the future, would there be any sources potentially subject to title V that would be expected to have no SIP or CAA applicable requirements?		Indicate Yes or No.	
a	At what threshold?	Enter Amount	
b	If so, approximately how many sources would be subject?	Enter Amount	
10. How much time would your state need to start issuing permits if a significant number of new PSD and Title V permits need to be issued due to lower applicability thresholds? What would be a significant number of permits for your state?		Time	Number of Permits
		Select Amount	Enter Amount

B. PERMIT STREAMLINING APPROACHES

1. Please indicate if your permitting authority implements any of the listed streamlining approaches and, if so, for which source categories. Please also indicate if any of these streamlining approaches have been incorporated into your State Implementation Plan.

Streamlining Option	State Implemented?	Incorporated into SIP?	Source Category or Categories.
Electronic Permitting	Indicate Yes or No.	Indicate Yes or No.	N/A
Lean Technique	Indicate Yes or No.	Indicate Yes or No.	
GHG PAL Mass basis	Indicate Yes or No.	Indicate Yes or No.	
GHG PALCO _{2e} basis	Indicate Yes or No.	Indicate Yes or No.	
Synthetic Minor	Indicate Yes or No.	Indicate Yes or No.	
Presumptive BACT	Indicate Yes or No.	Indicate Yes or No.	Please specify.
General Permit	Indicate Yes or No.	Indicate Yes or No.	Please specify.
Permit-by-Rule	Indicate Yes or No.	Indicate Yes or No.	Please specify.
Other	Please specify.	Indicate Yes or No.	Please specify.

2. If you permitting authority has implemented any streamlining approaches, please comment on the effectiveness of these approaches.

C. COMMENTS

1. Please comment about any part of this form or any other information we should be aware of as we gather information for this GHG Tailoring Rule study.