# Iowa Department of Natural Resources

Leading Iowans in caring for our natural resources


# Effective Permit Writing Tips

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# Air Quality – Core Purpose

- Protect Public Health & Welfare
  - Health
    - National Ambient Air Quality Standards (NAAQS)
  - Public Welfare
    - Economic viability of an area
    - Property values
    - Other more traditional measures

# Corollary Goals

- Require permits for sources important to Air Quality Management (AQM) purposes
- Allocate limited air resources effectively
- Issue Permits
  - Each term & condition furthers core purpose
  - No arbitrary requirements
  - Effective, workable, and prepared efficiently
  - Timely

# What is a Permit?

- Legal tool
  - Extension of the regulations
    - Reflects outcome of permit review process
    - Defines what is expected of source
    - Primary basis for enforcement
  - Basically a contract
    - Between company and regulatory agency

# Goals of a Permit

- "Stand-alone" document that:
  - Identifies emission unit(s) to be regulated
  - Establishes emission standards and/or other operational limits to be met
  - Specifies methods for determining compliance
  - Outlines procedures necessary to maintain continuous compliance with standards & limits

# How to Achieve Permit Goals

- Process consistency
  - Everyone is aided
  - Applicability decisions
  - Between permits
- Permit must contain conditions that are:
  - Specific
  - 3 C's
    - Clear
    - Concise
    - Consistent
  - Enforceable

# Process Consistency

- No consistency  moving target

- Consistency  exact same permits/decisions
  - Still case-by-case
    - Can lead to different results even with consistent thought process


# PROCESS CONSISTENCY

# Consistency – Construction Permit Section

- Use good permits as templates
  - Concept of "good" is elusive
  - Gather input from
    - inspectors
    - attorneys
    - compliance personnel
    - permittees
- Peer review (Senior Engineer)
  - Each permit & determination letter
  - Each Senior assigned
    - 1 – 2 engineers
    - Rotate each year

# Consistency – Construction Permit Section

- Construction Permit Manual
  - Procedures
  - Periodically updated
- Consistency topics
  - Started in 2015
  - 1 topic each staff meeting
  - "Consistency Engineer"
    - Senior Engineer on a 1 year rotation
    - Written document
      - Stored in electronic library
    - Keep an updated list of future topics

# Sampling of Past Consistency Topics

- Rounding/significant digits
- Redundant limits
- Number of digits in permit limits
- Proper citation of
  - Rules
  - Orders
- Smokehouse permitting
- Terminology
  - Example:  major vs. area

# Sampling of Future Consistency Topics


- Ethanol plant testing
- CISWI language
- Evaluating old stack test data
- Engineering evaluations
- VOC recordkeeping
- Minimum detection limits
- Averaging times
- Replacement of components for combustion turbines


# EFFECTIVE PERMITS

# Minimal Number of Permit Requirements

- Past Practice
  - Have an emission limit for every pollutant
  - Have as many operating conditions as possible
  - Problems
    - Not best use of resources
      - More work for permit writer
      - More work and higher cost for company
      - More chance of noncompliance
      - Dilutes attention from most important conditions
    - Some conditions are “bootstrap”

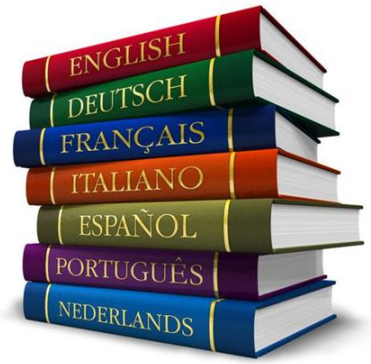
# Minimizing Permit Requirements

- Examine need for each requirement
  - Discuss amongst staff (if needed)
  - Make sure to have a basis
- Emission Limits are always core requirement
  - Responsible for environmental impacts
  - Regulation of emissions = strongest part of authority

# Minimizing Permit Requirements (Continued)

- Focus on:
  - Protecting public health and welfare
  - Calling attention to requirements in rules & regulations
  - Requirements that
    - Improve unit/process/control equipment operation
    - Ensure continual compliance
- Leave out conditions that are:
  - Redundant
  - Unauthorized
  - Unnecessary

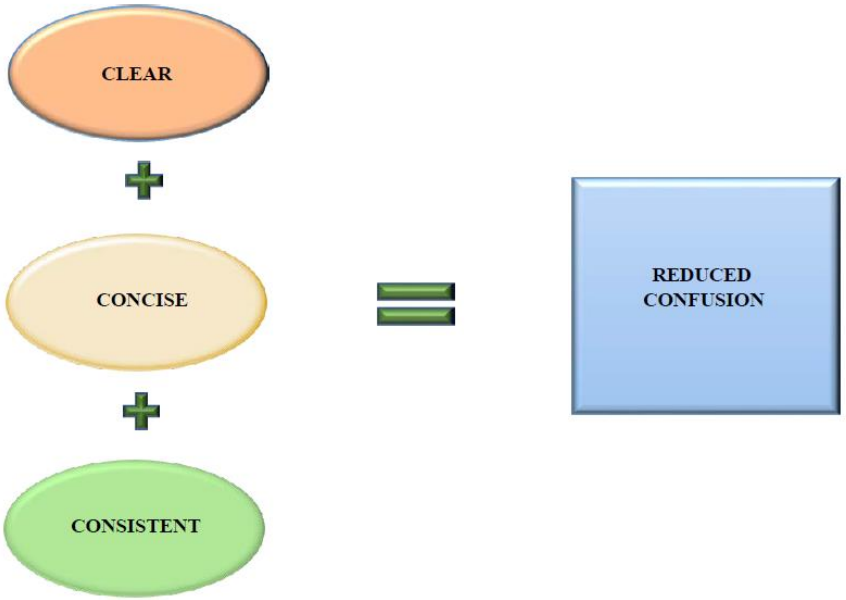
# Permit Language




- Permit is a legal document
  - Therefore, will have legal terminology
  - However, know the reader
    - Might not have detailed knowledge of rules or terminology
    - Keep it simple if possible
- Basic purpose of permit requirements are to tell permittee
  - What is allowed,
  - What is prohibited, and/or
  - What is required
    - Including how and when

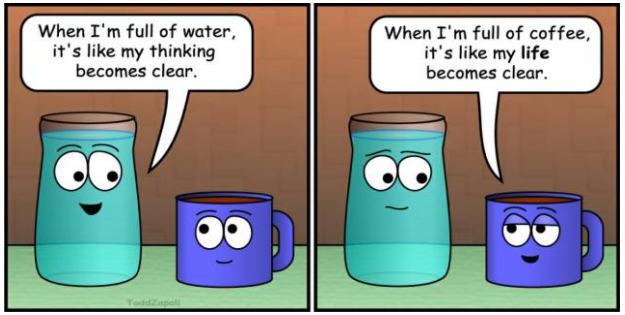
# Permit Language (Continued)

- Regardless of purpose each requirement needs to be
  - Clear
  - Concise
  - Consistent



# Clear

- Positive & direct terms
- Avoid vague and negative language
- Minimize exceptions or conditional statements
  - **Shall, will, and must** instead of *should*, *would*, *and may*
  - **"Within 24 hours"** instead of *"as soon as possible"*
  - **"This requirement applies to Units 1 – 3."** instead of *"This requirement does not apply to Units 4 and 5."*
  - Recent Example – company requested:
    - "If the owner wishes to…"
      - Was not accepted



# Concise

- Don’t try to fit too much into a single term or condition
- Tables are one way to improve both conciseness and clarity
  - Best with numeric limits
  - Can be difficult to read with written conditions

# Consistency is Key

- Use the same terms throughout permit
  - A permit is not literature
    - Not trying to write the next great novel!!
    - Do **NOT** use thesaurus
    - Don't need to show off your vocabulary
  - Once a term is selected stick with it
  - Examples:
    - Baghouse (CE 1) used on cover page
      - Don't switch to fabric filter, control device, etc. elsewhere in permit
    - Term "sprayed material" is used in requirement
      - Don't switch to paint or paint mixture to describe the same thing

# Establishing Permit Requirements

- Factors to consider
  - Basis of the requirement
  - Units of measure
  - Averaging time
  - Measurements
    - the company already tracks or
    - can be tracked for proper operation
      - Emission unit
      - Process
      - Control equipment
    - Ensure values are realistic and valuable

# Permit Requirement Basis

- Why is the requirement there?
  - If no basis/reason then it shouldn't be there
- Main reasons
  - Statute/regulation
  - Synthetic minor
  - Dispersion modeling
  - Requested by the company
  - Ensure proper operation of equipment
    - Example: pressure drop requirement on a baghouse


# PERMIT WRITER EFFICIENCY

# How to Increase Efficiency & Permit Quality

- Constant training on
  - Regulations
  - Processes that are regulated

- Site visits
  - See equipment in operation
  - Face-to-face discussions with plant personnel
  - Resource dependent

# Top 10 Permit Writer Efficiency Tips

1) “Do Not Disturb Time” in the morning

2) Break up the day

3) At least 3 active projects

4) Quick application review

5) Set your own personal deadlines

# Top 10 Permit Writer Efficiency Tips (Continued)


6) Trust but verify

7) Don’t let a project become stale

8) Gather all information before writing permit

9) Take ownership of your evaluation, but keep simple

10) Don’t be afraid of making a mistake

# Questions?



Contact Information

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