

CLEARING THE AIR

Effective Public Participation in the Air Permitting Process

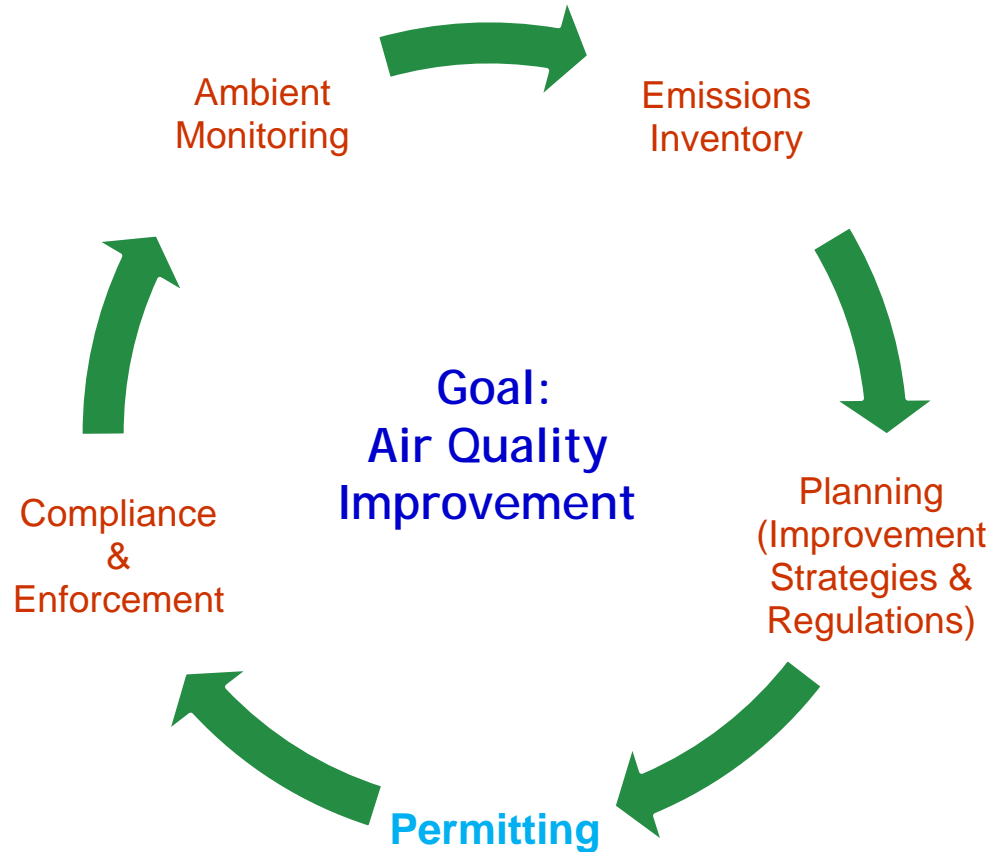
Clearing the Air Workshop #1: April 27, 2021



GOVERNMENT OF THE
DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

TAG THIS PRESENTATION @DOEE_DC

Air Quality Program



What is an Air Quality Permit?

An air quality permit is:

- An approval to emit a limited amount of air pollution from a facility or piece of equipment.
- It is issued to the owner or operator of the facility or equipment.
- The approval is conditional upon the owner or operator complying with all applicable air quality laws and regulations.
- The applicable laws and regulations are laid out in the permit.

What Do We Permit?



Boilers



Asphalt and
Concrete Plants



Engines/Generators



Parts Washers



Paint Booths



Crushers/Screens

And many more...

Characteristics of an Air Quality Permit

Permits must be “Enforceable as a Practical Matter”.

Air quality permits lay out all applicable regulatory requirements in the document, including:

- Emission Limits
- Operational Limits
- Monitoring and Record Keeping Requirements
- Reporting and Notification Requirements

Types of Sources

Major Title V Sources (45)



- Universities
- Military Bases
- Asphalt Plants
- Hospitals
- Government Facilities
- Large Boiler Plants

Minor Sources (100s or 1000s)



- Boilers
- Generators
- Crushers
- Printing Presses
- Concrete Plants
- Auto Body Shops
- Dry Cleaners
- Metal Plating

Types of Permits

- ▶ Preconstruction Review and Minor Source Operating Permits (known as Chapter 2 permits)
 - Standard Chapter 2 permits (30-day public notice)
 - Source Category Approvals (coverage by already issued standardized/general permit.
- ▶ Synthetic Minor Permits
- ▶ Major Source Permits (known as Title V permits)
 - These are facility-wide permits that cover all equipment at the facility.

Permitting Process Overview

- ▶ Air Quality Division (AQD) receives application.
- ▶ Application reviewed, issues discussed with applicant, and draft permit developed.
- ▶ Draft permit published for 30-day public comment period.
- ▶ Comments addressed in comment response document and possibly permit modifications.
- ▶ Final decision on application.

Public Comment Period

- ▶ 30 days
- ▶ Published on Friday on D.C. Register schedule
- ▶ Published in D.C. Register and on DOEE website (<https://doee.dc.gov/service/public-notices-hearings>)
- ▶ If DOEE knows someone is interested in a particular project, we typically notify them as well.

Documents Available for Comment

- ▶ Published on website:
 - Draft permit
 - Technical support memorandum
- ▶ Also available:
 - Application
 - Any other documents relied upon to make preliminary determination.

Public Hearings

- ▶ Not typically automatically scheduled.
- ▶ Can be requested during any comment period.
- ▶ When scheduled, at least 30 days advance notice provided.
- ▶ For permits DOEE thinks might generate public interest, a hearing may be scheduled at the time of the initial public notice. Typically, they are scheduled for the last day of the public comment period.

Submitting Comments

- ▶ Comments can be submitted by:
 - Email
 - Postal Mail/Delivery Service
 - Verbal Testimony at Public Hearing

- ▶ The public notice provides instructions on how to submit comment and request hearings.

Effective Comments

- ▶ Effective comments are:
 - Air-quality related
 - Show familiarity with proposal and draft permit
 - Specific
 - Include suggestions as to how the issue of concern can be resolved

Effective Comments

- ▶ Effective comments are not:
 - General dissatisfaction with the existence of a facility or piece of equipment.
 - Non-air quality issues (traffic, noise, aesthetics).
 - Large numbers of identical form comments.

Limitations on DOEE Authority

- ▶ Most permits are approved in some form.
- ▶ DOEE generally must approve a permit where the facility demonstrates that they will be able to comply with all air quality regulations.
- ▶ DOEE cannot deny a permit based on public opposition, but rather only if the proposed project/operation will not comply with one or more laws or regulations.

Goal of Air Quality Permitting Program

- ▶ Issue permits that:
 - ▶ Are protective of public health and the environment;
 - ▶ Contain all regulatory and legal requirements applicable to the facility or process; and
 - ▶ Include compliance methods that the facility can reasonably comply with.

Effective Public Participation in the Air Permitting Process

Questions?

