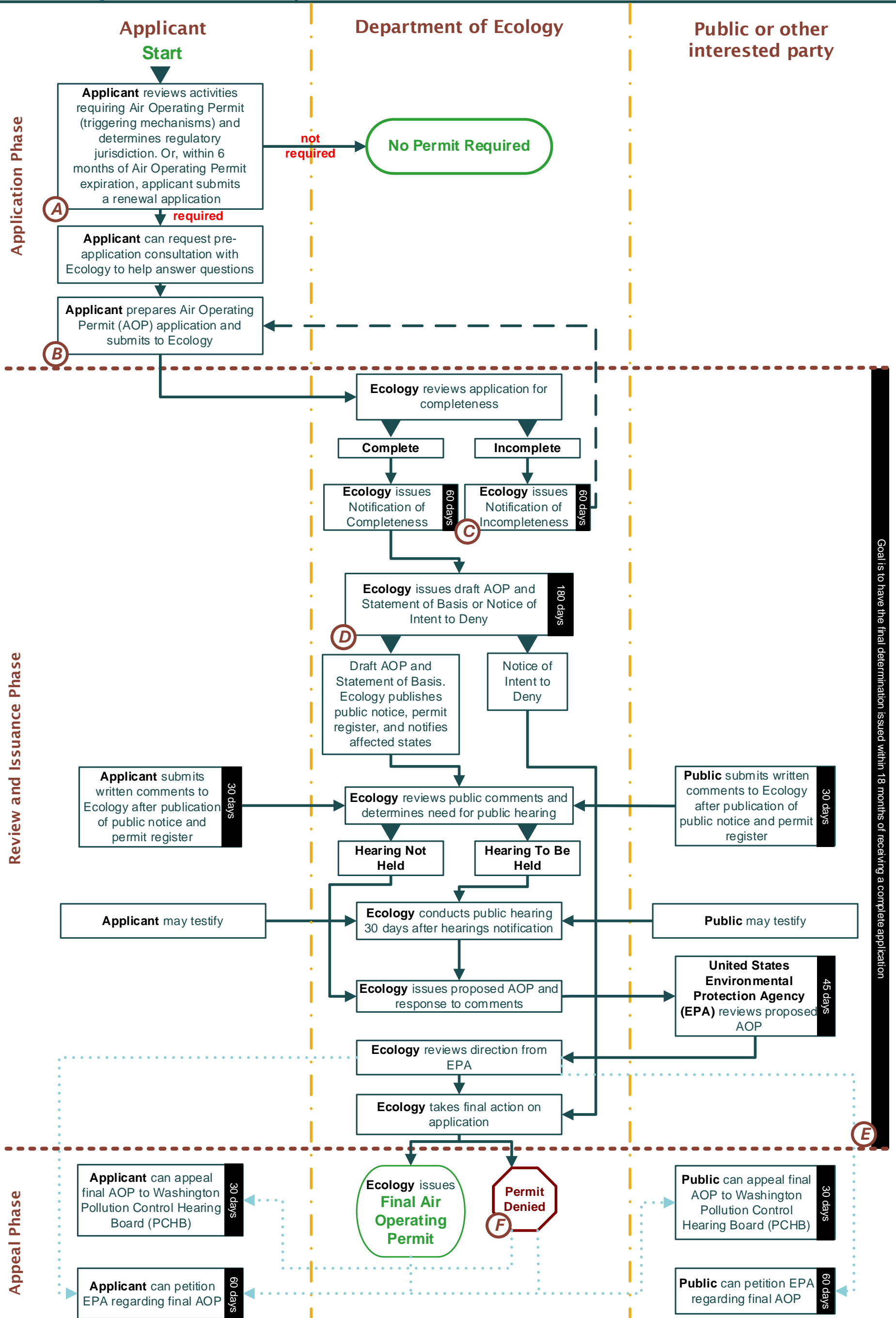


Air Operating Permit (AOP)



Goal is to have the final determination issued within 18 months of receiving a complete application

Legend: (A) = Hyperlink → = Progression - - - -> = Revision ... = Optional

For more information on this or any permitting process visit <https://www.oria.wa.gov> or call the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043

Link A

Triggering Mechanisms:

The Air Operating Permit program was mandated by EPA so each major industrial facility has a single air permit consolidating all previous air quality permits. An Air Operating Permit combines in one document all the operational and procedural requirements, emission standards and other requirements for facilities of a certain size that release air emissions. The applicability triggers based on plant-wide emission rates are as follows:

- Plant-wide Potential to Emit (PTE) for any criteria pollutant > 100 tons per year
- Plant-wide PTE for any individual Hazardous Air Pollutant (HAP) > 10 tons per year

Reference: <http://www.epa.gov/ttn/atw/orig189.html>

- Plant-wide PTE for combined HAPs > 25 tons per year

A facility can avoid the Air Operating Permit requirement by obtaining a Notice of Construction permit that limits the facility's plant-wide emission rates to less than the above emission thresholds.

Regardless of the facility's emission rates, an Air Operating Permit is required if the facility is subject to certain federal air quality requirements:

- A Title IV acid rain permit
- Any post-1990 New Source Performance Standard (NSPS)
- Any post-1990 National Emission Standard for Hazardous Air Pollutants (NESHAP)

Reference: http://www.ecy.wa.gov/programs/air/permit_register/register.html

Air Quality Regulatory Jurisdiction

Under the Washington Clean Air Act, counties are given the choice whether to form a “local” air authority. Those counties which do not form a local air authority are under the direct air quality regulatory jurisdiction of Ecology. While Ecology enforces the State regulations, found in the Washington Administrative Code, local air authorities may utilize the State regulations, their own local regulations, or a combination of the two. With the reality that air quality regulations may vary between counties, it is important to identify which regulations will apply to a specific project. Ecology maintains a map for use in identifying the correct air quality regulatory jurisdiction. [LINK or REFERENCE: <http://www.ecy.wa.gov/programs/air/local.html>] Note that all pulp mills and aluminum smelters are under the jurisdiction of Ecology’s Industrial Section, regardless of county location, and Hanford is under the jurisdiction of Ecology Kennewick Office.

The remainder of this flowchart is designed for use with the State regulations, and thus is relevant for projects within Ecology jurisdiction. If a project is not within Ecology air quality jurisdiction, the applicant should contact the appropriate agency to inquire about their air quality permitting processes.

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Link B

Air Operating Permits application

If an AOP is required, the Applicant must submit a complete and timely AOP application. Applications may be obtained by contacting the agency with air quality jurisdiction in the county that their project will occupy. For new AOP sources, complete AOP applications are due within twelve months of commencing operation.

A complete application will include all information required pursuant to Washington Administrative Code 173-401-510. [LINK or REFERENCE: <http://apps.leg.wa.gov/wac/default.aspx?cite=173-401>]

If the Applicant has questions regarding the content of these forms, they should contact the agency with air quality jurisdiction in the county that their project will occupy. Additionally, an Applicant may request a pre-application meeting.

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Air Operating Permit (AOP)

Link F

Permit Appeals

Final permit decisions are appealable to:

Pollution Control Hearings Board
PO Box 40903
Olympia, Washington 98504-0903
LINK or REFERENCE <http://www.eho.wa.gov>

Concurrently, a copy of the appeal application must be sent to:

Department of Ecology
PO Box 47600
Olympia, Washington 98504-7600

And, the appropriate Regional Office:

Department of Ecology Northwest Regional Office 3190 – 160 th Avenue SE Bellevue, WA 98008-5452	Department of Ecology Central Regional Office 1250 West Alder Street Union Gap, WA 98903-2490	Department of Ecology Eastern Regional Office 4601 N Monroe Street Suite 202 Spokane, WA 99205-1295
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For more information on this or any permitting process visit <https://www.oria.wa.gov> or call the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043