

Permitting Practices, Resources and Performance of State Air Pollution Control Agencies

**By: Dr. Howard Ellis, QEP, Rajesh Thotakura, Scott Pan
and Michael Hirtler, CCM**

**Enviroplan Consulting, Fairfield, New Jersey
Email: hellis@enviroplan.com**

Purpose of Study

Conduct a survey of state air pollution control agencies on their air pollution permitting practices, resources and performance

Reasons for Study

- Significant professional resources needed to satisfy state air pollution permitting requirements
- No known studies to survey and benchmark state air permitting practices, resources and performance
- State air pollution permitting agencies can benefit by comparing their permitting practices, resources and performance with those of other states

Procedures

1. Design Survey

- a. General Information
- b. Permit Output
- c. Resource Requirements
- d. Permitting Practices
- e. Suggestions for Further Improvement

Procedures

2. Distribute survey to the directors of the air pollution control agencies in 30 states plus the District of Columbia

States Responding to the Survey

State	Response	Type of Response
New York	Yes	Complete
Virginia	Yes	Complete
Alabama	Yes	Partial
Lousiana	Yes	Complete
Texas	Yes	Partial
Ohio	Yes	Complete

State	Response	Type of Response
Illinois	Yes	Partial
Wisconsin	No	Complete
Iowa	Yes	Complete
Missouri	Yes	Complete

Procedures

Assemble responses in spreadsheet and
conduct applicable analyses

Results

Four of the eight states providing complete responses delegate a portion of their permitting to regional/local air pollution agencies:

Alabama

Iowa

Missouri

Ohio

Results

Number of air pollution permits of each type issued in the most recent 12 months by the state agency

<u>Permit Type</u>	<u>Avg. #</u>	<u>Avg. %</u>
Title V Related	175	11%
FESOP Related	141	9%
MSOP Related	806	52%
Others	432	28%
Total	1,554	

Results

Average Resources Required to Prepare Permits

- 64.6 permit writers (78%)
- 7.0 clerical/secretarial personnel (8%)
- 11.5 managers (14%)
- Total of 83.1 per state agency

Results

Average Resources Required to Prepare Permits

- 6.2 permit writers and clerical/secretarial staff per manager
- 9.2 permit writers per clerical/secretarial staff member

Results

Efficiency in Preparing State Air Pollution Permits

“Efficiency”= Equivalent # of Title V Permits prepared in last 12 months per equivalent full time state employee

Results

State	Equivalent Number of Title V Permits Prepared Per Full Time Employee Per Year
1	15.4
2	28.5
3	6.8
4	4.5
5	5.4
6	12.5
7	9.4

Results

Possible Reasons for Large Variations in Efficiency Among State Agencies

- Permit requirements
- Source types
- Air quality
- Applicant responses to state
- Organizational approach

Results

Biggest Problems in Preparing Air Pollution Permits

Problem: Large permit backlog

Solution: Adopted Japanese business process improvement method “Kaizen”

Results

Problem: High turnover rate

Problem: Pay scale too low at entry level leading to attrition

Problem: Understaffing at all levels

Results

Problem: Environmental/public groups appeal or question permits in certain areas (e.g. electric generation units)

Solution: Applicants should hold public outreach meetings.
Place draft permits on public web sites

Results

Problem: Lack of sufficient implementation and guidance materials from EPA

Solution: EPA should develop more guidance materials

Results

Problem: Lack of consistency among states in Title V Permit wording

Solution: Develop standard wording templates and continuously update based on public/EPA comments

Results

Problem: Need more guidance on what defines minor and significant modifications and off-permit changes

Problem: Computer problems make some permit processing difficult

Solution: Modify/upgrade computer systems.
Integrate permits, compliance and emissions data

Results

Problem: Remaining current on newly issued MACT regulations

Solution: Central tracking and status reporting on new MACTs and developed list of possible affected sources

Results

Problem: Incorporating new regulatory requirements in Title V Permits

Solution: Issued new procedures and revised the template for Title V Permits

Results

Problem: Meeting EPA deadlines for Title V Permit issuance

Solution: Implemented centralized tracking and monthly permit progress reporting and diverted other air program resources to air permitting

Results

Problem: Too many permits to process. Only a few non-Title V Permits are processed

Solution: Adding small source exemption, permit by rule exemption for common small sources, general permit program

Results

Problem: Funding cuts

Problem: Lack of facility ability/willingness to respond quickly to information requests

Solution: Consistent follow-up with facilities on status of response

Results

Problem: Incomplete permit applications

Solution: Hold pre-application meetings

Results: Permit Application Fees by State

State	Application Fee	Annual Emissions Fee Per Ton Per Year For Each Regulated Air Pollutant (\$)	Limit On Actual Tons Per Year Per Regulated Pollutant To Which The Emissions Fee Applies (Tons)	Limit On Actual Total Tons Per Year To Which The Emissions Fee Applies (Tons)
1	0	\$31.75	4,000	No Limit
2	\$5,354 (Part 70 only)	\$12.83	4,000	No Limit
3	\$100	\$34.00	4,000	12,000
4	0	\$45.00	6,000	No Limit
5	0	\$36.98	No limit	No Limit
6	0	\$25.00	4,000	No Limit
7	0	\$ 35.71	5,000	No Limit

Conclusions

- Survey results may help managers of state/local air agencies make better permitting budget and operational decisions to improve permit processing with limited budgets
- This type of survey should be repeated periodically