



Bureau of Air Quality Permitting Guidelines

**"The mission of the Bureau of Air Quality is to conserve and enhance
air resources in a manner that promotes quality of life."**

**Prepared by the
South Carolina Department of Health and Environmental Control
[Bureau of Air Quality](#)**

August 4, 2009

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Acronyms

EPA's "Terms of Environment"

BACT = Best Available Control Technology

BAQ = Bureau of Air Quality, SCDHEC

CAA = Clean Air Act

CAM = Compliance Assurance Monitoring

CEM = Continuous Emissions Monitoring

CFR = Code of Federal Regulations

CO = Carbon Monoxide

COM = Continuous Opacity Monitor

DAQA = Division of Air Quality Analysis

Department = **SCDHEC** = South Carolina Department of Health and Environmental Control

EPA = U.S. Environmental Protection Agency

EQC = Environmental Quality Control (Office of)

HAP = Hazardous Air Pollutant(s)

LAER = Lowest Achievable Emission Rate

MACT = Maximum Achievable Control Technology

NAAQS = National Ambient Air Quality Standards

NESHAP = National Emission Standards for Hazardous Air Pollutants

NOMA = Notice of MACT Approval

NO_x = Oxides of Nitrogen

NSPS = New Source Performance Standards

NSR = New Source Review

Pb = Lead

PE = Professional Engineer

PM = Particulate Matter

PM₁₀ = Particulate Matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers

PM_{2.5} = Particulate Matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers

PSD = Prevention of Significant Deterioration

PTE = Potential to Emit

RACT = Reasonably Available Control Technology

SBEAP = Small Business Environmental Assistance Program

SIP = State Implementation Plan, "South Carolina Air Quality Implementation Plan"

SO₂ = Sulfur Dioxide

TAP = Toxic Air Pollutant(s)

Title V Permit = A comprehensive operating permit, which includes federally enforceable operating conditions, monitoring, and public involvement.

TPY = Tons per year

TSP = Total Suspended Particles

TVACC = Title V Annual Compliance Certifications

VOC = Volatile Organic Compound(s)

112(g) = Section 112(g) of the 1990 Clean Air Act Amendments - "Case-by-Case MACT"

Purpose

These permitting guidelines provide you with a general overview of the regulatory requirements, basic procedures, and timelines for obtaining Air Quality construction and operating permits in South Carolina. These guidelines are not meant to provide a complete list of regulations nor regulatory requirements that may be applicable to your particular facility. It presents a brief synopsis of how various regulations may pertain to your facility; what your affected facility may need to address when submitting a permit application in compliance with any applicable regulatory requirements; and what the normal timeframes are for reviewing applications, for soliciting public comments, and for issuing air permits. These guidelines are intended to be a synopsis of the primary Air Quality construction and operating permit process and are not all-inclusive.

Bureau of Air Quality

The [Bureau of Air Quality](#) (BAQ or Bureau) is the delegated authority for stationary source permitting in South Carolina. The Bureau also provides assistance to facilities to ensure compliance with permitting and regulatory requirements. The [BAQ Organization Charts](#) list the basic functions of each section within the Bureau's four divisions. The [Engineering Services Division](#) has four sections: Piedmont Permitting, Sandhills and Forestry Products Permitting, Coastal Plains and Power Permitting, and General Permitting and Support. This division's primary function is to review permit applications and issue air quality construction and operating permits to industrial, commercial, and institutional facilities that emit regulated air pollutants.

The BAQ permitting system regulates sources that emit pollutants into the ambient air, as prescribed by [Regulation 61-62.1 - Definitions and General Requirements](#), Section II - Permit Requirements. Before construction of a new facility begins, or before alteration of a process, or installation of a control device, or addition of a source of emissions are made to existing sources of air pollution, a "[Construction Permit](#)" must be obtained from the BAQ. Any source that is required to obtain an air quality construction permit issued by the BAQ must later obtain an "[Operating Permit](#)" when the new or altered source is placed into operation. If you have questions concerning your facility's air emissions and permitting requirements, please call the Bureau of Air Quality at (803) 898-4123, or contact the appropriate person on the [BAQ Contact Listing](#).

Air Quality Statutes and Regulations

Clean Air Act

The [Clean Air Act \(CAA or Act\)](#) is the law that defines the responsibilities of the [United States Environmental Protection Agency \(EPA\)](#) to create and enforce regulations for protecting and improving the nation's air quality and the stratospheric ozone layer. Like other laws enacted by Congress, the Clean Air Act was incorporated into the [United States Code](#) (U.S. Code or U.S.C.) and is listed as Title 42, Chapter 85. The last major change in the law, the Clean Air Act Amendments, was enacted by Congress in 1990. Since then, legislation has made several minor changes. The House of Representatives maintains a current version of the U.S. Code, which includes the changes enacted since 1990.

The [EPA Clean Air Act](#) website provides links to sections of the U.S. Code containing the amended text of the Clean Air Act.

National Ambient Air Quality Standards (NAAQS)

The Clean Air Act, 42 U.S.C. 7401 et seq., requires EPA to set [National Ambient Air Quality Standards \(NAAQS\)](#) for wide-spread pollutants considered harmful to public health and the environment. The CAA established two types of national air quality standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against visibility impairment, damage to animals, crops, vegetation, and buildings. In the [Code of Federal Regulations](#) (CFR), [40 CFR Part 50 - National Primary and Secondary Ambient Air Quality Standards](#), EPA has set [NAAQS](#) for six principal pollutants, which are called "criteria pollutants:"

- Carbon Monoxide (CO)
- Lead (Pb)
- Nitrogen Dioxide (NO₂)
- Ozone (O₃)
- Particulate Matter (PM)
 - PM₁₀
 - PM_{2.5}
- Sulfur Dioxide (SO₂)

The CAA requires EPA to conduct periodic review of the science upon which the standards are based and the standards themselves.

United States Environmental Protection Agency (EPA) Regulations

Pursuant to [Section 110 of the CAA](#), EPA has promulgated air quality regulations in the [Code of Federal Regulations](#) (CFR). [40 CFR Part 51 - Requirements for Preparation, Adoption, and Submittal of Implementation Plans](#), requires each state to submit plans that provide for the

implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS). State plans must include the permitting requirements and legally enforceable procedures that enable the state to determine whether the construction or modification of a facility will result in a violation of applicable requirements or interfere with attainment or maintenance of a national standard in the state or in a neighboring state. The enforceable procedures and permitting requirements are outlined in [40 CFR Part 51 Subpart I - Review of New Sources and Modifications](#):

- §51.160 - Legally enforceable procedures.
- §51.161 - Public availability of information.
- §51.162 - Identification of responsible agency.
- §51.163 - Administrative procedures.
- §51.164 - Stack height procedures.
- §51.165 - Permit requirements.
- §51.166 - Prevention of significant deterioration of air quality.

EPA Delegation of Authority to Implement Federal Regulations

New Source Performance Standards (NSPS)

South Carolina has been delegated the authority to implement the New Source Performance Standards (NSPS), as listed in [Regulation 61-62.60 - South Carolina Designated Facility Plan and New Source Performance Standards](#). Any new, modified, or reconstructed source at your facility may be subject to the requirements of [40 CFR Part 60, Standards of Performance for New Stationary Sources](#). The NSPS are federally mandated regulations developed on an industry or process-specific basis pursuant to [Section 111 of the CAA](#). If your facility is subject to an NSPS, you are required to comply with specific emissions limitations and testing and reporting schedules for a regulated air pollutant. NSPS may regulate criteria pollutants and hazardous air pollutants (HAP). Your facility could be subject to both NSPS and National Emissions Standards for Hazardous Air Pollutants (NESHAP).

Section 111(d) Plan

In promulgating any new or revised standard of performance to control a designated pollutant from affected facilities pursuant to Section 111(b) of the CAA, EPA may also promulgate requirements for existing sources (designated facilities) under Section 111(d) of the CAA. The Department is required to develop and implement a plan for the control of designated pollutants from existing facilities in accordance with the "Emissions Guidelines" developed by EPA. EPA publishes all Section 111(d) Plan approval, disapproval, and promulgation actions in the [Federal Register](#), codified under 40 CFR Part 62 - Approval and Promulgation of State Plans for Designated Facilities and Pollutants. 40 CFR Part 62, Subpart PP identifies the federally approved [South Carolina Plan for the Control of Designated Pollutants from Existing Facilities \(Section 111\(d\) Plan\)](#) which provides for the permitting of existing sources of air pollutant emissions from affected facilities throughout the state.

National Emissions Standards for Hazardous Air Pollutants (NESHAP)

[Section 112 of the CAA](#) requires that the U.S. Environmental Protection Agency (EPA) significantly reduce daily, so-called "routine" emissions of the most noxious air pollutants: those that are known or suspected to cause serious health problems such as cancer or birth defects. The CAA refers to these pollutants as "hazardous air pollutants," but they are also commonly known as toxic air pollutants or, simply, air toxics. Prior to 1990, the CAA directed EPA to regulate toxic air pollutants based on the risks each pollutant posed to human health. While EPA and the scientific community gained valuable knowledge about risk assessment methods through this work, the chemical-by-chemical regulatory approach, an approach based solely on risk, proved difficult. In fact, in 20 years, EPA regulated only seven pollutants (asbestos, benzene, beryllium, inorganic arsenic, mercury, radionuclides, and vinyl chloride) under [40 CFR Part 61](#). The EPA, under Section 112 of the Clean Air Act, has delegated authority to the Department for the implementation and enforcement of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for stationary sources located in South Carolina. [Regulation 61-62.61 - National Emission Standards for Hazardous Air Pollutants \(NESHAP\)](#) lists the risk-based NESHAP regulations and standards that were developed for these pollutants.

NESHAP for Source Categories / Maximum Achievable Control Technology (MACT)

When amending the Clean Air Act in 1990, Congress directed EPA to use a "technology-based" and performance-based approach to significantly reduce emissions of air toxics from major sources of air pollution, followed by a risk-based approach to address any remaining, or residual, risks. Under the "technology-based" approach, EPA develops standards for controlling the "routine" emissions of air toxics from each major type of facility within an industry group (or "source category"). These standards, known as "maximum achievable control technology (MACT) standards," are based on emissions levels that are already being achieved by the better-controlled and lower-emitting sources in an industry. In setting MACT standards under [40 CFR Part 63](#), EPA does not generally prescribe a specific control technology. Instead, whenever feasible, EPA sets a performance level based on technology or other practices already used by the industry. Facilities are free to achieve these performance levels in whatever way is most cost effective for them. The Department has been delegated authority for the implementation and enforcement of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories for stationary sources located in South Carolina. [Regulation 61-62.63 - National Emission Standards for Hazardous Air Pollutants \(NESHAP\) for Source Categories](#) lists the "technology-based" NESHAP regulations and standards that may apply to sources of hazardous air pollutants.

Stationary sources of routine air toxics emissions are divided into two types:

- "Major" sources are defined as sources that emit 10 tons per year of any of the listed toxic air pollutants, or 25 tons per year of a mixture of air toxics. These sources may release air toxics from equipment leaks, when materials are transferred from one location to another, or during discharge through emission stacks or vents.

- "Area" sources are usually smaller facilities that release lesser quantities of toxic pollutants into the air. Area sources are defined as sources that emit less than 10 tons per year of a single air toxic, or less than 25 tons per year of a combination of air toxics. Though emissions from individual area sources are often relatively small, collectively their emissions can be of concern - particularly where large numbers of sources are located in heavily populated areas. Under the [Urban Air Toxics Strategy](#), EPA is developing [standards to control toxic air pollutants from area sources](#).

"Case-by-Case" MACT Determination

Section 112(g) and 112(j) of the Clean Air Act (CAA) serve as transitional regulations until EPA finalizes a MACT standard for that source type. The Section 112(g), ["case-by-case" MACT](#), regulation is triggered if a facility constructs or reconstructs a major HAP source and no MACT standard has been promulgated for that source type. The case-by-case MACT determination requires the facility to submit an application to be reviewed by BAQ. The review process takes approximately 105 days, which includes an EPA and public comment period. A Notice of MACT Approval (NOMA) will be issued with federally-enforceable conditions.

Section 112(j) established a mechanism for states to regulate major sources of HAP in the event that EPA fails to meet the regulatory deadlines specified in the CAA. Section 112(j) requires facilities that are major HAP sources to apply to the state for revision of their operating permits. The permit revision must contain emission limits equivalent to the limits EPA should have established. The 112(j) determination process is similar to the 112(g) case-by-case MACT determination process but has an 18 month timetable, which includes public notice and an EPA and public comment period. Either of these processes may trigger a Title V significant modification.

State Implementation Plan (SIP)

The [South Carolina Department of Health and Environmental Control](#) (Department or SCDHEC) is responsible for submitting an implementation plan that provides for the implementation, maintenance, and enforcement of the NAAQS. The federally approved [South Carolina Air Quality Implementation Plan](#), is commonly referred to as the State Implementation Plan, or SIP. In its SIP, South Carolina is required by [Section 107 of the CAA](#) to specify how the national primary and secondary ambient air quality standards will be achieved and maintained throughout the entire state. The SIP provides for the permitting of all sources of air pollutant emissions. In areas with clean air, especially pristine areas like national parks, the permitting program assures that new emissions do not significantly worsen air quality. The SIP is a living document that is subject to revision when new or amended regulatory requirements are implemented. EPA publishes all SIP approval, disapproval, and promulgation actions in the [Federal Register](#), codified under 40 CFR Part 52. The federally approved *South Carolina Air Quality Implementation Plan* can be found in the [Code of Federal Regulations](#); Title 40 - Protection of Environment; Chapter I - Environmental Protection Agency; Subchapter C - Air Programs; Part 52 - Approval and Promulgation of Implementation Plans; [Subpart PP - South Carolina](#).

South Carolina Statutory Authority

40 CFR Part 51 - Requirements for Preparation, Adoption, and Submittal of Implementation Plans, defines the necessary statutory powers which must be immediately available to states to carry out the responsibility to the Clean Air Act. [40 CFR §51.230](#) specifies six requirements for state authority to carry out the plan. The 1976 [South Carolina Code of Laws](#), as amended, Title 48 - Environmental Protection and Conservation; Chapter 1 - [Pollution Control Act](#), Section 48-1-10 et seq., provides the South Carolina Department of Health and Environmental Control with the statutory authority to abate, control, and prevent air pollution. The Attorney General of the State of South Carolina has given an opinion as to the adequacy of South Carolina laws, as follows:

Legal Authority Required 40 CFR 51	Adequacy of S. C. Law	S. C. Statutes Involved
(a) "Adopt emission standards and limitations and any other measures necessary for attainment and maintenance of national standards."	Adequate	S. C. Code Sections 48-1-20, 48-1-50(23)
(b) "Enforce applicable laws, regulations, & standards, and seek injunctive relief."	Adequate	S. C. Code Section 48-1-50(1), (3), (4), (5), (11); Sections 48-1-120, 48-1-130, 48-1-210, 48-1-320, 48-1-330.

Legal Authority Required 40 CFR 51	Adequacy of S. C. Law	S. C. Statutes Involved
(c) "Abate pollutant emissions on an emergency basis to prevent substantial endangerment to the health of persons, i.e., authority comparable to that available to the Administrator under section 305 of the Act."	Adequate	S.C. Code Section 48-1-290.
(d) "Prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which directly or indirectly results or may result in emissions of any air pollutant at any location which will prevent the attainment or maintenance of a national standard."	Adequate	S.C. Code Section 48-1-50(5), (10); Sections 48-1-100, 48-1-110.
(e) "Obtain information necessary to determine whether air pollution sources are in compliance with applicable laws, regulations, and standards, including authority to require recordkeeping and to make inspections and conduct tests of air pollution sources."	Adequate	S.C. Code Section 48-1-50(10), (20), (22), (24).
(f) "Require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources; also authority for the State to make such data available to the public as reported and as correlated with any applicable emission standards or limitations."	Adequate	S.C. Code Sections 48-1-50(22), 48-1-270.

State Air Regulations

The Department's initial step in the development and implementation of an air pollution control strategy is to promulgate state regulations in accordance with EPA regulatory mandates to control sources of air pollutant emissions within the state. In South Carolina, state regulations may be more stringent than those set at the federal level. The [Office of Environmental Quality Control \(EQC\)](#) is the environmental regulatory arm of SCDHEC. EQC is responsible for the enforcement of federal and state environmental laws and regulations, and for issuing permits, licenses and certifications for activities which may affect the environment. EQC is composed of four program areas, each concerned with a specific aspect of environmental protection. The Bureau of Air Quality (BAQ) has been designated as the program area primarily responsible for promulgating air quality regulations and controlling air pollutant emissions in South Carolina.

The South Carolina Legislative Council offers access to the unannotated *South Carolina Code of Regulations* on the Internet as a service to the public. [Chapter 61 - Department of Health and Environmental Control](#), consisting only of Regulation text and numbering, may be copied from

their website at the reader's expense and effort without need for permission.

[SCDHEC Regulation 61-62, Air Pollution Control Regulations and Standards](#) provides the basis for the Bureau of Air Quality permitting system. The air regulations may be viewed electronically and downloaded from the BAQ web site; or, a hard copy may be obtained by contacting the [SCDHEC Freedom of Information \(FOI\) Center](#) at (803) 898-3882.

While every effort was made to ensure the accuracy and completeness of the unannotated *South Carolina Code of Regulations* available on the South Carolina General Assembly's website and regulations available on the SCDHEC website, these regulations are not official, and the state agencies preparing these websites and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the *South Carolina Code of Regulations Annotated* and any pertinent acts and joint resolutions contain the official version.

Air Quality Control Regions (AQCR)

The Department's implementation plan specifies how it will meet and maintain national primary and secondary ambient air quality standards within each Air Quality Control Region (AQCR) throughout South Carolina. The *Code of Federal Regulations*, Title 40, Chapter I, [Part 81 - Designation of Areas for Air Quality Planning Purposes, Subpart B - Designation of Air Quality Control Regions](#), lists all of the state's Air Quality Control Regions (AQCR), including the interstate AQCR, and describes their boundaries.

- § 81.75 - Metropolitan Charlotte Interstate Air Quality Control Region.
- § 81.106 - Greenville-Spartanburg Intrastate Air Quality Control Region.
- § 81.107 - Greenwood Intrastate Air Quality Control Region.
- § 81.108 - Columbia Intrastate Air Quality Control Region.
- § 81.109 - Florence Intrastate Air Quality Control Region.
- § 81.110 - Camden-Sumter Intrastate Air Quality Control Region.
- § 81.111 - Georgetown Intrastate Air Quality Control Region.
- § 81.112 - Charleston Intrastate Air Quality Control Region.
- § 81.113 - Savannah (Georgia)-Beaufort (South Carolina) Interstate Air Quality Control Region.
- § 81.114 - Augusta (Georgia)-Aiken (South Carolina) Interstate Air Quality Control Region.

Ambient Air Monitoring Network

The *Code of Federal Regulations*, Title 40, Chapter I, [Part 58 - Ambient Air Quality Surveillance](#) contains requirements for measuring ambient air quality and for reporting ambient air quality data and related information. The federally-approved State Implementation Plan provides for criteria pollutant monitoring to collect air quality data to be compared to the NAAQS and to state standards. [SCDHEC Regulation 61-62.5 - Standard No. 2](#) establishes the ambient air quality standards for the State of South Carolina. Ambient air quality monitoring is conducted throughout the state and is performed using EPA designated Federal Reference

Methods (FRM) or Federal Equivalent Methods (FEM). The Department has operated an air quality monitoring network in South Carolina since 1959. The network has continually evolved to meet the needs of the Department's Air Program and to implement new regulatory requirements and monitoring methods. In 2007, the network was comprised of approximately 150 monitors and samplers at 48 sites.

The primary responsibility for operation of the South Carolina Ambient Monitoring Network is assigned to the [Division of Air Quality Analysis](#) (DAQA) in the Bureau of Environmental Services. The DAQA establishes, maintains and operates the sites and instruments that make up the network and performs the analysis of samples collected. Data generated by the air quality surveillance network is verified to be accurate by the DAQA and reported and stored in the national [Air Quality System \(AQS\)](#) database.

Area Designations

The [Division of Air Quality Analysis](#) provides quality assured monitoring data that is used to determine criteria pollutant concentrations within each air quality control region in the state. The results are compared to the NAAQS and EPA then designates each AQCR, including each county in the state, for air quality planning purposes. The *Code of Federal Regulations*, Title 40, Chapter I, Part 81 - Designation of Areas for Air Quality Planning Purposes, Subpart C - Section 107 Attainment Status Designations, [Sec. 81.341 - South Carolina](#), lists the attainment status designations for all of the State's Air Quality Control Regions (AQCR) for each criteria pollutant.

EPA designates AQCR with sufficient quality assured monitoring data that indicate compliance with the national primary or secondary ambient air quality standard for the pollutant as "attainment areas." AQCR that cannot be classified based on available information as meeting or not meeting the national primary or secondary ambient air quality standard for the pollutant are designated by EPA as "unclassifiable areas." AQCR that have been determined not to meet one or more of the national primary or secondary ambient air quality standard for the pollutant (or that contributes to ambient air quality in a nearby area that does not meet the standards) are designated as "nonattainment areas."

The state is required to develop and implement amendments to the State Implementation Plan to bring designated "nonattainment areas" back into compliance with the NAAQS.

Visibility Protection

In accordance with Section 169A of the Clean Air Act, the SIP must include procedures for the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas, where the Administrator, in consultation with the Secretary of the Interior, has determined visibility to be an important value. The *Code of Federal Regulations*, Title 40, Chapter I, Part 81 - Designation of Areas for Air Quality Planning Purposes, [Subpart D - Identification of Mandatory Class I Federal Areas Where Visibility is an Important Value, Sec. 81.426 - South Carolina](#) identifies Cape Romain National Wildlife Refuge as the only Mandatory Class I Federal area in the State.

New Source Review Preconstruction Permitting Program

Congress established a [New Source Review \(NSR\)](#) permitting program as part of the 1977 Clean Air Act Amendments. NSR is also referred to as preconstruction permitting or construction permitting. The NSR preconstruction permitting program serves two important purposes. First, it ensures that air quality is not significantly degraded from the addition of new and modified factories, industrial boilers and power plants. For example, in areas with clean air, especially pristine areas like national parks, NSR assures that new emissions do not significantly worsen air quality. In areas with compromised air quality, NSR assures that new emissions do not slow progress toward cleaner air. Second, the NSR preconstruction program assures people that any large new or modified industrial source in their neighborhoods will be as clean as possible, and that advances in pollution control occur concurrently with industrial expansion.

NSR regulations require stationary sources of air pollution to get permits before they start construction. The New Source Review permitting program requirements are found in three separate parts of the [Clean Air Act \(CAA\)](#), 42 U.S.C. 7401 et seq., as amended:

- Minor NSR permits are required by [Section 110\(a\)\(2\)\(C\) of Part A of Title I](#);
- Prevention of Significant Deterioration (PSD) permits for new major sources or a major source making a major modification in an attainment area are required by [Part C of Title I](#); and
- Nonattainment NSR permits for new major sources or major sources making a major modification in a nonattainment area are required by [Part D of Title I](#).

The federally approved [South Carolina Air Quality Implementation Plan](#), also known as the State Implementation Plan, or SIP, provides for the permitting of all sources of air pollutant emissions from facilities throughout the state.

Minor Source Permitting vs. Major Source Permitting

If your facility emits less than 100 tons per year (TPY) of any criteria air pollutant (CO, PM, NO_x, SO₂, Pb, VOC), and less than 10 TPY of any single hazardous air pollutant (HAP), and less than 25 TPY total of all HAP emissions, it will be permitted as a "minor source" facility (non-major source).

If your facility has the potential to emit (PTE) greater than 100 TPY of any criteria air pollutant, or 10 TPY or more of any single HAP, or 25 TPY or more of any combination of HAP, or is deemed to be subject to [Regulation 61-62.70, Title V Operating Permit Program](#), it is considered to be a "major source" facility. Major source facility permitting requirements are much more involved and complex, depending on the source category, the amounts and types of pollutants emitted, and the location of the facility.

PSD and Nonattainment NSR Applicability

The terms "major stationary source" and "major modification" are used to determine the applicability of Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR) preconstruction permitting regulations to your new facility or modification to an existing source. In a nonattainment area, any stationary pollutant source with potential to emit more than 100 tons per year (TPY) of any criteria air pollutant (CO, PM, NO_x, SO₂, Pb, VOC) is considered a "major stationary source." In PSD areas the cutoff level may be either 100 or 250 tons per year (TPY) of any criteria air pollutant (CO, PM, NO_x, SO₂, Pb, VOC), depending upon the type of source. The term "major modification" is used to define modifications of major stationary sources of emissions with respect to PSD and Nonattainment NSR under the CAA.

Minor New Source Review

The Department's minor NSR construction permitting program is part of the federally approved State Implementation Plan. The purpose of minor NSR permits is to prevent the construction of sources not meeting the definition of "major stationary source" or "major modification" that would interfere with attainment or maintenance of a National Ambient Air Quality Standard (NAAQS) or violate any applicable requirement of the SIP in nonattainment areas. Minor NSR permits often contain conditions that limit the source's emissions so that Prevention of Significant Deterioration or Nonattainment NSR regulations would not apply.

Prevention of Significant Deterioration (PSD)

The Department's Prevention of Significant Deterioration (PSD) regulations apply to new major sources or major modifications at sources located in areas that are attaining the National Ambient Air Quality Standards (NAAQS) or are unclassifiable. The PSD regulations require the sources to:

- install the "Best Available Control Technology (BACT)";
- conduct an air quality analysis;
- conduct an additional impacts analysis; and
- involve the public in the permitting process.

The main purpose of the PSD air quality analysis is to demonstrate that new emissions emitted from a proposed major stationary source or major modification, in conjunction with other applicable emissions increases and decreases from existing sources, will not cause or contribute to a violation of any applicable NAAQS or PSD increment. Generally, the analysis will use ambient air monitoring data and air quality dispersion modeling results to assess the existing air quality and predict ambient concentration levels that would result from the proposed project and future growth associated with the project.

Additional impacts analysis assesses the impacts of air, ground and water pollution on soils, vegetation, and visibility caused by any increase in emissions from the source or modification under review, and its associated growth. Associated growth is industrial, commercial, and residential growth that will occur in the area due to the source.

The PSD regulations do not prevent sources from increasing emissions. Instead, they are designed to:

- protect public health and welfare;
- preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value;
- insure that economic growth will occur in a manner consistent with the preservation of existing clean air resources; and
- assure that any decision to permit increased air pollution in any area to which this section applies is made only after careful evaluation of all the consequences of such a decision and after adequate procedural opportunities for informed public participation in the decision making process.

The NAAQS is a maximum allowable concentration "ceiling." A PSD increment, on the other hand, is the maximum concentration increase in that is allowed to occur above a baseline concentration for a specific pollutant. The baseline concentration is defined for each pollutant and, in general, is equal to the ambient concentration existing at the time that the first complete PSD permit application affecting the area is submitted. PSD increments prevent the air quality in clean areas from deteriorating to the level set by the NAAQS. Significant deterioration is said to occur when the amount of new pollution would exceed the applicable PSD increment. It is important to note, however, that the air quality cannot deteriorate beyond the applicable NAAQS level, even if not all of the PSD increment is consumed.

Nonattainment New Source Review

The Department is required to develop and implement amendments to the State Implementation Plan to bring designated "nonattainment areas" back into compliance with the NAAQS. "Nonattainment New Source Review" requirements are customized in the federally approved SIP for each specific nonattainment area to help ensure that attainment of the NAAQS can be achieved as expeditiously as practicable. All nonattainment NSR permitting programs must require:

- Installation of the lowest achievable emission rate (LAER);
- Emission offsets; and
- Opportunity for public involvement.

Bureau of Air Quality Permits

The BAQ regulates air pollutant emissions from your facility through its permitting process that is administered by the [Engineering Services Division](#). An air permit is a legal document that prescribes the construction and operation of sources of air pollutants in a manner that would limit the quantity, rate, or concentration of emissions on a continuous basis at your facility. [SCDHEC Regulation 61-62, Air Pollution Control Regulations and Standards](#) provides the basis for the Bureau of Air Quality permitting system. Before an air permit can be issued to your facility, a complete [permit application](#) must be submitted to the BAQ. Your air permit application will be reviewed and evaluated to determine which state and federal regulations and regulatory requirements apply to your facility.

Air "[Construction Permits](#)" issued to your facility specify what construction is allowed and contain various conditions to ensure that your facility is built to match parameters submitted in the application that BAQ personnel relied upon in their analysis. Air "[Operating Permits](#)" prescribe what emission limits must be met; some limits in the permit may be there at your request to keep your facility from having to comply with more stringent regulatory requirements. If your facility is deemed to be a "[major source](#)", you are typically required to obtain a "[Title V Operating Permit](#)". Your air permit may include requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures to assure continuous emissions controls. To help ensure that your facility follows the permit requirements, permits also contain monitoring, [recordkeeping, and reporting requirements](#).

Registration Permits

The [Bureau of Air Quality](#) is in the process of developing registration permits applicable to similar sources where equipment similarities and simplicity remove the need for in depth site-specific review. Registration permits will be developed for specific stationary source groups with uncontrolled potential to emit less than the threshold for major source groups. Registration permits will contain any applicable special permit conditions required to verify a source's compliance with any emissions limitations and operational requirements. Registration permits will specify compliance with all requirements applicable to the construction or operation of that specific category of stationary sources and will identify criteria by which sources may qualify for the registration permit.

If it is determined that your facility qualifies, you may elect to apply for coverage under a registration permit in lieu of a construction and operating permit as provided in Regulation 61-62.1, Section II (A) and (F). The BAQ will grant the registration permit to your facility upon your certifying qualification for and agreeing to the conditions and terms of the registration permit applicable to similar sources. Your facility will be subject to enforcement action for operation without a valid permit if the facility is later determined not to qualify for the conditions and terms of the registration permit.

Construction Permits

Your facility must apply for and receive an air construction permit before you begin any construction on site. A list of sources that are exempt from the requirement to obtain an air permit can be found in [Regulation 61-62.1, Section II \(B\)](#). The BAQ issues various types of construction permits, including Minor Source Construction Permits, General Construction Permits, Synthetic Minor Construction Permits, General Synthetic Minor Construction Permits, and PSD Construction Permits, depending on the facility process operation and/or emissions.

You must submit all of the appropriate construction permit application forms and provide the information described in [Regulation 61-62.1, Section II \(C\)](#). Construction permit application forms and instructions can be viewed and downloaded from the [EQC Environmental Application, Registration, and Reporting Forms](#) web page. You must have a SC registered Professional Engineer (PE) review, sign, and stamp your completed construction permit application before submitting it to the BAQ. (See SC [Regulation 62.1, Section II\(C\)\(2\)](#) for exemptions from the requirement for PE review.) The following is a brief synopsis of some of the information that you must submit in a construction permit application:

- Production line [U. S. Standard Industrial Classification \(SIC\) Code](#) and [North American Industry Classification System \(NAICS\) Code](#).
- Physical and chemical properties and feed rate of the materials used and produced, from which the facility determined potential emissions.
- Process flow diagram showing the flow of materials, all equipment, machines, and process steps, all product streams, all emission points, and all waste streams.
- Mass emission data and emission calculations of each criteria pollutant (CO, PM, NO_x, SO₂, Pb, VOC) and other air contaminants such as volatile organic compounds (VOC), toxic air pollutants (TAP), and hazardous air pollutants (HAP).
- Air pollution control device specifications, ratings, operating characteristics, and the projected capture, and destruction, control, or removal efficiencies, and the monitoring data collection and recordkeeping necessary to ensure proper operation of the air pollution control devices.
- Scale drawings showing a plan view of the property lines, the location of the source, all stacks and other emission points related to the source.
- [Air dispersion modeling](#) analysis or other information demonstrating that emissions from the facility, including those in the application, will not interfere with the attainment or maintenance of any ambient air quality standard.
- Facility-wide potential uncontrolled and controlled emissions with a regulatory

applicability determination.

Exemptions from the Requirement to Obtain a Construction Permit

No construction permits shall be required for the sources listed in [Regulation 61-62.1, Section II \(B\)\(1\)\(a\) through \(c\)](#) which burn virgin fuel and which were constructed prior to February 11, 1971 and which are not located at a facility that meets the definition of a major source as defined in S.C. Regulation 61-62.70.2(r); however, modifications at these facilities may trigger the requirement to obtain a construction permit.

No construction permits shall be required for the sources listed in [Regulation 61-62.1, Section II \(B\)\(2\)\(a\) through \(h\)](#) (2)(a) through (h), unless otherwise specified by S.C. Regulation 61-62.70 or any other State or Federal requirement. A source's exemption status may change upon the promulgation of new regulatory requirements applicable to any of the sources listed in Section II (B)(2)(a) through (g), or to any other sources that have been determined to have total uncontrolled emissions less than the thresholds in Section II (B)(2)(h), or to any similar sources that have been granted an exemption by the Department.

Sources with a total uncontrolled emission rate of less than 1 lb/hr each of particulates, sulfur dioxide, nitrogen oxides, and carbon monoxide; and a total uncontrolled emission rate of less than 1000 lbs/month of VOC will not require construction permits. However, these sources may be required to be included in any subsequent construction or operating permit review to ensure that there is no cause or contribution to an exceedance of any ambient air quality standard or limit. For toxic air pollutant exemptions, refer to [Regulation 61-62.5 - Standard No. 8, Toxic Air Pollutants](#).

Minor Source Construction Permits

If your proposed new facility or modification to an existing facility emits less than 100 tons per year (TPY) of any criteria air pollutant (CO, PM, NO_x, SO₂, Pb, VOC), and less than 10 TPY of any single hazardous air pollutant (HAP), and less than 25 TPY total of all HAP emissions, it will be permitted as a "minor source" facility (non-major source). The purpose of minor NSR permitting is to prevent the construction of sources that would interfere with attainment or maintenance of a National Ambient Air Quality Standard (NAAQS) or violate the control strategy in nonattainment areas.

General Construction Permits

The BAQ will develop and issue general construction permits applicable to similar sources for new construction projects or minor modifications to existing sources. General construction permits will incorporate all requirements applicable to the construction of similar sources and will identify criteria by which sources may qualify. If it is determined that your facility qualifies, you may elect to submit a construction permit application to the BAQ with a request for coverage under the conditions and terms of a general construction permit for similar sources. Your facility will be subject to enforcement action for operation without a valid permit if the facility is later determined not to qualify for the conditions and terms of the general construction

permit.

Synthetic Minor Construction Permits (Major Source Avoidance)

If your facility has the potential to emit greater than "major source" threshold levels, you may request a synthetic minor construction permit conditioned to constrain the operation of the source, to limit the source's potential to emit. Air dispersion modeling is required to demonstrate that your facility's proposed operation will not interfere with attainment or maintenance of any state or national ambient air quality standards. Your facility's request for a synthetic minor construction permit is subject to the public participation procedures of [S.C. Regulation 61-62.1, Section II \(N\)](#) and [Regulation 61-62.70, Title V Operating Permit Program, 70.7\(h\)](#). Construction of the new or modified source shall not commence until your facility has received an effective permit to construct. All synthetic minor construction permit conditions that constrain the operation of a source in an effort to limit potential to emit below major source threshold levels will be federally enforceable.

Prevention of Significant Deterioration (PSD) Construction Permits

If your facility is located in an area designated as attainment or unclassifiable under [40 CFR 81.341](#), any proposed new construction or modification at your facility may be subject to the requirements of [Regulation 61-62.5 - Standard No. 7, Prevention of Significant Deterioration](#). Your facility must demonstrate that allowable emission increases from the proposed source or modification would not cause or contribute to air pollution in violation of any national ambient air quality standard, or any applicable maximum allowable increase over the baseline concentration, in any air quality control region. Any proposed new construction or modification at your facility, subject to the [PSD regulations and requirements](#) would require your facility to perform an air dispersion modeling analysis and to perform a Best Available Control Technology (BACT) determination.

Emission rates used in your air dispersion modeling analyses to show compliance with ambient standards will be included in your permit. Any increase in emission rates, addition of pollutants, changes in stack characteristics, or in property boundary lines will require your facility to re-submit air modeling data to ensure compliance with state and national ambient air quality standards. Any increase or decrease in any pollutant will be reviewed by the BAQ to ensure compliance with emission limits in the PSD permit. The PSD review is lengthy and complicated. The permit could take up to 270 days (upon receipt of a complete application) to be issued, including a required public notice and 30-day comment period.

Nonattainment New Source Review Construction Permits

The Department must develop "Nonattainment New Source Review" requirements for each AQCR that have been designated as "nonattainment areas" by EPA for not meeting one or more of the national primary or secondary ambient air quality standards (or that contributes to ambient air quality in a nearby area that does not meet the standards). If your facility is located in an area designated as nonattainment under [40 CFR 81.341](#), any proposed new construction or modification at your facility may be required to reduce emissions or to install more efficient

control devices in accordance with [Regulation 61-62.5 - Standard No. 7.1, Nonattainment New Source Review \(NSR\)](#).

The State Implementation Plan (SIP) to bring the designated "nonattainment areas" back into compliance with the NAAQS must require:

- Installation of the lowest achievable emission rate (LAER);
- Emission offsets; and
- Opportunity for public involvement.

Emission Offsets

The obvious purpose for requiring offsetting emissions decreases is to allow an area to move towards attainment of the NAAQS while still allowing some industrial growth. Your facility will be required to secure "Emission Offsets" if emissions from your proposed new source or modification will cause or contribute to concentrations of a regulated NSR pollutant for which an affected area was designated as nonattainment.

Emission Offsets are emission reductions, generally obtained from existing sources located in the vicinity of a proposed source, which must:

- Offset the emissions increase from the new source or modification; and
- Provide a net air quality benefit.

Your proposed new source or major modification may comply with any offset requirement for increased emissions of any air pollutant only by obtaining emission reductions of such air pollutant from the same source or other sources in the same nonattainment area, except that the State may allow the owner or operator of a source to obtain such emission reductions in another nonattainment area if (A) the other area has an equal or higher nonattainment classification than the area in which the source is located and (B) emissions from such other area contribute to a violation of the national ambient air quality standard in the nonattainment area in which the source is located. Such emission reductions shall assure that the total tonnage of increased emissions of the air pollutant from the new or modified source shall be offset by an equal or greater reduction, as applicable, in the actual emissions of such air pollutant from the same or other sources in the area.

Operating Permits

The BAQ issues various types of operating permits, including State Operating Permits, General State Operating Permits, Conditional Major Operating Permits, General Conditional Major Operating Permits, and Title V Operating Permits, depending on the facility process operation and/or emissions. Your operating permit will contain all of the specific record keeping and reporting requirements, emissions limitations, and operating conditions mandated by state and federal air pollution control regulations applicable to your facility. SCDHEC staff will conduct periodic inspections of your facility to ensure compliance with the requirements of the construction and operating permits.

Request for a New or Revised Operating Permit

If your facility is not subject to S.C. Regulation 61-62.70, or not yet covered by an effective Title V operating permit, you must submit a written request for a new or revised operating permit to cover any new, or altered source, postmarked no later than fifteen (15) days after the actual date of initial startup of each new or altered source.

- If your facility is covered by an effective Title V operating permit, you must submit a modification request in accordance with the requirements of S.C. Regulation 61-62.70.
- Your written request for a new or revised operating permit must include, as a minimum, the following information:
 - A list of sources that were placed into operation.
 - The actual date of initial startup of each new or altered source.

Minor Source Operating Permits

If your facility is verified to be a true "minor source" for emitting certain air pollutants, you are typically required to obtain a State Operating Permit or a General State Operating Permit for your newly constructed or modified minor source.

General State Operating Permits

The BAQ is in the process of developing general state operating permits that will incorporate all requirements applicable to the operation of newly constructed or existing similar sources and will identify criteria by which sources may qualify. If your facility requests coverage under a general state operating permit, you must certify qualification for and agree to the conditions and terms of the general permit which may include monitoring, reporting, and record keeping requirements. Your facility will be subject to enforcement action for operation without a valid permit if the facility is later determined not to qualify for the conditions and terms of the general state operating permit.

Conditional Major Operating Permits (Major Source Avoidance)

If your facility satisfies the definition of a major source, you may request a federally enforceable conditional major operating permit to limit the source's potential to emit and become a conditional major source. If your facility has a current air quality "major source" operating permit, you may submit a request for a new or revised operating permit with federally enforceable conditions to constrain the operation of the source and limit the source's potential to emit to attain conditional major source status. Your facility's request for a federally enforceable conditional major operating permit is subject to the public participation procedures of [S.C. Regulation 61-62.1, Section II \(N\)](#) and [Regulation 61-62.70, Title V Operating Permit Program, 70.7\(h\)](#). If approved, the proposed conditional major operating permit, with pollutant emissions limitations and other federally enforceable permit conditions, will limit your facility's potential to emit to below Prevention of Significant Deterioration (PSD) and Title V major source thresholds, therefore deferring it from Title V major source operating permit requirements. Any stationary source that has received a synthetic minor construction permit, that is not required to obtain a Title V operating permit, shall be issued a conditional major operating permit to consolidate the source's limitations on potential to emit, and shall be considered a conditional major source. In addition to federally enforceable emission limitations, your conditional major facility will be subject to more stringent monitoring, reporting, and record keeping requirements.

General Conditional Major Operating Permits (Major Source Avoidance)

Your facility may submit a permit application to the BAQ with a request for coverage under the conditions and terms of a general conditional major operating permit. General conditional major operating permits are currently available for [Hot Mix Asphalt Plants](#), [Concrete Batch Plants](#), [Fuel Combustion Operations](#), and [Textile Greige Plants](#). If your facility requests coverage under a general conditional major operating permit, you must certify qualification for and agree to the conditions and terms of the general permit which includes stringent monitoring, reporting, and record keeping requirements. General conditional major operating permits contain conditions to ensure that these facilities are operated as non-major sources with federally enforceable limits on their air emissions below "major source" thresholds. If your facility is issued a general conditional major operating permit, you must comply with the limits of fuel usage and/or production stated in the permit to avoid Title V operating permit requirements.

Title V Operating Permits

If your facility is deemed to be a "major source" as defined in [Regulation 61-62.70, Title V Operating Permit Program](#), you are typically required to obtain a Title V operating permit. Alternatively, you may submit a request for a new or revised operating permit with federally enforceable conditions to constrain the operation of the source and limit the source's potential to emit to attain conditional major source status. If your facility is a newly constructed "major source" facility (or a synthetic minor permitted facility and/or a conditional major permitted facility that currently exceeds a major source emissions threshold), you are required to roll your construction permit(s) into an existing Title V permit, or submit a complete Title V application within twelve (12) months after becoming subject to the Title V operating permit requirements. Title V operating permit application forms and instructions can be viewed and downloaded from the [BAQ Title V](#) web page.

Your Title V operating permit is a comprehensive and federally enforceable operating permit that requires U.S. Environmental Protection Agency (EPA) review and a public comment period before issuance. The maximum review time the BAQ has to issue your Title V operating permit, as prescribed by [Regulation 61-30, Environmental Protection Fees](#), is 540 days. If your facility provides insufficient data necessary for calculating or determining the maximum capacity for facility emissions, the BAQ permit engineer can stop the 540-day clock to request additional information.

Title V Operating Permit Modifications

If your Title V facility desires to make a modification to the facility or to any emissions unit(s), you are required to notify and/or request approval from the BAQ and/or EPA. Other changes such as mailing address or ownership also require BAQ and EPA notification. Minor modifications that do not alter a permit condition require the BAQ to notify EPA within five (5) working days of receipt of a complete permit modification application, and to provide written approval to the facility within 90 days. Significant modifications that result in major changes in emissions or permit conditions require public participation, BAQ approval, and EPA notification. The BAQ must complete its review on the majority of significant Title V operating permit modifications within nine (9) months after receipt of a complete application. The Department recognized the need to create [Title V Modification Forms](#) for Administrative Amendments, Minor Modifications, Operational Flexibility (502(b)(10)) Notifications, and Significant Modifications. These modification forms standardize the information you must submit for Department and EPA review.

Title V Operating Permit Renewals

Your facility must submit a Title V operating permit renewal application to the BAQ at least six months prior to the date of permit expiration.

Operating Permit Renewal Requests

If your facility wishes to have its operating permit renewed, you must submit a written request to the Department. If your facility is covered by an effective Title V operating permit, you must submit an operating permit renewal request in accordance with the requirements of S.C. Regulation 61-62.70. If your facility is not subject to S.C. Regulation 61-62.70, you must submit an operating permit renewal request to the Department no later than 90 days prior to the expiration date of your current operating permit. Your facility may be inspected by the Department in order to decide whether to renew the permit. Past records of compliance and future probability of compliance will be considered in making the decision regarding renewal.

Your operating permit renewal requests must include a description of any changes at the facility that have occurred since issuance of the last operating permit that may effect the operating permit or operating permit review. In general, the description shall include any addition, alteration or removal of sources, including sources exempt from construction permit requirements; addition, alteration or removal of emission limitations; any changes to monitoring, recordkeeping, or reporting requirements; and any changes or additions to special permit conditions.

The following items must be addressed as part of your operating permit renewal request:

1. The company name and mailing address; the facility name and mailing address (if different from that of the company); and the name, mailing address, and telephone number of the owner or agent for the company;
2. The location of the facility including its street address and the name, mailing address, and telephone number of the facility's contact person;
3. The facility's Federal Employer Identification Number;
4. Any change to the U. S. Standard Industrial Classification (SIC) Code and North American Industry Classification System (NAICS) Codes of the products or product lines;
5. Any construction permits to be incorporated into the operating permit, either whole or in part, and any listed information descriptions that have been removed or decommissioned. Any changes to exempted sources listed in current operating permit;
6. Any change to the facility's planned operating schedules or description of the facility's current and/or proposed processes, including the physical and chemical properties and feed rate of the materials used and produced (in pounds per hour), from which the facility determined actual and potential emissions;
7. Any changes to current process flow diagram or production process layout shall be addressed, showing the flow of materials and intermediate and final products. Updated

process flow diagram or production process layout must identify major equipment, machines, and process steps or product lines within the production process, all product streams, all exhaust streams (emission points) including fugitive within the production process, all waste streams, and all control devices including inherent process control devices used within the production process;

8. A description, including the Chemical Abstract Service (CAS) number (if applicable), of all emissions from each source. Mass emission data and emission calculations, including the potential uncontrolled and controlled mass emission rate of each criteria pollutant and other air contaminants such as volatile organic compounds (VOC), toxic air pollutants (TAP), and hazardous air pollutants (HAP), emitted from each source. Emission calculations must be based on proper documentation that supports the basis of the emission rates such as stack test data, AP-42 emission factors, material balance, and/or engineering estimates. All assumptions used in the emission calculations must be provided. Fugitive emissions (i.e. emissions from filling operations, pumps, valves, flanges, etc.) must be included in the emission calculations. A summary of facility-wide potential uncontrolled and controlled emissions with a regulatory applicability determination. If existing data supplied to the Bureau remains correct, identify documents referenced to comply with this requirement;
9. If no longer accurate, a revised air dispersion modeling analysis or other information demonstrating that emissions from the facility will not interfere with the attainment or maintenance of any ambient air quality standard. As needed, include a description of each stack or vent related to the proposed and/or existing source(s), minimum anticipated height(s) above ground, maximum anticipated internal dimensions, discharge orientation(s), exhaust volume flow rate(s), exhaust gas temperature(s), and rain protection devices, if any. [Note: Any increase in emission rates (whether because of increased throughput, decreased control efficiency, changes in emissions calculations, etc.), addition of pollutants, changes in stack characteristics, or in property boundary lines may require your facility to re-submit air modeling data to ensure compliance with state and national ambient air quality standards.] If existing data supplied to the Bureau remains correct, identify document referenced to comply with this requirement; and,
10. Other information as may be necessary for proper evaluation of the operating permit request.

Permit Conditions

As the Department finds appropriate, permits shall include special permit conditions such as, but not limited to, production limits, operational limits, source performance testing, operation and maintenance requirements, notification requirements, recordkeeping requirements, reporting requirements, and other monitoring as required.

Recordkeeping and Reporting Requirements

Your operating permit may include facility-specific recordkeeping and reporting requirements. It is important for you and/or an authorized representative responsible for the overall operation of your facility to read the Department issued permit carefully and to understand the recordkeeping and reporting requirements. The following are examples of reports your facility may be required to submit: VOC and/or Hazardous Air Pollutant (HAP) emissions; fuel usage; [Fuel Oil Supplier Certifications](#); Continuous Emissions Monitoring (CEM); Continuous Opacity Monitoring (COM); visual inspections; Monitoring Plan certification; production records; and [Title V Annual Compliance Certifications \(TVACC\)](#).

Periodic Reporting

Your operating permit may include several different periodic reporting requirements. Unless elsewhere specified within your operating permit or by any other applicable regulations or legal requirements, all periodic reports required should be submitted to the Bureau of Air Quality, at the following address:

SCDHEC - BAQ
Technical Management Section
2600 Bull Street
Columbia, SC 29201

The [Technical Management Section \(TMS\)](#), located in the Air Compliance Management Division of the BAQ, looks for four basic elements in reviewing your periodic report submittals to determine your facility's compliance with the various permit conditions:

- **Timeliness** - Most periodic reports must be postmarked no later than 30 days after the end of the reporting period. Title V Annual Compliance Certifications (TVACC) must be postmarked no later than 45 days after the end of the reporting period.
- **Completeness** - The facility must submit all of the data required by the permit condition, in the correct format.
- **Accuracy** - Information must be correct and reasonable. Checks are made for proper units, rolling sum vs. rolling average, correct calculations, and that the information covers the proper time period.
- **Compliance Status** - Reported information must be in compliance with the permitted emission limits, applicable regulations, and standards.

Source Tests

If your operating permit requires your facility to conduct a source test under an applicable standard, or permit condition, or any other such binding requirement, you must submit site-specific test plans or a letter which amends a previously approved test plan at least 45 days prior to the proposed test date in accordance with the requirements of [Regulation 61-62.1, Section IV - Source Tests](#). If your facility is conducting source tests for substances listed in [Regulation 61-62.5 - Standard No. 8, Toxic Air Pollutants](#), you must submit site-specific test plans or a letter which amends a previously approved test plan at least 60 days prior to the proposed test date. [Site-specific test plans and amendments, notifications, and source test reports](#) must be submitted to the Manager of the Source Evaluation Section at the following address:

SCDHEC - BAQ
Source Evaluation Section
2600 Bull Street
Columbia, SC 29201

You must also submit written notification to the Department at least two weeks prior to the scheduled test date. Source tests must be conducted while the source is operating at the maximum expected production rate or other production rate or operating parameter which would result in the highest emissions for the pollutants being tested. A written report of the final source test results must be submitted to the Manager of the Source Evaluation Section by the close of business on the 30th day following the completion of the test.

Emissions Inventory

Your facility may have actual or potential emissions large enough to warrant estimating and submitting your actual emissions on a regular basis in accordance with the requirements of [Regulation 61-62.1, Definitions and General Requirements, Section III, Emissions Inventory](#). When submitting an [Emissions Inventory](#), you are required to provide emissions estimates for all regulated air pollutants, including but not limited to, [criteria air pollutants](#), Hazardous Air Pollutants (HAP) as defined by Section 112(b) of the Clean Air Act Amendments of 1990 (42 U.S.C. 7412(b)(1), [CAA 112\(r\) Regulated Chemicals For Accidental Release Prevention](#), and Toxic Air Pollutants (TAP) as defined in [S.C. Regulation 61-62.5 Standard No. 8, Toxic Air Pollutants](#). Information on how to submit your Point Source Data Reports (PSDR) and how to calculate your emissions estimates can be found in the [Emissions Inventory Point Source Data Report Instructions](#). It should be noted that while Department staff may have calculated emissions estimates for your facility in the past, we are now requiring all facilities to perform their own emissions calculations and to complete the required PSDR forms. Your facility's PSDR must be submitted to the Manager of the Emissions Inventory Section at the following address:

SCDHEC - BAQ
Emissions Inventory Section
2600 Bull Street
Columbia, SC 29201

Permitting Assistance and General Information

The information presented in these guidelines is not intended to be all-inclusive. For questions regarding a specific type of process or facility and the Air Quality construction and operating permit process, you may call or e-mail the appropriate [Air Quality Permitting Contact](#).

The State of South Carolina is divided into eight (8) Environmental Quality Control (EQC) regions that include twelve (12) local field office locations. These offices provide local support to the public as described in the [General Overview of EQC Regional Offices](#) on the [EQC Bureau of Environmental Services](#) web site. The local field offices are staffed with air quality managers, who are valuable resources of information concerning local air pollution control ordinances and the current procedures for obtaining air construction and operating permits. To contact the primary air contacts at your local EQC regional office, please select your county on the [interactive map](#) provided in these guidelines or at the [EQC Regional Offices](#) web page.

SCDHEC's Permitting Liaison is responsible for coordinating the permits that businesses and industries need from any of SCDHEC's environmental program areas, and serves as the primary contact and advocate for the regulated community. To arrange a confidential meeting, you may contact the current EQC permitting liaison listed at the [Environmental Liaisons](#) web page.

Many small businesses may not fully understand environmental regulations and may not have the resources to hire an environmental consultant. The South Carolina [Small Business Environmental Assistance Program](#) (SBEAP) is available to help with technical assistance, education, outreach, and advocacy at no cost to the business.

Expedited Review Program

The [S.C. Code of Laws, Title 44, Section 44-1-165](#), authorizes the Department to implement an [Air Quality Expedited Review Program](#) to provide you with an opportunity to request expedited permit application review when applying for an air permit. Most minor source, synthetic minor, and PSD construction projects are currently eligible for expedited review. Construction permit applications not considered administratively complete will not qualify for expedited review, and will be reviewed in accordance with the normal regulatory timeframes upon subsequent submittal of adequate information.

Please go to the BAQ web site for more detailed information on the procedures for submitting an [Expedited Review Request](#), and on the process used to determine acceptance of your construction permit application into the program. The associated fees for expedited review of your construction permit application are based on the complexity of the permit review. Fees paid by your facility for expedited review of an air construction permit application are in addition to the normal annual air emission fees that your facility must pay. Expedited review fees will be used by the BAQ to help offset the cost of additional resources needed to administer the program and to adjust staffing levels required to accommodate the demand for expedited review.

Air Dispersion Modeling

As part of the air permitting process, facilities in South Carolina are required to demonstrate that the emissions coming from their sources will not cause the violation of any applicable South Carolina air pollution control regulations or standards. It is a required part of many air construction permits (including all Prevention of Significant Deterioration (PSD) construction permits) and some Title V, conditional major, and state operating permits and renewals. [Air dispersion modeling](#) is typically used to demonstrate compliance. Your facility's location, emissions, and the quality of the local ambient air could require you to submit an air dispersion modeling analysis to demonstrate compliance with the National Ambient Air Standards (NAAQS) for criteria pollutants, the State Ambient Air Quality Standards as promulgated in [Regulation 61-62.5 - Standard No. 2](#), [Regulation 61-62.5 - Standard No. 3.1](#), [Regulation 61-62.5 - Standard No. 7](#), [Regulation 61-62.5 - Standard No. 7.1](#), and/or [Regulation 61-62.5 - Standard No. 8, Toxic Air Pollutants](#). The *South Carolina Air Quality Implementation Plan* sets limits on criteria pollutant emissions to ensure that air quality in the area is in attainment with the NAAQS. Air dispersion modeling analyses are performed to determine air quality impacts at your facility's property line and beyond. Certain counties have individual criteria pollutant baselines established because of emissions data for existing major source facilities located in the area. Any increases in emissions from a new or modified emission source must comply with the initial baselines set in that county. If your new facility is locating in a county with one or more criteria baselines, you will be required to submit air dispersion modeling data that demonstrates emissions increases caused by the facility will not cause an increase in pollutant concentration above the maximum allowable increase over the baseline concentration.

Public Participation Procedures for Permitting Activity

If your proposed new or modified stationary source is required to undergo a public comment period, you may not commence any construction until all public participation procedures are completed, and the source has received an effective construction permit from the Department.

When determined to be appropriate by the Department (or specified by regulation), BAQ will notify the public and other entities of the opportunity to review and comment. The Department will provide at least 30 days for public and EPA comment and will give notice of any public hearing at least 30 days in advance of the hearing. Public notice will be given by publication in a newspaper of general circulation in the area where the source is located, or by publication in the *South Carolina State Register*, and to persons on a mailing list developed by the Department, including those who request in writing to be on the list. The Department may also use additional means of public notice. A listing of Air Quality permitting activity that is currently undergoing the public participation process can be found in the Department's [Public Notices](#) web site.

The notice will identify the affected source; the name and address of the permittee; the name and address of the Department; the activities involved in the permit action; the emission change involved in any permit modification; the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all other materials available to the Department that are relevant to the permit decision (except for information entitled to confidential treatment); a brief description of the

comment procedures; and the time and place of any public hearing that may be held, including a statement of procedures to request a hearing (unless a hearing has already been scheduled).

Permitting Time Frames - Environmental Protection Fees Regulation

[SCDHEC Regulation 61-30, Environmental Protection Fees](#), prescribes fees applicable to applicants and holders of permits and establishes schedules for timely action on permit applications. This regulation also establishes procedures for the payment of fees, provides for the assessment of penalties for nonpayment, and establishes an appeals process to contest permit actions.

Time schedules prescribed by Regulation 61-30 allows longer review times for permit applications evaluated for compliance and completeness with more complex regulations and standards, such as LAER, PSD, NESHAP, NAAQS, Title V, etc. The BAQ maximum allowable time frames for issuing various permits are:

- Construction Permits - 90 Days
- Construction Permits issued under the NESHAP Regulation 61-62.63 - 105 days
- State Operating Permits - 90 Days
- PSD Construction Permits - 270 Days
- Title V Operating Permits - 540 Days

Procedures for Appealing a Permit Decision

A [Notice of Appeal Procedure](#) is included with any permit issued to your facility. Permitting decisions of the S.C. Department of Health and Environmental Control (Department) becomes the final agency decision 15 days after notice of the decision has been mailed to the applicant or respondent, unless a written request for final review is filed with the Department by the applicant, permittee, licensee, or affected person. An applicant, permittee, licensee, or affected person who wishes to appeal a Department decision must file a written request for final review with the Clerk of the Board at the following address or by facsimile at 803-898-3393.

Clerk of the Board
SC DHEC
2600 Bull Street
Columbia, SC 29201

Notification of Initial Startup

If your facility is required to obtain an air quality construction permit issued by the Department, you must submit written notification to the Department of the actual date of initial startup of each new or altered source, postmarked within 15 days after such date.

Certification of Construction

Prior to initial startup of the new or modified source, your facility must be able to certify that the

construction has been completed in accordance with the specifications agreed upon in the construction permit issued by the BAQ. The owner/operator or professional engineer in charge of the project must certify that, to the best of his/her knowledge and belief and as a result of periodic observation during construction, the construction under application has been completed in accordance with the specifications agreed upon in the construction permit issued by the Department.

If construction is certified as provided above, the permittee may operate the source in compliance with the terms and conditions of the construction permit until the operating permit is issued by the Department.

If construction is not built as specified in the permit application and associated construction permit(s), the owner/operator must submit to the Department a complete description of modifications that are at variance with the documentation of the construction permitting determination prior to commencing operation.

RACT / BACT / LAER

The terms "RACT," "BACT," and "LAER" are acronyms for different program requirements under the NSR preconstruction permitting program.

Best Available Control Technology (BACT)

BACT, or Best Available Control Technology, is required on major new or modified sources in areas that are meeting National Ambient Air Quality Standards (NAAQS) (i.e., "attainment areas" as designated in [40 CFR §81.341](#)). Best Available Control Technology (BACT) is an emissions limitation which is based on the maximum degree of control that the proposed new construction or modification can achieve. The BACT determination for a proposed new construction or modification is a case-by-case decision that may consider energy impacts, environmental impacts, and economic impacts. BACT can be add-on control equipment or modification of the production processes or methods, which may include fuel cleaning or treatment and innovative fuel combustion techniques. BACT may be a design, equipment, work practice, or operational standard.

Lowest Achievable Emission Rate (LAER)

LAER, or Lowest Achievable Emission Rate, is required on major new or modified sources in areas that are in "nonattainment area" as designated in [40 CFR §81.341](#). Lowest Achievable Emission Rate (LAER) means, for any source, the more stringent emission limitation derived from either of the following:

- The most stringent emissions limitation that is contained in the SIP for such class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that such limitations are not achievable; or
- The most stringent emissions limitation that is achieved in practice by such class or category of stationary source. This limitation, when applied to a modification, means the

lowest achievable emissions rate for the new or modified emissions units within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under applicable new source standards of performance.

The United States Environmental Protection Agency (EPA) [RACT/BACT/LAER Clearinghouse \(RBLC\)](#) database contains information on what has historically been required as LAER in air permits. The lowest achievable emission rate may result from a combination of emissions limiting measures such as:

- A change in the raw material processed;
- A process modification; and
- Add-on controls.

Reasonably Available Control Technology (RACT)

RACT, or Reasonably Available Control Technology, is required on existing sources in "nonattainment areas" as designated in [40 CFR §81.341](#). Reasonably Available Control Technology (RACT) consists of control devices, systems, process modifications, or other apparatus or techniques that are reasonably available, taking into account:

- The necessity of imposing such controls in order to attain and maintain a national ambient air quality standard;
- The social, environmental, and economic impact of such controls; and
- Alternative means of providing for attainment and maintenance of such standard.

EQC Regional Offices Map

The State of South Carolina is divided into eight (8) Environmental Quality Control (EQC) Regions that include twelve (12) Office locations. These Offices provide local support to the public as described in the [EQC Regional Offices Web page](#). To find out how to contact your local EQC Regional Office, please select your county on the map below. A list of the Regions is provided below the map if you prefer to search by name.



Alphabetical Listing of EQC District - Select the Region Name for directions and contact information.

[Region 1](#) (Abbeville, Anderson, Edgefield, Greenwood, Laurens, McCormick, Oconee, and Saluda Counties)

[Region 2](#) (Cherokee, Greenville, Pickens, Spartanburg, and Union Counties)

[Region 3](#) (Chester, Fairfield, Lancaster, Lexington, Newberry, Richland and York Counties)

[Region 4](#) (Chesterfield, Clarendon, Darlington, Dillon, Florence, Kershaw, Lee, Marion, Marlboro and Sumter Counties)

[Region 5](#) (Aiken, Allendale, Bamberg, Barnwell, Calhoun, and Orangeburg Counties)

[Region 6](#) (Georgetown, Horry, and Williamsburg Counties)

[Region 7](#) (Berkeley, Charleston, and Dorchester Counties)

[Region 8](#) (Beaufort, Colleton, Hampton, and Jasper Counties)

Subject Index

External Link Disclaimer

DHEC's website may contain links to other websites, including those owned or maintained by other governmental entities. Such links are provided for convenience and/or information purposes only to assist the Internet user in his or her search for additional information. A link does not constitute an endorsement of content, viewpoint, policies, products or services of that website. DHEC assumes no responsibility for a link's website, including but not limited to its operation, content, timeliness of information, or accuracy. When linked to an external website, you are no longer on DHEC's website and this disclaimer will not apply; the user is subject to the terms and conditions of that website, including but not limited to its privacy policy.

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[NESHAP for Source Categories / Maximum Achievable Control Technology \(MACT\)](#)

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Index of Internet Addresses

Acronyms (EPA's "Terms of Environment") = <http://www.epa.gov/OCEPAterms/>
Air Quality System (AQS) - EPA Data = <http://www.epa.gov/ttn/airs/airsaqs/index.htm>
Application Forms = <http://www.scdhec.gov/environment/admin/htm/eqcforms.shtml#Air>
Bureau of Air Quality = <http://www.scdhec.gov/baq>
Clean Air Act (EPA) = <http://www.epa.gov/air/caa/>
Code of Federal Regulations = <http://www.gpoaccess.gov/cfr/index.html>
Contacts (Bureau of Air Quality) = <http://www.scdhec.gov/environment/baq/Whom2Call/>
EPA (Office of Air and Radiation) = <http://www.epa.gov/air/index.html>
EQC (Office of Environmental Quality Control) = <http://www.scdhec.gov/environment.htm>
Emissions Inventory = <http://www.scdhec.gov/environment/baq/EmissionsInventory/>
Expedited Review Program =
http://www.scdhec.gov/environment/baq/docs/permitting/BAQ_Expedited_Review_Program_SOP-20070627.pdf
Federal Register = <http://www.gpoaccess.gov/fr/index.html>
Freedom of Information Center = <http://www.scdhec.gov/administration/foi/>
MACT = http://www.access.gpo.gov/nara/cfr/waisidx_07/40cfr63_07.html
Modeling (Air Dispersion Modeling) = <http://www.scdhec.gov/environment/baq/modeling.aspx>
NAAQS = <http://epa.gov/air/criteria.html>
New Source Review = <http://www.epa.gov/nsr/info.html>
NSPS = http://www.access.gpo.gov/nara/cfr/waisidx_07/40cfr60_07.html
Pollution Control Act (SC Code) = <http://www.scstatehouse.gov/code/t48c001.htm>
Public Notices = <http://www.scdhec.gov/environment/baq/PublicNotice.asp>
Regulations and Standards = <http://www.scdhec.gov/environment/baq/Regulation-SIPManagement/index/reg61-62index.asp>
Reporting - Technical Management Section =
<http://www.scdhec.gov/environment/baq/ComplianceReporting/>
Reporting Forms = <http://www.scdhec.gov/environment/admin/htm/eqcforms.shtml#Air>
SIP (40 CFR Part 52 subpart PP - South Carolina) = <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=36c457dfb4cec67dd1c82384c980f141&rgn=div6&view=text&node=40:4.0.1.1.1.23&idno=40>
Small Business Environmental Assistance Program =
<http://www.scdhec.gov/environment/admin/sbeap/>
South Carolina Code of Laws = <http://www.scstatehouse.gov/code/statmast.htm>
South Carolina Department of Health and Environmental Control = <http://www.scdhec.gov/>
United States Code = <http://www.gpoaccess.gov/uscode/index.html>