

**INTER-OFFICE COMMUNICATION**

PS Memo #: PS96-5

TO: Stationary Sources Program and Local Agency Staff  
FROM: Dennis M. Myers  
DATE: September 12, 1996  
RE: Guidance on synthetic minor permits and federal enforceability

---

EPA recently reviewed several synthetic minor permits that we have drafted and commented that a few changes should be made to make the permits federally enforceable. The items listed below address their concerns, and were included in a response back to EPA.

1. Synthetic minor permits that contain production limits, fuel use limits, consumption limits, etc. shall require compliance with the annual limit listed at least on a rolling 12-month basis. A condition should also be included stating that the source shall demonstrate compliance with the emission limits in the permit by demonstrating that they have not exceeded the production limits, etc. listed in the permit, and if control equipment is used, by following the Division approved O&M plan. Compliance with the annual emission limits must also be demonstrated at least on a rolling 12-month basis.
2. Synthetic minor permits that do not contain production limits, but rather use a record keeping approach to determine compliance need to be very clear as to how compliance will be determined. In some cases it may be useful to include the emission factors that will be used, or if a formula is used to determine compliance, then that formula should also be included in the permit. The permit should state very clearly how the source is to demonstrate compliance. If compliance is based on a material balance approach, the permit should state this. If control equipment is also used, then the permit should state that compliance with the emission limits must also be demonstrated by following the Division approved O&M plan. Again, compliance with the annual emission limits must also be demonstrated at least on a rolling 12-month basis. Permits should clearly state what records need to be tracked in order to demonstrate compliance.

3. Whenever possible, the Division should try to obtain O&M plans for control equipment and practices with the permit application, but if that is not possible, then a condition should be included on the permit that this information must be submitted to and approved by the Division prior to final approval being issued for the permit. This must occur within 180 days after commencement of operation. Compliance with the approved plan will be a condition in the final approval permit.

I believe that we are already doing most (if not all) of the items described above, so following the above guidance should have little effect on how synthetic minor permits are drafted.