



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-002-15

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Colleen Delaney, Environmental Scientist

DATE: January 20, 2015

SUBJECT: FINAL ADOPTION: Amend R307-401-19. General Approval Order.

On October 1, 2014, the Air Quality Board proposed amendments to R307-401-19, General Approval Order, to allow coverage under a general approval order if a demonstration of the impact of hazardous air pollutant emissions is completed that meets the requirements of R307-410-5(1)(c)(ii). A 30 day public comment period was held from November 1 through December 1, 2014. No public comments were received and a public hearing was not requested.

Staff Recommendation: Staff recommends the Board adopt R307-401-19 as proposed.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-401. Permit: New and Modified Sources.**

3 **R307-401-19. General Approval Order.**

4 (1) The director may issue a general approval order that would
5 establish conditions for similar new or modified sources of the same
6 type or for specific types of equipment. The general approval order
7 may apply throughout the state or in a specific area.

8 (a) A major source or major modification as defined in R307-403,
9 R307-405, or R307-420 for each respective area is not eligible for
10 coverage under a general approval order.

11 (b) A source that is subject to the requirements of R307-403-5
12 is not eligible for coverage under a general approval order.

13 (c) A source that is subject to the requirements of R307-410-4
14 is not eligible for coverage under a general approval order unless
15 a demonstration that meets the requirements of R307-410-4 was
16 conducted.

17 (d) A source that is subject to the requirements of
18 R307-410-5(1)(c)(ii) is not eligible for coverage under a general
19 approval order unless a demonstration that meets the requirements
20 of R307-410-5(1)(c)(ii) was conducted.

21 (e) A source that is subject to the requirements of
22 R307-410-5(1)(c)(iii) is not eligible for coverage under a general
23 approval order.

24 (2) A general approval order shall meet all applicable
25 requirements of R307-401-8.

26 (3) The public notice requirements in R307-401-7 shall apply
27 to a general approval order except that the director will advertise
28 the notice of intent in a newspaper of statewide circulation.

29 (4) Application.

30 (a) After a general approval order has been issued, the owner
31 or operator of a proposed new or modified source may apply to be covered
32 under the conditions of the general approval order.

33 (b) The owner or operator shall submit the application on forms
34 provided by the director in lieu of the notice of intent requirements
35 in R307-401-5 for all equipment covered by the general approval order.

36 (c) The owner or operator may request that an existing,
37 individual approval order for the source be revoked, and that it be
38 covered by the general approval order.

39 (d) The owner or operator that has applied to be covered by
40 a general approval order shall not initiate construction,
41 modification, or relocation until the application has been approved
42 by the director.

43 (5) Approval.

44 (a) The director will review the application and approve or
45 deny the request based on criteria specified in the general approval
46 order for that type of source. If approved, the director will issue
47 an authorization to the applicant to operate under the general approval
48 order.

49 (b) The public notice requirements in R307-401-7 do not apply
50 to the approval of an application to be covered under the general
51 approval order.

1 (c) The director will maintain a record of all stationary
2 sources that are covered by a specific general approval order and
3 this record will be available for public review.

4 (6) Exclusions and Revocation.

5 (a) The director may require any source that has applied for
6 or is authorized by a general approval order to submit a notice of
7 intent and obtain an individual approval order under R307-401-8. Cases
8 where an individual approval order will be required include, but are
9 not limited to, the following:

10 (i) the director determines that the source does not meet the
11 criteria specified in the general approval order;

12 (ii) the director determines that the application for the
13 general approval order did not contain all necessary information to
14 evaluate applicability under the general approval order;

15 (iii) modifications were made to the source that were not
16 authorized by the general approval order or an individual approval
17 order;

18 (iv) the director determines the source may cause a violation
19 of a national ambient air quality standard; or

20 (v) the director determines that one is required based on the
21 compliance history and current compliance status of the source or
22 applicant.

23 (b)(i) Any source authorized by a general approval order may
24 request to be excluded from the coverage of the general approval order
25 by submitting a notice of intent under R307-401-5 and receiving an
26 individual approval order under R307-401-8.

27 (ii) When the director issues an individual approval order to
28 a source subject to a general approval order, the applicability of
29 the general approval order to the individual source is revoked on
30 the effective date of the individual approval order.

31 (7) Modification of General Approval Order. The director may
32 modify, replace, or discontinue the general approval order.

33 (a) Administrative corrections may be made to the existing
34 version of the general approval order. These corrections are to correct
35 typographical errors or similar minor administrative changes.

36 (b) All other modifications or the discontinuation of a general
37 approval order shall not apply to any source authorized under previous
38 versions of the general approval order unless the owner or operator
39 submits an application to be covered under the new version of the
40 general approval order. Modifications under R307-401-19(7)(b) shall
41 meet the public notice requirements in R307-401-19(3).

42 (c) A general approval order shall be reviewed at least every
43 three year. The review of the general approval order shall follow
44 the public notice requirements of R307-401-19(3).

45 (8) Modifications at a source covered by a general approval order.
46 A source may make modifications only as authorized by the approved
47 general approval order. Modifications outside the scope authorized
48 by the approved general approval order shall require a new application
49 for either an individual approval order under R307-401-8 or a general
50 approval order under R307-401-19.

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1 **KEY: air pollution, permits, approval orders, greenhouse gases**
2 **Date of Enactment or Last Substantive Amendment: 2015**
3 **Notice of Continuation: June 6, 2012**
4 **Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q);**
5 **19-2-108**