

**I. Introduction**

Ground Rules:

- A. Non-attribution of ideas to facilitate open brainstorming
- B. Any idea is welcome; will sort through ideas later
- C. Consensus-based recommendations shared with Regulatory Workgroup (and vice versa)

**II. Workgroup Purpose:****Develop permitting guidance (deliverable)**

There are three aspects to be considered to determine final goals of the Workgroup: Scope, Audience, and Format. Topics received by email were also put on sticky notes and assigned to one of the topic boards: Scope and Format. Workgroup participants were asked to put ideas related to each aspect on sticky notes and place them on posters dedicated to each aspect. Sections A – C below indicate the ideas that the workgroup participants brought up during the meeting.

- A. What is the Scope of the Guidance?
  - 1. Are there repeated/common questions received by ADEQ that aren't currently answered somewhere—determines whether we are gap-filling or creating wholesale guidance
  - 2. Desire to review and revise certain ADEQ general permit conditions, existing guidance and policies – inconsistencies and confusing language in Regs, leads to the same through the permitting process
  - 3. Desire to review and revise ADEQ written guidance – some items not relevant or applicable, are outdated, others are debatable (FAQS, insignificant activities, NSR, those things not in Regs, etc.)...may be some processes ADEQ is performing that could be eliminated
  - 4. Must be a live document/guidance – most topics/info can't be static
  - 5. Current ADEQ online guidance through ePortal -- New guidance could be incorporated there
    - a) ADEQ webpage not user-friendly, have to dig for what you need, and already know what it is you are seeking

- b) Can start (but not submit) an actual Application to “look at” details: Permit Application - <https://eportal.adeq.state.ar.us/Home/e8f74e04-6779-45e1-99af-b8b3338f851c> and Permit FAQs sidebar <https://eportal.adeq.state.ar.us/app#/formversion/bd10ab8c-d33b-49d0-9cd7-9175be2a357d> and Permit Application Instructions [https://eportal.adeq.state.ar.us/webfiles/Air/Instructions/Air\\_Permit\\_Application\\_Forms\\_Instructions.pdf](https://eportal.adeq.state.ar.us/webfiles/Air/Instructions/Air_Permit_Application_Forms_Instructions.pdf) revised July 9, 2018
6. General Q&A for basic direction in air policy and permitting, and more detailed “Do I need a permit?” with Advanced Q& A linked (covers all audience types)
  7. Four-part division for guidance: New, Modify, Renew, or Cancel permit
  8. Approach Guidance development in Phases:
    - a) Phase 1: General Direction Q/A
    - b) Phase 2: Process/Requirements
    - c) Phase 3: In the weeds memos
  9. Specific questions to answer in the Guidance:
    - a) What types of changes does ADEQ want to know about?
      - (1) Relocation of emission units?
      - (2) Changes in stack parameters?
      - (3) Equipment shutdown/removal from service?
      - (4) Emissions test for engineering purposes?
      - (5) Addition of a Group B, Insignificant Activity?
    - b) What changes do NOT necessitate notifying ADEQ (that we often receive notification of)?
    - c) When is less-than-a-permit proper, and what would be the proper documentation for these instances?
    - d) Could categorize all documentation as: Required, Preferred, Recommended, or Unnecessary, based on past 5 years of permitting memos, letters, etc.
    - e) How should permittee request an alternative stack testing or monitoring method?
    - f) For a change at a source decreasing emissions, is any permit needed?
    - g) Is a minor source ever required to re-open a permit for a new applicable requirement?
    - h) What mechanism should a regulated entity use to obtain ADEQ concurrence that no permit is required?
    - i) When is a permit re-opener required for a new applicable requirement for a Title V source?

- j) Is any permit required for a change in stack parameters? If so, why?
  - k) Does adding an insignificant activity ever require a preconstruction permit or other authorization?
  - l) Estimated time from submission of complete application to permit issuance?
10. Consultants generally consider three things when looking at a new permit:
- a) What level of permitting is needed?
  - b) How long will the permitting process take?
  - c) What level of modeling is required?
- B. Who is the Guidance Audience?**
- 1. Facilities?
  - 2. The general public?
  - 3. Both? (General consensus was to create something useful to everyone)
  - 4. “Super-users” – facilities/consultants looking for in depth interpretation or regulations or requirements
- C. What Format for the Guidance?**
- 1. Database
  - 2. Multi-page paper document
  - 3. Emails
  - 4. Searchable website
  - 5. Live chat
  - 6. Person(s)/Engineer dedicated for answering phone (help desk)
  - 7. Call-in days, with Consultant/Engineer on-hand to answer
  - 8. Program (knowledge database) purchase to manage resources
  - 9. Word-search function (e.g., *Rice applicability tools*)
  - 10. Moderated discussion board or group
  - 11. A public online forum/chat thread that ADEQ could moderate

12. Flow charts/Decision trees
13. Permit wizard
14. Interactive guidance
15. Permit content database of permit conditions from actual RTCs, memos (What should I ask for in my permit? How will ADEQ deal with certain situations?)
16. Annotated version of the Regulations (with related memos)
17. Annotated regulations
18. “TurboTax” walk-through tool for permitting
19. Narrative description that explains how the regulations/sections of the program interplay
20. Evolving Q&A document/webpage -- Compile questions as they come in, update regularly (Quarterly?)
  - a) Where do I start?
  - b) Can I burn it?
  - c) What kind of permit do I need?
  - d) How long does that take?
  - e) What kind of modeling is required?
  - f) Is this Asbestos-related?
21. Air permitting training videos
22. Single document with links to technical data (e.g., S. Carolina’s model)
23. Applicability determination tool (EPA NES)
24. Links to EPA’s tools and documents
25. Clickable flow-chart, like EPA’s RICE Applicability Tool
26. A hyperlinked document (type in a word and it pulls up all the memos related to that condition)

**III. Related Discussion:****A.** Examples from other states:

1. TCEQ has a good example for flow diagrams ONLY.
2. Georgia has a helpful model guidance online that makes clear how to get from point “a” to point “b.” Presentation could use some reconfiguring because it is not very user/time-friendly to figure out.
3. South Carolina has a helpful model guidance (Info document, written in “general public” language, with links to more technical items).
4. SCRAM site on modeling questions

**B.** MUST be able to rely on produced guidance long-term:

1. Requirement for regular updates
2. Regulated community and ADEQ/independent engineers can follow and be on the same page.
3. ADEQ policy (and consistency) will impact reliability and usefulness of any guidance.
  - a) ADEQ generally follows EPA guidance for permitting decisions, but are there instances when ADEQ doesn’t follow EPA’s guidance, because of delegated authority?
  - b) How does EPA policy shift impact how ADEQ views permitting, and how will ADEQ apply guidance?
  - c) Recommend a forum to talk through areas of disagreement or inconsistency as these arise
  - d) Recommend ADEQ indicate support of or rejection of new federal policies (Through a Listserv? Regular announcements on Air page?)

**C.** Minor Modification – in Reg. 26, need to add “working” or “business” to “days”**IV. What to do next?**

- A.** Organize/Group the Brainstormed Ideas (ADEQ)
- B.** Identify Existing ADEQ Policy Documents, FAQs, Help Guides, Informal Policies, and Evaluate (ADEQ)

- C. Seek Feedback from Workgroup on Forward Direction ([ADEQ](#))  
ADEQ will compile and distribute a priorities poll based on today's discussion.
  - D. Agree upon a scope ([WORKGROUP](#))  
Using results from the priorities poll, determine immediate next steps, and whether to tackle priorities concurrently or sequentially.
  - E. Assign Specific Tasks to Workgroup Members ([WORKGROUP](#))
- V. **Homework: Review other states' guidance (esp. GA and SC) ([WORKGROUP](#))**