



MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION MANAGEMENT ADMINISTRATION
1800 WASHINGTON BLVD, STE 720
BALTIMORE, MARYLAND 21230-1720

Air Quality
GENERAL PERMIT TO CONSTRUCT
Application Package For

**MEDIUM FUEL BURNING
EQUIPMENT
(BOILER/HEATER)**

CONTENTS

FAQ SHEET
PERMIT TO CONSTRUCT
APPLICATION FORM

January 6, 2010

Facts About...

Medium Fuel Burning Equipment General Permit

Purpose of this Fact Sheet – This fact sheet outlines basic information regarding the General Permit to Construct, frequently asked questions and instructions on how to request coverage under the General Permit to Construct for Motor Vehicle Refueling Facilities. The fact sheet is not a permit and should be used as a guide only.

1. Hey, why is the upper limit less than 30 million BTU now?

Because EPA made some changes to the NSPS standards, and boilers 30 million BTU and larger have testing and monitoring requirements that don't fit well in a simple general permit. So MDE reduced the upper limit of the general permit to less than 30 million BTU.

2. I have two 20 million BTU boilers, is that 40 million BTU?

No. You look at each boiler separately. You would get a general permit for each 20 million BTU boiler.

3. Can I use this for my electrical generator?

No. It's for boilers, hot water heaters, hot oil heaters, etc. It is not for engines or turbines.

4. Can I burn wood?

No. This general permit is for boilers and equipment burning propane, natural gas, or distillate oil only. No coal, no wood, no bunker oil, etc.

5. My boiler plate has Horse Power, not BTU, help!

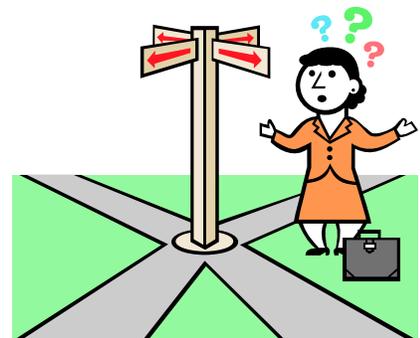
No problem. 1 HP = 33,471 BTU (roughly)
So this general permit covers boilers from about 298 HP to less than 896 HP.

6. What's this permit cost?

\$500 per piece of equipment. This is a one-time fee. There are no annual renewal or operating costs with this permit.

7. What if I move? Can I take this permit with me?

No. The permit cannot be transferred to a new location. If you move, you must obtain a new permit for the new location.



8. How do I apply for a General Permit?

In order to obtain coverage, you must get a General Permit to Construct Package from the Department and complete the included Request for Coverage Form. You can get a General Permit to Construct package from the Department by:

- 👍 Calling the Department at (410) 537-3230
- 👍 Writing to the Department at:
Maryland Department of the Environment
Air and Radiation Management Administration
1800 Washington Blvd, STE 720
Baltimore, MD 21230-1720
- 👍 Downloading it from the Department's web site at
http://www.mde.state.md.us/Permits/AirManagementPermits/Air_Permit/index.asp

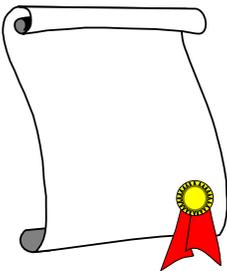


1. Fill out the Request for Coverage form completely,
2. Make a check (\$500 per boiler) payable to MDE Clean Air Fund, and
3. Mail them both to:
MDE/ARMA
PO Box 2037
Baltimore, MD 21203-2037

9. When will my coverage begin?

Coverage will begin on the day that you submit a complete application with full payment. If the application is incomplete, inaccurate or if the permit fee is not paid, coverage under the General Permit will be considered void. You will also not be covered if your facility does not meet the restrictions of this General Permit.

10. Will I receive a Permit to hang on the wall?



You already have it! It's the bordered pages in the general permit application package.

A few weeks after you send in your application we will send you a letter acknowledging the receipt of your application and fee payment. Retain a copy of this notification letter with the General Permit to Construct document and verification of your payment for your own site records.

*If you have additional questions,
please call the Department at
(410) 537-3230.*



AIR QUALITY GENERAL PERMIT TO CONSTRUCT
MEDIUM FUEL BURNING (BOILER/HEATER) EQUIPMENT

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Part I - Applicability

- (A) This permit applies only to fuel burning equipment that:
- (1) Burns natural gas, liquefied petroleum gas (propane or butane), or distillate fuel oil, and
 - (2) Has a heat input of ten to less than thirty million btu (10.6 to less than 31.8 gigajoules) per hour.
- (B) This permit does not apply to:
- (1) Stationary internal combustion engines,
 - (2) Stationary combustion turbines,
 - (3) Solid fuel burning equipment, or
 - (4) Major sources of nitrogen oxides (NOx) as defined by COMAR 26.11.02.01(C)

PART II - Definitions

"**Department**" - means the Maryland Department of the Environment.

"**Distillate fuel oil**" – means fuel oil that complies with the specifications for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials (ASTM).

"**Facility**" – means the entire location of the business where the fuel burning equipment is located.

"**Fuel burning equipment**" – means any boiler or furnace which has the primary function of producing hot air, hot water, or steam through indirect heat transfer from the burning of fuels.

"**Opacity**" – means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

"**Liquefied petroleum gas (LPG)**" – consists primarily of butane or propane or a mixture of the two.

“**Natural gas**” – means a combustible gas mixture that is discharged from the earth’s crust or through a well and which consists primarily of methane gas. It is the gaseous fuel that is normally distributed by a utility gas supplier.

“**Permittee**” - means the company or business covered by this general permit.

“**Request for Coverage**” - means a completed form obtained from the Department requesting to be covered by this permit.

“**Residual fuel oil**” – means all fuel oil that does not meet the ASTM specifications for distillate oil, and all oil numbers 4, 5, and 6 (Bunker “C”) oils, or crude oils when used as fuels.

“**Rotary cup burner**” – means a fuel oil burner which employs a rotating cup to atomize and mix fuel oil with air for combustion.

PART III - Specific Requirements for medium fuel burning equipment

- (A) Rotary cup burners prohibited.
Fuel burning equipment may not be fitted with a rotary cup burner or have a burner replaced with a rotary cup burner.
- (B) Control of Nuisance and air pollution
Fuel burning equipment is subject to COMAR 26.11.06.08 and 26.11.06.09. These regulations generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (C) Control of visible emissions
All fuel burning equipment is subject to COMAR 26.11.09.05A, which:
 - (1) In Baltimore City, and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, or Prince George’s counties prohibits the discharge of emissions, other than water vapor in an uncombined form, which is visible to human observers.
 - (2) In the rest of the state, prohibits emissions greater than 20% opacity, other than water in an uncombined form.
 - (3) Exceptions. The limitations of (1) and (2) above do not apply during:
 - (a) Load changing,
 - (b) Soot blowing,
 - (c) Startup, or
 - (d) Adjustments or cleaning of control equipmentThe allowable exception must not exceed the following limits:
 - (a) Visible emissions are not greater than 40% opacity, and
 - (b) Do not occur for more than six consecutive minutes in any sixty minute period.
- (D) Control of sulfur oxides
Fuel burning equipment is subject to COMAR 26.11.09.07A(1)(c) & (2)(b), which limit the sulfur content of distillate fuel oil to 0.3% by weight for all areas of Maryland.
- (E) Federal requirements
The permittee is subject to all applicable federal requirements including, but not limited to, New Source Performance Standards (NSPS) for Small Industrial-Commercial-Institutional Steam

Generating Units, 40 CFR 60, Subpart Dc. Specifically, §60.42c which limits fuel oil sulfur content to 0.5% by weight.

Note: The permittee must comply with the more stringent Maryland sulfur limit of 0.3% by weight. See permit condition Part III (D).

PART IV - Notifications, Record Keeping, & Reporting

(A) Notifications

- (1) The permittee shall submit the following notifications to the Department and EPA in accordance with 40 CFR 60 Subpart Dc:
 - (a) Initial construction notification, postmarked within 30 days after start date of construction.
 - (b) Actual date of the initial start-up, postmarked within 15 days after start-up date of equipment.
- (2) The notifications shall, at a minimum, include the following additional information:
 - (a) The design heat input capacity of the unit(s), and
 - (b) Identification of the fuels to be combusted.
- (2) The notifications shall be submitted to both:

The Administrator
Compliance Program
Maryland Department of the Environment
Air and Radiation Management Administration
1800 Washington Blvd, Suite 715
Baltimore, MD 21230

and

Director, Air Protection Division
Mail Code 3AP00
U.S. E.P.A., Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(B) Record Keeping

- (1) The permittee shall keep a monthly record of fuel combusted. This record shall be maintained for at least two years.

Note: Calculation of the monthly fuel combustion from purchase records is acceptable.
- (2) For permittees with distillate oil burning equipment, fuel supplier certifications for all fuels combusted shall also be kept.

(C) Reporting

- (1) There are no reporting requirements for equipment burning exclusively natural gas or liquefied petroleum gas (propane or butane).
- (2) For permittees with distillate oil burning equipment, a report shall be submitted every six months. This report shall include the following information:

- (a) Records of all fuels combusted during the reporting period,
 - (b) Copies of fuel certifications for all fuels combusted during the reporting period. The fuel certification shall include:
 - (i) The name of the oil supplier, and
 - (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c, and
 - (c) A certified statement signed by the owner or operator that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
- (3) The reports shall be submitted to both:
- The Administrator
Compliance Program
Maryland Department of the Environment
Air and Radiation Management Administration
1800 Washington Blvd, Suite 715
Baltimore, MD 21230
- and
- Director, Air Protection Division
Mail Code 3AP00
U.S. E.P.A., Region III
1650 Arch Street
Philadelphia, PA 19103-2029
- (4) The report shall be postmarked by the 30th date following the end of the reporting period.

PART V - General Requirements

- (A) **Incorporation of Request for Coverage Into Permit**
This permit includes the completed one page Request for Coverage, which serves as the application for the permit. If there is any conflict between the specific and general requirements (Parts III and V) of this permit, and the Request for Coverage, the specific and general requirements take precedence. If there is any conflict between the specific and general requirements, the specific requirements take precedence.
- (B) **Effective Date/Failure to Pay Fee**
This permit is effective on the date that the Request for Coverage is completed and the permit fee is paid to the Department. If the fee is paid by check or money order and mailed to the Department, the fee is considered to be paid on the date of mailing. If the fee is paid to the Department by any manner other than by mailing a check or money order, the effective date of the permit is the date the Department receives payment. If a check or money order does not clear for any reason, the permittee will be given 30 days to make proper payment including any interest and other charges that are due. If payment is not made within this time, the permit shall be considered to have been void from the outset. In order to establish the effective date of a permit, the permittee should save the canceled check or money order receipt, a copy of the Request for Coverage, and related documents. These documents shall be provided to the Department on request.
- (C) **Applicant**

The applicant for this permit shall be the legal entity or individual that, owns or operates the proposed source for which a permit to construct is required. After the permit is effective, the applicant may be referred to as the "permittee."

- (D) **Location of Source**
This permit authorizes the permittee to construct and operate the installation or other source described in the Request for Coverage at the installation or other location described in the application. The permit is not valid for any other source at the described location nor is it valid for the described source at any other location.
- (E) **Duration**
This permit expires as determined in writing by the Department, if:
 - (1) substantial construction or modification is not commenced within 18 months after the effective date of the permit;
 - (2) construction or modification is substantially discontinued for a period of 18 months after it has commenced; or
 - (3) construction or modification of the source for which the permit was issued is not completed within a reasonable period after the effective date of the permit.
- (F) **Permit to be Available**
The permittee shall maintain this permit at the location for which the permit was issued, unless it is clearly impractical to do so, and shall make the permit immediately available to authorized representatives of the Department upon request.
- (G) **Other Permits May Be Needed**
This permit does not constitute a permit for any activity other than expressly authorized by this permit.
- (H) **Permit Not Transferable**
This permit is not transferable. The permittee should provide a copy of this permit to any subsequent owner or operator. The subsequent owner or operator should contact the Department to determine if a new permit is required. The provisions of COMAR 26.11 apply to the subsequent owners or operators whether or not the source is covered by a permit.
- (I) **Compliance With All Laws and Regulations**
This permit does not authorize violation of any law or regulation. The permittee shall at all times comply with all applicable laws and regulations, including:
 - (1) the Maryland Ambient Air Quality Control statute. Annotated Code of Maryland, Environment Article, §§2-101 et seq.;
 - (2) Maryland air pollution control regulations. Code of Maryland Regulations (COMAR) 26.11, as amended by the Maryland Register;
 - (3) the Federal Clean Air Act. 42 United States Code (U.S.C.) §§7401 et seq.;
 - (4) federal air pollution control regulations. 40 Code of Federal Regulations (CFR) Parts 50-99, as amended by the Federal Register.
- (J) **Odors and Other Nuisances**
This permit does not authorize construction or operation in a manner that unreasonably interferes with the proper enjoyment of the property of other persons, such as by causing unreasonable odors, or by otherwise creating air pollution.
- (K) **Workers' Compensation Act**

Submission of the application for this permit constitutes certification that the applicant is in compliance with the Maryland Workers' Compensation Act, as required by The Annotated Code of Maryland, Environment Article, §1-202, and Labor and Employment Article, Title 9. The permit shall be considered to have been void from the outset if this certification is invalid.

(L) Modifications

A "modification" normally means any physical change in, or change in the operation of, an installation which causes a change in the quantity, nature or characteristics of emissions from the installation. However, this term excludes routine maintenance and routine repair, and increases in the hours of operation or in the production rate, unless these increases are prohibited under any permit or approval issued by the Department.

A modification to the facility for which this general permit to construct applies is prohibited. Before making such a modification, the permittee must apply for and obtain an individual permit to construct if the source would no longer be eligible for a general permit to construct.

(M) Inspections/Right of Entry

Inspectors and other authorized officials from the Department or the appropriate local health or environmental department shall be allowed access to the property where the source is constructed or modified at any reasonable time for the purpose of determining compliance with this permit and applicable air pollution control laws and regulations, including:

- (1) inspecting all activities authorized by this permit;
- (2) taking samples of materials or other substances stored or processed at the property or discharged or otherwise removed from the property;
- (3) inspecting any monitoring equipment required by the permit and applicable laws and regulations;
- (4) having access to and copying any records related to the Department's determination of compliance, including all documents required to be kept by this permit and by applicable laws and regulations; and
- (5) taking photographs and making video recordings.

(N) Duty To Provide Information

The permittee shall furnish to the Department, within 15 working days of the date of any request or other period of time that may be specified, all documents and other information which the Department requests to determine compliance with this permit and applicable air pollution control laws and regulations.

(O) Penalties for Violations

Maryland law provides for substantial penalties for violations of this permit and applicable air pollution control laws and regulations. These penalties include civil penalties of up to \$25,000 per day per violation, administrative penalties of up to \$2,500 per day per violation (not to exceed \$50,000 per action), injunctive relief, and criminal penalties for knowing violations (including up to one year in jail and a \$25,000 fine per violation per day). Additional criminal penalties apply to any person who knowingly provides false information to the Department or who knowingly tampers with any monitoring device required by State air pollution control law. Federal law may also provide for penalties for violations.

(P) Violations That Occurred Prior To Obtaining This Permit

This permit does not protect the permittee for any violation of laws or regulations that may have occurred prior to the effective date of the permit, including constructing, modifying, or operating a source without a required permit.

(Q) Revocation or Suspension of a Permit

- (1) The Department may issue an order proposing to revoke or suspend this permit if it determines that:
 - (a) Any condition of the permit has been violated; or
 - (b) The permit was improperly obtained or has been improperly used.
 - (2) The order shall become final unless the permittee requests a hearing within 10 days after being served. If a hearing is requested, it shall be held pursuant to the Maryland Administrative Procedure Act, Annotated Code of Maryland, State Government Article, §§10-201 et seq. and Environment Article, §2-605. A person to whom a proposed or final order or revocation or suspension has been issued may not obtain another general permit for the same source or similar source at the same location until it has been determined in writing by the Department that the revocation or suspension is no longer in effect or pending.
- (R) **Property Rights Not Created By Permit**
This permit does not create any property rights.
- (S) **Severability**
If any provision of this permit is determined to be invalid for any reason, the other provisions remain in effect to the extent reasonable, and the invalid provision shall be considered deleted from the permit.
- (T) **Federal Enforceability**
The terms and conditions of this general permit to construct are federally enforceable only to the extent that they reflect regulations or other requirements that have been approved by the U.S. Environmental Protection Agency for inclusion in the Maryland State Implementation Plan (SIP) for the control of air pollution.

PART V - Request for Coverage Requirements

- (A) **Request for Coverage**
A person who desires to be covered by this general permit to construct shall provide all required information on the Request for Coverage form and submit the form to the Department together with the required fee of \$500 per piece of equipment. The fee must be paid by check or money order payable to: Maryland Department of the Environment/Clean Air Fund.
- (B) **Required Signatures**
The Request for Coverage form shall be signed by the applicant or an authorized representative of the applicant who shall make the following certification:

"I certify under penalty of law that the information submitted in the Request for Coverage is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- (C) **Where to Submit**
A person shall mail the original of the Request For Coverage form and the required fee to the following address:

Maryland Department of the Environment
Air and Radiation Management Administration
P.O. Box 2037
Baltimore, Maryland 21203-2037

Additionally, it may be hand delivered at:

Maryland Department of the Environment
1800 Washington Blvd
Baltimore, Maryland

The Air Quality General Permit to Construct is effective on the date that the Request for Coverage is completed, signed, and the permit fee paid to the Department. See Permit Part IV (B). The Department will mail a letter to the applicant acknowledging the receipt of the Request for Coverage and fee and that the source is now covered by the specifically requested Air Quality Permit to Construct.

Questions regarding the Air Quality General Permit to Construct program may be directed to the Department's Air and Radiation Management Administration by calling (410) 537-3230.

A handwritten signature in black ink, reading "George S. Aburn, Jr." in a cursive style.

George (Tad) S. Aburn, Jr., Director
Air and Radiation Management Administration

MARYLAND DEPARTMENT OF THE ENVIRONMENT
 Air and Radiation Management Administration / Air Quality Permits Program
 1800 Washington Boulevard, STE 720 Baltimore, MD 21230-1720
 (410) 537-3230 • 1-800-633-6101 • www.mde.state.md.us

Mail application and payment to
MDE/ARMA, PO Box 2037
Baltimore, MD 21203-2037
Don't forget to sign the application!

Make checks payable to
MDE Clean Air Fund
\$500 per piece of equipment

Request for Coverage: Air Quality General Permit to Construct
MEDIUM FUEL BURNING (BOILER/HEATER) EQUIPMENT

1) Business/Institution/Facility where the equipment will be located Check if this is a federal facility

Name: _____ Phone: _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____ County: _____

2) Owner Check if different than above. If checked, complete the following:

Name: _____ Phone: _____
 Mailing Address: _____
 City: _____ State: _____ Zip Code: _____

3) Installer

Contact Name: _____ Phone: _____

4) Equipment Information

Manufacturer / Model	Installation date	# installed	# removed	Stack Height (estimated, ft)	Stack Diameter (estimated, in)
_____	_____	_____	_____	_____	_____

Heat input (from boiler plate): _____ Horsepower or _____ BTU
 Firing rate (from boiler plate): _____ gallons or cubic feet per hour

Fuel oil _____ (gallons/year) _____ grade _____ (% sulfur)
 Natural gas _____ (cubic feet/year)
 LP gas _____ (gallons/year)
 For dual fuel units, dominant fuel type: _____

5) Business Operational Information

% comfort heat: _____
 % process heat: _____ Hours/day _____ Days/week _____ Days/year

6) Workers Compensation (Environmental article §1-202)

Workers insurance policy or binder number: _____
 Check if self employed or otherwise exempt from this requirement

"I CERTIFY UNDER PENALTY OF LAW THAT THE INFORMATION SUBMITTED IN THIS REQUEST FOR COVERAGE IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."

Owners Signature _____ **Printed Name & Title** _____ **Date** _____