

## **SUMMARY OF AIR PERMITTING THRESHOLDS IN THE NEW ENGLAND STATES & NEW YORK**

### ***Connecticut***

- Connecticut recently revised its pre-construction permitting applicability thresholds. Historically, the DEP rules had been a convoluted set of regulations covering a number of categories of manufacturing processes with applicability thresholds based on the type and quantity of material used in the process for liquids, and for dry systems, a threshold based on potential emissions of 5 tpy. CT also had general applicability thresholds for “equipment used in a manufacturing process” which has introduced into it 2,000 lb / hr or 16,000 lb / day and applicability requirements for fuel burning sources that were similar to RI’s.
- March 15, 2002 CT streamlined its rules governing pre-construction permit applicability. The revised rules greatly simplify the applicability requirements for minor sources. The new rules now exempt sources with individual pollutant emissions less than 15 tpy or 10 tpy for hazardous air pollutants.

### ***Massachusetts***

- Pre-construction permits are required for any source with potential emissions greater than one ton per year. Sources/modifications resulting in potential emissions less than 1 TPY are considered de minimis modifications.
- Mass regulations allow a source owner/operator to voluntarily restrict potential emissions (by limiting throughput, hours of operation, emission rate or some other means) to less than one ton per year and avoid permitting provided that limitations are documented in on-site files and appropriate records are maintained.
- A permit is required when total aggregated potential emissions associated with de minimis modifications conducted in any calendar year exceed 5 tons.

### ***New York***

- New York Air Regulations do not establish a de minimis emission rate or annual potential emission rate below which a permit is not required. Rather, New York regulations set forth forty-five source specific permit exemptions in the following categories: combustion, combustion-related, agricultural, commercial (food service, graphic arts, and other)municipal/public health related, storage vessels,

industrial, and miscellaneous. Most of these standards are not directly based on emissions but rather, specify performance characteristics or throughput limitations.

### *New Hampshire*

- Similar to New York, New Hampshire Air Regulations establish twenty-six source specific permit exemptions. Notably, VOC sources with actual emissions less than 10 tons per year are not required to obtain a permit (unless subject to a federal standard).
- New Hampshire regulations also contain air toxics standards (31 pages of listed toxic air contaminants) that may require a source with potential emissions as low as a fraction of one pound per hour or a few pounds per year to obtain a permit, depending on the toxicity of the pollutant(s) emitted.

### *Maine*

- Maine's regulations exempt "total facility general process sources whose emissions without consideration of pollution control apparatus and under normal operation are less than 100 lbs/day or 10 lbs/hr".

### *Vermont*

- Vermont's air regulations require written notice to the Secretary prior to any construction or modification of an *air contaminant source*. The Secretary will make a determination within 15 days of such submittal whether additional information, such as a complete permit application, is required.
- The definition of air contaminant source consist of 18 source types that includes "such source as may be designated by the Air Pollution Control Officer on a case-by-case basis", and, indirect sources including shopping centers, roadways, public or commercial buildings, etc.