

Obtaining “INACTIVE” Status for Title V Sources

When a facility makes changes to its method of operation or other changes which effectively reduce the Potential-To-Emit (PTE) to levels below “major-source” thresholds⁽¹⁾, and there are no other mechanisms⁽²⁾ applicable to the facility that would otherwise require the facility to obtain a Title V Operating Permit, they may request the existing permit be designated as “Inactive”.

The facility should conduct the following steps for the purpose of establishing their Title V Operating Permit as “Inactive”:

1. Submit a letter (signed by a Responsible Official) requesting the permit be placed as inactive and assert that the facility is no longer deemed a major source of emissions.
2. Submit a Certified Emissions Statement (CES) registration form* that quantifies the PTE from all sources.
 - a. The CES must be signed by a Responsible Official
 - b. Supporting PTE calculations should be submitted.

* *The CES Registration form can be downloaded from the WVDAQ’s website at: www.dep.wv.gov/daq.*

Click the “Title V Guidance and Forms” link under “Permitting” on the left-hand side of the page. Then scroll down to the “Inactive Guidance” section and click on the icon beside “CES Registration”.

NOTE: The margin of major source trigger thresholds (where current PTE levels are compared to the major source threshold) and the likelihood of future modifications should be considered with regard to the possibility of increasing PTE back to major levels. This option is not designed to be used by facilities that have any intention to make future changes that would again make them subject to the Title V Operating Permit program. Such cases could be subject to enforcement actions for circumvention of the rule.

- (1) *Major Source Thresholds* consist of: 100 tons/yr for any criteria pollutant (CO, PM₁₀, NO_x, SO₂, VOC); 10 tons/yr of any single Hazardous Air Pollutant (HAP); and 25 tons/yr of any combination of HAPs.
- (2) Rule-based mechanisms that may apply to a source which subsequently triggers Title V applicability include: New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP) - [40 CFR 61 & 40 CFR 63 (MACTs)], and acid rain provisions (Title IV).