

# Instructions for Form 1410-C

## Title V Operational Flexibility

### General

Form 1410-C must be completed for changes at a Title V facility that fall under SDAPCD Rule 1410 (I), operational flexibility.

Changes under Title V, Section 502 (b) (10) of the federal Clean Air Act (CAA) are designed to provide operational flexibility (op-flex) by allowing the facility to make physical or operational changes without modifying the Title V permit.

The owner/operator must obtain an Authority to Construct, Permit to Operate, or Determination of Compliance if required by SDAPCD Rule 10 before implementing the op-flex change.

For a change to qualify as operational flexibility, it must not violate any applicable requirements nor constitute a modification under Title I of the federal Clean Air Act.

### Examples of Operational Flexibility

- Replacing an emission/process unit with an identical unit for which operation of the new unit will not violate any applicable requirement including those cited in the existing permit.
- Adding an emission unit to a process with existing permitted units, which are operating under an emission cap, where the addition of an emission unit does not result in an emission increase.
- Installing a new piece of equipment or process provided that the change:
  - Does not make the facility a major source or, in itself, constitute a major modification (a modification under Title I of the CAA);
  - The change does not make the source subject to a New Source Performance Standard (NSPS) or a National Emission Standards for Hazardous Air Pollutants (NESHAP), each of which would constitute a modification under Title I of the CAA;
  - Does not result in exceedance of emissions allowed under the permit.
- Increasing operating hours or increasing or changing fuels or materials provided that associated emissions do not increase beyond any existing permitted emission limit.
- Installing emission control equipment or limiting emissions from an existing unit provided that the action does not avoid an otherwise applicable requirement.

### Procedure

Notify the District and US EPA Region 9, in writing, ***at least 7 days before implementing the op-flex change***. Form 1410-C may be used as the method of notification along with submittal to the District of standard form App116.

## **Suggested Additional Steps and Points of Caution**

- It may be useful to discuss or meet with the District Title V Engineer, as early as possible, to confirm whether the proposed change qualifies as operational flexibility. (Note: enforcement action may be taken against the source for making the change if the District determines the change does not qualify.)
- If a District A/C or permit application is required, submit Forms 1410-C and App116 to the District with the District A/C or permit application, copy the Title V engineer. (Note: This will not be considered a complete application under Title V but will alert District staff to this aspect of the change.)
- A permit shield, if provided, does not apply to operational flexibility changes.
- After the op-flex change has been implemented, any compliance certifications, monitoring summaries or deviation reporting required by the Title V permit must incorporate and consider the op-flex change.

## **Instructions for Completing Form 1410-C**

### Section I.

State your Title V permit number and affected existing District Permit Number(s). Also provide the following:

- Brief description of the change;
- The date on which the change will occur;
- Any change in emissions due to the change; and
- A listing of any permit terms or conditions affected.

If needed, provide emission calculations as an attachment to Form 1410-C (usually these would not be necessary or they would be submitted with the District permit application).

### Section II. (Note: Only complete if permit terms are contravened as part of the change)

List all applicable requirements that apply to the change. For example, if you are installing a new boiler that meets the above conditions, include reference to Rule 69.2, if applicable.

### Section III. (Note: Only complete if permit terms are contravened as part of the change)

Complete this section if the change includes changes to monitoring, recordkeeping, and/or reporting requirements or test methods.

### Section IV.

Complete signature block.

**SAN DIEGO AIR POLLUTION CONTROL DISTRICT**

<i>Supplemental Application</i>
<b>TITLE V PERMIT CHANGE (Form 1410-C)</b>

<b>San Diego APCD Use Only</b>
<b>Appl. No.:</b>
<b>ID No.:</b>

**Section 502 (b)(10) Change**

*Completion of this form meets the requirements of Rule 1414(f)*

**I. SECTION 502 (b)(10) CHANGE [Rule 1410(l)]**

Title V Permit to Operate No. \_\_\_\_\_ Affected existing District Permit No. \_\_\_\_\_

Provide a description of the proposed Section 502 (b)(10) change:

\_\_\_\_\_

\_\_\_\_\_

Date of change: \_\_\_\_\_ Change in emission due to change: \_\_\_\_\_  
 [Provide documentation to substantiate emission]

List of permit terms and/or conditions affected:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Affirmative determination requested that the proposed change is a Section 502 (b)(10) change.

**II. Applicable Requirements**

List of Rules and Regulations that apply to the Section 502 (b)(10) change [when contravening permit terms].

Rule	Adoption Date	Rule Description	Test Method or Rule Section	Monitoring, Records, Reports, Rule Section

**III. Monitoring, Recordkeeping & Reporting (MR&R) Requirements and Test Methods [When contravening permit terms]**

- The MR&R requirements and Test Methods contained in the rules identified in Section II above, will be used to determine compliance with the applicable requirements.
- Additional or modified MR&R and/or Test Methods are proposed. See attachment number \_\_\_\_\_.

**IV. Signature**

\_\_\_\_\_  
 Signature of Permit Information Contact

\_\_\_\_\_  
 Date

( ) \_\_\_\_\_  
 Telephone No

\_\_\_\_\_  
 Print Name of Permit Information Contact

\_\_\_\_\_  
 Title of Permit Information Contact