

## OLYMPIC REGION CLEAN AIR AGENCY

2940 B Limited Lane NW - Olympia, Washington 98502 - 360-586-1044 – Fax 360-491-6308

### NOTICE OF CONSTRUCTION (NOC) APPLICATION INSTRUCTIONS

**APPLICABILITY:** New and modified equipment and operations which emit air pollutants within ORCAA's jurisdiction (Thurston, Mason, Clallam, Jefferson, Pacific and Grays Harbor Counties) are subject to pre-construction review and approval by ORCAA pursuant to the Washington Clean Air Act, RCW 70.94. Sweat furnaces, paint spray booths, manufacturing processes using resin, plywood and lumber mills, combustion equipment, boilers, rock crushers, and hot mix asphalt plants are just several examples of the many types of air pollution sources that require pre-construction approval by ORCAA. Please consult ORCAA for a complete listing of equipment types requiring pre-construction approval.

Pre-construction review and approval is facilitated through a Notice of Construction (NOC) application. Final approval of a NOC application generally takes from 30 to 90 days for ORCAA to issue.

**NOC APPLICATION PROCEDURE:** Within thirty days of receipt of a NOC application, ORCAA will either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within sixty days of receipt of a **complete** application, ORCAA will either issue a final approval or, if public noticing is required, initiate a 30-day public notice and comment period followed as promptly as possible by a final approval.

The applicant may begin construction once ORCAA has issued a final written **Approval Order**. Within fifteen (15) days from completion of construction the applicant is required to notify ORCAA by forwarding a **Notice of Completion** (NOC Form 3). Within the first year from completion of construction ORCAA will inspect the new source or modification and may give final approval provided that the terms and conditions stated in the Approval Order are met.

**NOC APPLICATION:** Please include in your NOC application the following items marked with a check (✓), and any other data and information necessary to demonstrate that the proposed project, which includes new and/or modified sources of air pollution, complies with applicable air quality regulations and standards. Please number and date all pages and provide a table of contents for the application.

**NOC Application Fee:** Please include with the application a check or money order for payment of the appropriate NOC application fees. ORCAA will not commence processing the application until NOC application fees have been paid. The NOC fee amount can be calculated based on the attached NOC Fee Schedule or you may call ORCAA for assistance.

**Project Description:** Provide a brief narrative description of the project that generally describes the products produced, raw materials and fuels used, proposed new equipment, proposed modifications to existing equipment, and facility operations.

**Site Map:** Provide a scaled site map or maps of the facility which show property boundaries, outlines of all existing or planned buildings, specific locations of emission units, emission control devices and exhaust stacks, locations of access and haul roads, locations of raw material, fuel, and waste piles, elevations of all emission points, and elevations of all on-site buildings. The site map should also indicate the predominant wind direction and the location of the nearest occupied building located off the facility property.

**Process Flow Diagram:** Provide one or more process flow diagrams which describe the logical relationship between emission units, fugitive sources, area sources, air pollution control devices, and stacks, and the flow of raw materials, fuels and products to and from these items. The process flow diagrams shall identify points where pollutants are emitted and shall define material states when appropriate.

**SEPA Documents:** ORCAA cannot issue final approval on a NOC application until the applicant verifies compliance with the State Environmental Policy Act (SEPA). To verify compliance with SEPA, please complete Form 1 and include copies of any SEPA determinations issued for your project by the SEPA lead agency.

**Technical Descriptions of Proposed Equipment:** Provide technical descriptions of all proposed new equipment or modifications to existing equipment that will emit air pollutants. Descriptions should include information on pollution control devices, fuel types, design capacities, design air flow rates, operating parameters, alternative operating scenarios such as start-up and shutdown, and any other information to the extent that it is needed to determine emission rates, emission control efficiencies or the applicability of regulations and standards. If available, include with the NOC application a copy of the vendor brochure for the

equipment.

**Air Pollutant Emissions:** Using Form 4, provide emission estimates for proposed new and modified emission units, area sources, and fugitive sources. Emissions should be based on the maximum potential to emit considering proposed controls and maximum design capacities.

**Applicable Requirements:** In narrative format, provide compliance evaluations for all applicable state, federal and local air pollution control requirements including applicable requirements in WAC 173-400, WAC 173-401, ORCAA Regulations, and federal new source performance standards.

**BACT:** Using Form 6, provide a demonstration that proposed air pollution control devices and measures comply with Best Available Control Technology (BACT) requirements in WAC 173-400-112 and WAC 173-400-113.

**Air Toxics Analysis:** Provide an evaluation of compliance with the Washington Air Toxics Regulation, Chapter 173-460 WAC.

**Air Quality Impacts Analysis:** Provide an ambient air quality impacts analysis based on modeling facility emissions using EPA approved air dispersion models. The modeling analysis should conform to current EPA modeling guidelines and recommended methods.

**PSD Threshold Determination:** Using Form 7, provide a PSD threshold determination in accordance with Form 7 guidelines and instructions.

**Compliance Assurance Plan:** Provide a compliance assurance plan which describes the means for assuring and verifying compliance with applicable emission limits and standards. The plan should include descriptions of all proposed monitoring devices, record keeping and reporting measures, and emissions testing.

**Standard Forms:** Complete and include with the NOC application, the following standard ORCAA NOC forms applicable to this project (marked with a check):

- Form 1, General Information
- Form 4, Criteria Pollutant Emissions
- Form 5, Air Toxic Emissions
- Form 6, BACT Form & Guidelines
- Form 7, PSD Threshold Determination
- Form 8, Spray Coating
- Form 8B, Truck Bed Lining
- Form 9, Fiberglass Reinforced Plastics
- Form 10, Hot Mix Asphalt Form
- Form 11, Boiler
- Form 12, Baghouse
- Form 13, Cyclone
- Form 14, Thermal Desorption
- Form 15, Soil Vapor Extraction
- Form 16, Gasoline Dispensing
- Form 18, Internal Combustion Engines
- Form 20, Log Yard
- Form 21, Perchloroethylene Dry Cleaners
- Form 21A, DF2000 Dry Cleaners
- Form 23, Composting
- Form 24, Rock Crushing Plant
- Form 27, Chrome Electroplating/Anodizing
- Form 29, Coffee Roasting
- Form 30, Concrete Batch Plant
- Form 31, Thermal Metal Cutting
- Form 34, Biofilter

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## NOTICE OF CONSTRUCTION (NOC) APPLICATION FEE SCHEDULE

The fee for processing a Notice of Construction and Application for Approval (NOC) shall include a Filing Fee according to Section A, Plan Examination and Inspection Fees according to Section B, and any applicable Additional NOC Processing Fees according to Section C.

**A) Filing Fees.** The Authority shall not commence processing of a NOC until it has received a filing fee.

**B) Filing Fees** shall be paid for each piece of equipment or process proposed which emits air pollutants and requires filing an NOC, and for certain fee eligible reviews and determinations as identified in Table 3.3a. The applicant may choose to determine applicable Filing Fees based on this section and include payment along with the NOC application, or may elect to have the Authority determine applicable Filing Fees during the NOC completeness review, in which case, the applicant would be billed. In either case, the NOC application is incomplete until the Authority has received payment of applicable Filing Fees. Filing Fees shall be determined as follows:

- (1) One Filing Fee shall be paid for each regulatory determination or review item identified in Table 3.3a which applies to the NOC;
- (2) One Filing Fee shall be paid for each piece of equipment or process which emits air pollutants and requires filing a NOC except for equipment or processes which can be considered as identical equipment or processes;
- (3) Equipment or processes may be considered identical provided that they have the same physical specifications and only one examination and/or inspection is required by the Authority;
- (4) Identical equipment or processes may be accounted for collectively as a single piece of equipment or process subject to a single Filing Fee;
- (5) The Filing Fee for a piece of equipment shall be based on the fee amount in Table 3.3a which most closely matches the equipment or process type; and,
- (6) Any fee based on actual cost to the Authority shall be determined according to **C**.

**C) Additional Fees.** An Additional NOC Processing Fee shall be paid by the applicant for any work identified in Table 3.3b which has been completed by the Authority for purposes of finalizing review and approval of a NOC. The Authority shall not issue the Final Determination or Order of Approval for any NOC until applicable additional NOC Processing Fees have been paid. The Authority shall determine which additional NOC Processing Fees apply and shall bill an applicant after issuing a Preliminary Determination, but prior to issuing a Final Determination or Approval Order. Additional NOC Processing Fees shall be determined based on the fee schedule contained in Table 3.3b. Any fee based on actual cost to the Authority shall be determined according to **C1**.

- (1) Fee amounts in Table 3.3b which are based on the Authority's actual cost to complete a review or task shall be determined using the actual direct hours expended completing the specific review or task and the hourly rate of \$80. The following provisions shall apply:
  - (a) Actual hours used in determining the amount of a fee shall be recorded on a daily basis by technical staff person directly involved in completing the specific task;
  - (b) Time accrued for purposes of determining the amount of a fee for this section shall be accounted for to the nearest 15 minutes;
  - (c) The bill issued for any fee based on the Authority's actual cost shall indicate the total hours expended.

**Table 3.3a: Filing Fees**

<b>Fuel Burning Equipment</b>		
<b>Design heat input rate in MMBtu/hr (maximum)</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Less than 10	\$520	7
10 or more but less than 20	\$700	9
20 or more but less than 50	\$940	12
50 or more but less than 100	\$1,900	24
100 or more	\$3,100	39
<b>Fuel change or new fuel</b>		
<b>Design heat input rate in MMBtu/hr (maximum)</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Less than 10	\$310	4
10 or more but less than 20	\$400	5
20 or more but less than 50	\$520	7
50 or more but less than 100	\$1,000	13
100 or more	\$1,600	20
<b>Process and Control Equipment</b>		
<b>Cubic feet per minute at design capacity</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Less than 10,000	\$460	6
10,000 or more but less than 20,000	\$580	7
20,000 or more but less than 50,000	\$760	10
50,000 or more but less than 100,000	\$1,120	14
100,000 or more but less than 250,000	\$2,140	27
250,000 or more	\$3,100	39
<b>Incinerators</b>		
<b>Pounds per day at maximum design capacity</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Less than 100	\$460	6
100 or more but less than 500	\$760	10
500 or more but less than 1,000	\$2,080	26
<b>Refuse Combustion</b>		
<b>Combustion rate in tons per day at design capacity</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Less than 12	\$3,100	39
12 or more	\$8,500	106
<b>Storage Tanks, Reservoirs and Containers (other than at retail gasoline dispensing facilities)</b>		
<b>Gallons total capacity</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
6,000 or more but less than 40,000	\$520	7
40,000 or more but less than 100,000	\$1,060	13
100,000 or more but less than 500,000	\$1,600	20
500,000 or more	\$1,780	22

<b>Miscellaneous Air Pollution Sources</b>		
<b>Filing fee based on # of units</b>	<b>Filing Fee</b>	<b>Base-Fee Hours</b>
Spray Painting Operation (per booth)	\$460	6
Dry Cleaner (per machine)	\$340	4
New Gasoline Station	\$460	6
Gasoline Station Upgrade or Modification	\$200	3
Asphalt Plant (initial)	\$1,300	16
Soil Thermal Desorbtion Unit (initial)	\$3,100	39
Odor Source	\$700	9
Soil and Groundwater remediation	\$700	9
Autobody	\$460	6
Control Device Replacement or Substantial Alteration	\$200	3
Composter	\$200	3
Rock Crusher (initial )	\$200	3
Other	\$340	4

**Table 3.3b: Additional NOC Processing Fees**

<b>Fee-Eligible Item</b>	<b>Description</b>
NOC Application Assistance	Direct technical assistance completing a NOC application, including, but not limited to calculating emissions, filling out standard forms, determining applicable requirements, completing a BACT analysis, performing an air toxics screening analysis pursuant to chapter 173-460 WAC, or selecting monitoring equipment. An NOC Application Assistance fee may only be assessed if the fee rate is disclosed to the applicant and applicant requests such assistance in writing.
Work Exceeding Base-Fee Hours	Direct work attributed to processing a NOC application in excess of the sum of applicable base-fee hours stated in Table 3.3a for each piece of equipment or process subject to a NOC.
State Environmental Policy Act (SEPA)	SEPA-related work such as reviewing Environmental Checklists, making threshold determinations, preparing Determinations of Nonsignificance (DNS) and other SEPA-related reports.
Public Noticing	Work directly associated with issuing public notice pursuant to WAC 173-400-171 and Rule 6.1(e) of ORCAA's Regulations. Associated work includes issuing a press release if warranted, copying and posting the written Preliminary Determination for public viewing, and reviewing and responding to comments.
Public Hearing	Work associated with conducting a public hearing including, but not limited to, preparation of summary materials, copying, issuing hearing notice, conducting the hearing, and responding to comments