

**Procedure for a Facility with an Existing Operating Permit to
Become a Non-Major Facility**

1. The Department will request a meeting with the facility to review the Applicant's proposal. The Applicant will also be notified of the opportunity to obtain emission credits for the emissions reductions made in the Operating Permit, if any.
2. If the facility will be accepting limitations to their operating permit to make them Non-Major, the Facility will need to submit a Significant Modification to their Operating Permit. This procedure is outlined below:
 - A. Facility will submit a Significant Modification permit application to the facility's Operating Permit. The Significant Modification must include Federally Enforceable emission limitations that keep all facility-wide emissions below major facility threshold limits including all sources significant and insignificant. The modification must also include any pending 7-day notices. Note: The Facility must continue to operate under the existing Operating Permit.
 - B. The Department will review the application as submitted and make the requested changes to the Operating Permit pursuant to the rule requirements of N.J.A.C. 7:27-22.
3. If the facility will be removing equipment from their Operating Permit to make them Non-Major, the Facility will need to submit a Minor Modification to their Operating Permit. This procedure is outlined below:
 - A. Facility will submit a Minor Modification permit application to the facility's Operating Permit. The Minor Modification must include emission reductions from equipment removal that keep all facility-wide emissions below major facility threshold limits including all sources significant and insignificant. The modification must also include any pending 7-day notices. Note: The Facility must continue to operate under the existing Operating Permit.
 - B. The Department will review the application as submitted and make the requested changes to the Operating Permit pursuant to the rule requirements of N.J.A.C. 7:27-22, with the addition of a public comment period as provided in N.J.A.C. 7:27-22.
4. The Department's Regional Office will review the facility for Non-major status and notify them of its findings by letter.
 - A. If the facility is found to be major, it will continue to operate under the existing Operating Permit and may be subject to enforcement action.
 - B. If the facility is found to be Non-Major, the procedure outlined in 5-6 below shall be followed.
5. The Department will notify the Applicant to submit a Preconstruction Permit (PCP) application and a request to terminate the Title V operating permit once the Operating Permit Modification is approved. The PCP application shall only include equipment already in the Operating Permit.
6. The Department will issue a PCP permit(s) in accordance with the rule requirements in N.J.A.C. 7:27-8. The PCP permit will include all applicable State and Federal requirements including any State or Federal regulations which the facility is subject to, but were not yet added to the operating permit. The Department will notify the Facility that their Operating Permit has been terminated.