

**Michigan Department of Environmental Quality, Air Quality Division**

**COMPLETING THE FORM FOR RULE 215 CHANGE NOTIFICATIONS OR  
RULE 216 AMENDMENT/MODIFICATION APPLICATIONS**

An EQP 5775 form, entitled "M-001: RULE 215 CHANGE NOTIFICATION OR RULE 216 AMENDMENT/MODIFICATION APPLICATION" (M-001), must be completed to identify changes at a stationary source after a Renewable Operating Permit (ROP) is issued. Notification of changes or application for amendments and modifications to an ROP are required by R 336.1215 (Rule 215) and R 336.1216 (Rule 216), promulgated pursuant to Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. For additional guidance, refer to the detailed instructions that follow for each subrule provision and to the Michigan Department of Environmental Quality Clean Air Assistance Program's "Life After ROP" Workbook, which is available through the Internet at:

[http://www.michigan.gov/documents/deq/deq-ead-caap-rop-LifeAfterROPWorkbook\\_312634\\_7.pdf](http://www.michigan.gov/documents/deq/deq-ead-caap-rop-LifeAfterROPWorkbook_312634_7.pdf)

Because each category of change triggers different requirements and timeframes, submittal for each different type of change or modification must be provided on a separate M-001 application form. Applications that do not include the C-001 form will be returned as incomplete.

If more than one box is checked in Item 7, the application will be returned for correction. However, multiple changes of the same type may be submitted in the same application. For example, two or more minor Permits to Install (PTIs) may be included in the same minor modification application if all necessary information is included for each PTI addressed within that application. If additional space is needed, complete an AI-001 to clearly indicate which information is associated with each individual PTI.

An applicant may voluntarily choose to combine different types of change under the most "stringent" applicable submittal type, with the understanding that the timeline for that category now applies to all changes within that application. For example, a change in ownership qualifies as an administrative amendment, but may be combined with incorporating a PTI in a submittal for a minor modification request.

Rule 215 notifications must be submitted to the appropriate AQD District Offices and to the United States Environmental Protection Agency (U.S. EPA). As of February 1, 2012, Rule 216 applications for ROP revisions should be submitted to the AQD Kalamazoo District Office. See below for further information.

Items 1 through 7 and 14 must be completed for all submittals. In addition, completion of Items 8 through 13 depends on the type of submittal. See the detailed instructions that follow.

**FORM COMPLETION**

1. **SRN** – Enter the State Registration Number assigned to the source.
2. **ROP Number** – Enter the ROP Number.
3. **Source Name** – Provide the specific source name (e.g. plant name).
4. **County** – Enter the county name where the source is located.

## M-001 Instructions

5. **Source Address** – Enter the street address for the physical location of the source identified above.

6. **City** – Enter the city name where the source is located.

7. **Submittal Type** – Select the box that describes the type of submittal. Only one box may be selected. For more information, see the detailed instructions that follow for each submittal type and the Clean Air Assistance Program’s “Life After ROP” Workbook.

- **Rule 215(1) Notification of Change:**

- Under Rule 215(1)(a), changes are allowed that would “contravene” a specific ROP condition provided that the specified criteria are met. This category is tightly constrained to changes such as identifying the brand of paint used.
- Under Rule 215(1)(b), changes are allowed for the trading of emissions within a stationary source where allowed by a federally-approved State Implementation Plan.

- **Rule 215(2) Notification of Change:**

Under Rule 215(2), changes to a stationary source are allowed without revision to the existing ROP where a source participates in an emissions trading action between stationary sources pursuant to a federally-approved State Implementation Plan and in which the change does not affect an emission limit or other applicable requirement within the ROP.

- **Rule 215(3) Notification of Change:** A change can be made “off-permit” (without revision to the ROP) at a stationary source if it does not conflict with or is not prohibited by an existing ROP for that source, provided: (1) the change complies with all applicable requirements, (2) the change is not a major New Source Review (NSR) modification, and (3) if the source is an affected source under the Title IV acid rain provisions, the change is not contrary to any applicable requirements of Title IV.

“Off-permit” means changes can be made to an emission unit or units covered by an existing ROP without revision to that ROP until the renewal period.

**Rule 216(1)(a)(i)-(iv) Administrative Amendment:** Allows for changes to an ROP which includes any of the following: (i) correction to typographical errors, (ii) a change in the name, address, or phone number of the responsible official or other contact person for the ROP or a similar minor administrative change at the source, (iii) a change that provides for more frequent monitoring or reporting, or (iv) a change in the ownership or operational control of a source where the Department determines that no other change in the permit is necessary and a written agreement between the parties has been submitted to AQD.

- **Rule 216 (1)(a)(v) “Enhanced PTI” Administrative Amendment:** Allows for changes to the ROP where (1) a PTI meets the permit content requirements of Rule 213 (including monitoring, recordkeeping & reporting); (2) the public participation procedures and review by affected states during PTI review are substantially equivalent to those required by Rule 214; (3) the source is in compliance with the terms and conditions of the PTI, and (4) no changes are required to the terms and conditions of the PTI. Any PTIs that underwent a 30-day public comment period are allowed as administrative amendments under Rule 216(1)(a)(v) if the specified criteria are met.
- **Rule 216(2) Minor Modification:** Allows for modifications to the ROP which do not meet the provisions of Rule 215 or Rule 216(1), and do not trigger the requirements of Rule 216(3). For

## M-001 Instructions

minor PTIs issued after the ROP is issued, the permit must meet Rule 213 content requirements and the other criteria in Rule 216(2) to qualify as a minor modification. Generally, a minor PTI may be incorporated into an ROP as a minor modification.

- **Rule 216(3) Significant Modification:** Provides for changes to the ROP that do not qualify for any of the other categories described above. These would include any of the following (unless part of a PTI meeting the Rule 216(1)(a)(v) criteria): (i) a major New Source Review (NSR) modification; (ii) a change that would result in emissions that exceed the emissions allowed under the ROP; (iii) a change that would significantly affect an existing monitoring, recordkeeping or reporting requirement in the ROP; (iv) a change that would require or modify a case-by-case determination; or (v) a change that would establish or modify a synthetic minor limit. If a proposed change is subject to the PTI program requirements, that change cannot be processed directly as an ROP significant modification.
- **Rule 216(4) State-only Modification:** Allows for changes to the ROP for modifications made to terms and conditions of an existing ROP that are designated as not enforceable under the Clean Air Act. If the change results in a new applicable requirement that must be enforceable under the Clean Air Act, then the change cannot be a state-only modification.

**Note: All Rule 216 administrative amendment and modification applications must be certified by a Responsible Official.**

**8. Effective Date** – Enter the date that the change will become effective.

**9. Change in Emissions** – Indicate whether there will be any change in emissions. This includes any increase or decrease in emissions.

**10. Description of Change** – Provide a brief description of any change or addition(s) to the stationary source or to the ROP. At a minimum, the description should include the information specified in the detailed instructions that follow for each category. This information may include:

- Changes in the quantity or quality of emissions and/or pollutants.
- Changes to an individual emission unit or group of emission units.
- Addition of a new emission unit or units.
- Any new applicable requirements that would apply to the source.
- Any proposed changes to terms and conditions of an existing ROP.
- Any permit term or condition that will no longer be applicable as a result of the change.

A description of the change may be provided by using a combination of narrative in Item 10 and attaching an AI-001 form. A mark-up copy of the affected page(s) of the existing ROP indicating the proposed changes may be attached, but is not required for incorporation of a new PTI. Providing a simple explanation and listing the PTI number(s) in Item 11 will be considered sufficient to fulfill the requirements of Rule 216(2)(b)(ii) for a minor modification application. For a significant modification request, supplemental ROP application forms (e.g., AR-001, AR-002, etc.) must be included in the application.

**11a & b. New Source Review PTI(s) Associated with the Change?** – If an NSR PTI is associated with the change, check Yes. If Yes, enter the PTI number(s). If needed, complete an AI-001 to provide any additional PTI numbers or supplemental information about the listed PTI(s).

**12. Compliance Status** – If any of the following are checked No, submit a narrative compliance plan, in accordance with Rule 119(a) and Rule 213(4)(b), including a schedule for compliance on an AI-001.

## M-001 Instructions

- a. Indicate whether the identified change is in compliance with current applicable requirements.
- b. Indicate whether the identified change will continue to be in compliance with current applicable requirements.
- c. If the change is the result of a future applicable requirement, indicate whether timely compliance will be achieved by the compliance deadline of that applicable requirement.

**13. Operator's Additional Information ID** – Create an Additional Information (AI) ID for the associated AI-001 that supplements this form. Refer to the AI-001 form instructions to create the ID. If the additional information or attachment is more than one page, label each page to show the relationship between pages.

**14. Contact Name, Phone Number and Email Address** – Provide the information for the individual who serves as the contact for this submittal. AQD staff will notify this contact when the application is received and as the application is reviewed and processed.

**For more information, see the following detailed instructions for each submittal type. Also, if additional space is needed, complete an AI-001.**

## M-001 Instructions

### Instructions for Rule 215(1): Notification of Change

Under Rule 215(1)(a), changes to a stationary source are allowed without revision to the existing ROP provided:

- the change is not a major modification,
- actual emissions do not exceed the emissions allowed under the ROP, and
- the change does not violate any applicable requirement including any applicable requirement for monitoring, recordkeeping, reporting or compliance certification.

"Emissions allowed" is defined in the rule as including any emission limitation, standard, or condition, including a work practice standard, that is required by an applicable requirement or that establishes an emissions cap which the source has assumed to avoid an applicable requirement.

Under Rule 215(1)(b), changes are allowed for the trading of emissions within a stationary source where allowed by a federally-approved State Implementation Plan (SIP).

### EXAMPLES

- If a particular brand of coating is specified in an ROP with an associated emission limit for that coating, the coating brand can be changed provided the emission limit is met.
- Emissions can be traded between emission units at a facility where PTI conditions that allow cross-line averaging have been incorporated into the ROP.

### SUBMITTAL REQUIREMENTS

1. **At least 7 days in advance of the change**, a written notification using the M-001 shall be made to the appropriate **AQD District Office** and to the U.S. EPA, Air & Radiation Division, Attention: Permits – Michigan, 77 West Jackson Boulevard, Chicago, IL 60604.
2. A description of the change shall be provided including:
  - The date of the change.
  - Any change in emissions.
  - Any permit term or condition that would no longer be applicable as a result of the change.

For Rule 215(1)(b) changes, the description must also include:

- The ROP requirements with which the source will comply using the emission trading action.
  - The pollutants emitted subject to the emissions trade.
  - The provisions of the approved SIP with which the source will comply and which provide for the emissions trade within the stationary source.
3. Changes made pursuant to this subdivision shall not violate any applicable requirement including any applicable requirement for monitoring, recordkeeping, reporting, or compliance certification.

### FORM COMPLETION

**For changes made pursuant to Rule 215(1)(a) and (b), complete Items 1 through 10 and 14.**

## M-001 Instructions

### Instructions for Rule 215(2): Notification of Change

Rule 215(2) addresses emission trading actions allowed by a federally-approved inter-facility emissions trading program. Under Rule 215(2), such changes are allowed without revision to an ROP where the stationary source participates in an approved emissions trading program and the ROP has wording that allows for such a change.

#### SUBMITTAL REQUIREMENTS

If considering a change that involves emissions trading between sources, contact the appropriate AQD District Office to discuss the change and how it may affect the ROP.

#### FORM COMPLETION

**For changes made pursuant to Rule 215(2), an M-001 submittal may not be required, depending on the provisions of the specific emissions trading program and the wording within the ROP. Complete and submit the M-001 if directed by your AQD contact.**

## M-001 Instructions

### Instructions for Rule 215(3): Notification of Change

Rule 215(3) allows for changes which do not conflict with or are not prohibited by an existing ROP at a stationary source, without revision to that permit if:

- the change complies with all applicable requirements,
- the change is not a major NSR modification, and
- if the source is an affected source under the Title IV acid rain provisions and the change is not contrary to any applicable requirements of Title IV.

These changes can be made “off-permit” at a stationary source. “Off-permit” means changes that meet the above criteria can be made to an emission unit or units covered by an existing ROP without revision to that permit until the renewal period of the permit.

#### EXAMPLES

- The installation of a new emission unit, with a minor PTI, which does not conflict with or is not prohibited by a source-wide requirement in the original ROP.
- The installation of a new emission unit subject to an NSPS, MACT, or other standard where a PTI was not required, and the equipment is not specifically addressed in the original ROP, provided the above criteria is met; for example, cold cleaners exempt from PTI under Rule 281(h).

#### SUBMITTAL REQUIREMENTS

1. A contemporaneous written notification shall be made to the appropriate **AQD District Office** and to the U.S. EPA, Air and Radiation Division, Attention: Permits – Michigan, 77 West Jackson Boulevard, Chicago, IL 60604, using an M-001 for each change.
2. A description of the change shall be provided including:
  - The date of the change.
  - Any change in emissions.
  - Any pollutants emitted.
  - Any applicable requirement that would apply as a result of the change.

The description of change may be provided through a combination of completing Item 10 and attaching a mark-up copy of an existing ROP, a PTI, or an AI-001.

3. A record shall be kept describing changes made at the stationary source that result in emissions of an air contaminant which are subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the changes.
4. If necessary, an AI-001 should be used to submit supplemental information.

#### FORM COMPLETION

**For changes made pursuant to Rule 215(3), complete Items 1 through 11 and 14.**

## M-001 Instructions

### Instructions for Rule 215(4): ROP Exempt Equipment

Rule 215(4) allows for "off-permit" changes at a stationary source covered by an ROP, without revision to that permit, which involve insignificant activities pursuant to Rule 212(2) or that involve the installation, construction, reconstruction, relocation, alteration, or modification of any exempt process or process equipment listed pursuant to Rule 212(3) and (4), provided that:

- the change does not result in a violation of any applicable requirement,
- the change would not exceed a synthetic minor limit in the ROP, and
- the change would not require or modify any existing emission limitation or standards, source-specific ambient air impacts, or visibility/increment analyses.

A source must always comply with the "exclusion from exemption" requirements of Rule 278 (e.g. a source may not add activities sufficient to result in an increase of actual emissions greater than the significance levels defined in Rule 119, thereby triggering NSR requirements).

#### EXAMPLES

- Installation of a welding operation.
- Installation of blueprint machines.

#### SUBMITTAL REQUIREMENTS

None

#### FORM COMPLETION

**For changes made pursuant to Rule 215(4), an M-001 does not need to be completed.**

## M-001 Instructions

### Instructions for Rule 216(1)(a)(i)-(iv): Administrative Amendment

Rule 216(1)(a)(i)-(iv) is for changes to an ROP which include any of the following:

- correction to typographical errors,
- a change in the name, address, or phone number of the responsible official or other contact person for the ROP or a similar minor administrative change at the source,
- a change that provides for more frequent monitoring or reporting, or
- a change in the ownership or operational control of a source where the department determines that no other change in the permit is necessary and a written agreement between the parties has been submitted to the AQD.

#### EXAMPLES

- Misspelled words.
- Omitted words that would not alter the intent or language of the condition.
- A change in ownership and an associated change in the company name.

#### SUBMITTAL REQUIREMENTS

1. The administrative amendment request must be submitted using an M-001 to ***MDEQ Air Quality Division, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, MI 49009.***
2. A brief description of the change shall be provided.
3. If ownership or operational control has changed, the AQD must also be notified of any change in the responsible official or contact regarding the ROP.
4. Submit a C-001: Certification form which certifies that the statements and information in the request are true, accurate, and complete.
5. If necessary, an AI-001 should be used to submit supplemental information.

#### FORM COMPLETION

**For administrative amendments made pursuant to Rule 216(1)(a)(i)-(iv), complete Items 1 through 10 and 14.**

## M-001 Instructions

### Instructions for Rule 216(1)(a)(v): Administrative Amendment

Rule 216(1)(a)(v) is for changes to an ROP involving a new permit to install (PTI) where

- the PTI meets the permit content requirements of Rule 213 (including monitoring, recordkeeping & reporting),
- the public participation procedures and review by affected states during PTI review were substantially equivalent to those required by Rule 214,
- the source is in compliance with the terms and conditions of the PTI, and
- no changes are required to the terms and conditions of the PTI.

Amendments under Rule 216(1)(a)(v) include major NSR PTIs and MACT determinations made under Section 112(g) that meet the specified criteria.

***The appropriate AQD District Office must be notified within 30 days after the completion of the installation, construction, reconstruction, relocation, alteration, or modification of the process covered by the PTI. The application for the administrative amendment must be submitted to the AQD Permit Section within 12 months of commencing operation and must include the results of the testing, monitoring and recordkeeping required by the PTI.***

#### EXAMPLES

- The installation of new equipment or modification of existing equipment contained under a major PSD permit that went through a public comment process equivalent to that under Title V and which contains all necessary monitoring, recordkeeping and reporting.
- The installation of new equipment or modification of existing equipment contained under a minor PTI that went through a public comment process equivalent to that under Title V and which contains all necessary monitoring, recordkeeping and reporting.

#### SUBMITTAL REQUIREMENTS

1. The administrative amendment request must be submitted using an M-001 to ***MDEQ Air Quality Division, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, MI 49009.***
2. The submittal must contain:
  - Results of all testing, monitoring, and recordkeeping performed to determine compliance.
  - A schedule of compliance for the process or process equipment.

An AI-001 should be used to submit the supplemental information.

3. Submit a C-001: Certification form which certifies that the statements and information in the request are true, accurate, and complete.

#### FORM COMPLETION

**For administrative amendments made pursuant to Rule 216(1)(a)(v), complete Items 1 through 14.**

## M-001 Instructions

### Instructions for Rule 216(2): Minor Modification

Rule 216(2) is for modifications that do not meet the provisions of Rule 215 or Rule 216(1), and are not required to be processed under Rule 216(3). A modification under Rule 216(2) is for changes to a ROP which would not

- violate any applicable requirement,
- significantly affect any existing monitoring, recordkeeping, or reporting requirements,
- require or modify a case-by-case determination,
- establish or modify a synthetic minor limit, or
- require a major NSR Permit to Install (PTI).

In general, changes which qualify as minor modifications do not require significant judgment to determine the revised ROP terms and conditions. Minor modifications may involve adding or revising applicable requirements that do not require additional technical review or case-specific determinations in order to determine the revised ROP conditions.

Typically, a minor PTI may be incorporated into an ROP as a minor modification because addressing the minor PTI conditions should not involve the above type of changes. For example, a minor PTI cannot legally authorize a violation of any underlying applicable requirement. Monitoring, recordkeeping, and reporting requirements in a minor PTI have already undergone review and approval through the minor PTI program. Also, the incorporation of minor PTI requirements into the ROP does not require or modify case-by-case determinations or establish or modify synthetic minor limits because those requirements have already been established through the minor PTI program. Finally, a minor PTI cannot be issued to address PSD or nonattainment NSR requirements.

In other words, any case-by-case technical review and applicable requirement determinations are established pursuant to the PTI program, not the ROP program. Because the technical judgments are made during the PTI review, the subsequent ROP revision application simply requests that the conditions of that PTI be incorporated into the ROP.

However, if an ROP revision requires changes beyond directly incorporating the conditions of a new minor PTI, such changes would also have to meet the criteria above in order to be eligible for the minor modification process. For example, in the unlikely event that a PTI was inadvertently issued with no monitoring or recordkeeping requirement to verify compliance with a particular emission limit, the corresponding ROP revision must be processed as a significant modification to include appropriate further condition(s) for determining compliance with that emission limit.

Note that “major PTIs” undergo a public and affected state(s) review process that is comparable to the full review process for ROPs; therefore, major PTIs should qualify to be incorporated as “enhanced NSR” administrative amendments pursuant to Rule 216(1)(a)(v). If not, these changes would be processed as significant modifications.

#### EXAMPLES

- The installation of an emission unit(s) or modification of an existing emission unit(s) contained under a minor PTI that did not go through a public comment process, but contains all necessary monitoring recordkeeping and reporting.
- Amending existing ROP requirements to implement a Maximum Achievable Control Technology (MACT) standard to add further conditions that do not require significant evaluation.

## **M-001 Instructions**

### **SUBMITTAL REQUIREMENTS**

1. The minor modification request must be submitted using an M-001 to ***MDEQ Air Quality Division, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, MI 49009.***
2. A description of the change must be provided including the quality and quantity of emissions resulting from the change, and any new applicable requirement that would apply as a result of the change.
3. Proposed changes to the terms and conditions of the ROP must be provided which are adequate to address the change and any new applicable requirements.
4. A C-001: Certification form must be submitted which certifies that the proposed modification meets the criteria for a minor permit modification and that the statements and information in the request are true, accurate, and complete.
5. If necessary, an AI-001 should be used to submit supplemental information.

### **FORM COMPLETION**

**For minor modifications made pursuant to Rule 216(2), complete Items 1 through 12 and 14.**

## M-001 Instructions

### Instructions for Rule 216(3): Significant Modification

Rule 216(3) is for significant modifications. These are changes that do not qualify for any of the previous categories or as state-only modifications and that involve any of the following (unless part of a PTI meeting Rule 216(1)(a)(v)):

- a major modification under Title I (a change that triggers PSD or LAER);
- a change that would result in emissions that exceed the emissions allowed under the ROP;
- a change that would significantly affect an existing monitoring, recordkeeping or reporting requirement in the ROP;
- a change that would require or modify a case-by-case determination; or
- a change that would establish or modify a synthetic minor limit.

#### EXAMPLES

- Incorporating a new minor PTI that does not contain all necessary monitoring, recordkeeping and reporting for the modification of existing equipment. (See the instructions for minor modifications to address other revisions involving minor PTIs.)
- The installation of new equipment or modification of existing equipment contained under a major NSR PTI that went through a public participation process equivalent to that required by Rule 214 but does not contain all necessary monitoring, recordkeeping and reporting. (See the instructions for “enhanced NSR” administrative amendments to address other major PTIs.)
- The source requests to change to a different monitoring method from requirements established in the ROP pursuant to Rule 213(3).

#### SUBMITTAL REQUIREMENTS

1. The significant modification request must be submitted using an M-001 to ***MDEQ Air Quality Division, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, MI 49009.***
2. The application requirements (including submittal of the method for determining compliance) are equivalent to those for an initial application, except that the application addresses only the emission units affected by the change. ROP application forms must be submitted in addition to an M-001.
3. A C-001: Certification form must be submitted which certifies that the statements and information in the request are true, accurate, and complete.

#### FORM COMPLETION

**For significant modifications made pursuant to Rule 216(3), complete Items 1 through 7, 9 through 12, and 14.**

## M-001 Instructions

### Instructions for Rule 216(4): State-Only Modification

Rule 216(4) is for state-only modifications where changes made to terms and conditions of an existing ROP that are designated as not enforceable under the Clean Air Act. If the change results in any new applicable requirement that must be enforceable under the Clean Air Act, then the change cannot be a state-only modification.

#### EXAMPLES

- Only conditions identified with Footnote 1 or an asterisk in an existing ROP can be changed as a state-only modification.

#### SUBMITTAL REQUIREMENTS

1. The state-only modification request must be submitted using an M-001 to ***MDEQ Air Quality Division, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, MI 49009.***
2. A description of the change must be provided, including the quality and quantity of emissions resulting from the change, and any new applicable requirement that would apply as a result of the change.
3. Proposed changes to the terms and conditions of the ROP must be provided that are adequate to address the change and any new applicable requirements.
4. A C-001: Certification form must be submitted which certifies that the proposed modification meets the criteria for a minor permit modification and that the statements and information in the request are true, accurate, and complete.
5. If necessary, an AI-001 should be used to submit supplemental information.

#### FORM COMPLETION

**For state-only modifications made pursuant to Rule 216(4), complete Items 1 through 12 and 14.**