

Air Pollution Control Program Permitting Update

REGFORM

Air Compliance Seminar

November 5, 2025

Kendall Hale, Permit Section Chief

Permit Staffing

- 18 Permit writer – 4 Vacancies
- 3 Unit Chiefs – 1 Vacancy
- 2 Modelers – 1 Retiring at the end of 2025
- 1 Program Assistant – 1 Vacancy

Air Permits Workload January - September

- Construction Permits
 - 328 Received
 - 369 Completed
- Operating Permits
 - 53 Received
 - 70 Completed

Updates on Issues Presented at Last Years REGFORM

- Major MACT to Area (MM2A)
- St. Louis Non-attainment permitting
- Applicability determinations

New Source Review (NSR) Updates

- Withdrawal of Proposed Rule: Regulations Related to Project Emissions Accounting – Federal Register notice dated July 21, 2025
- TSMC Arizona Begin Actual Construction EPA Response Letter – Signed September 2, 2025
- Actual-to-Project-Actual Applicability (ATPA) Test Memorandum – Signed September 15, 2025
- Reactivation Policy Memorandum – Signed September 18, 2025

Permitting Potpourri

- Data Centers
- Operating Permits
 - Citing regulations versus including regulatory language
 - Statement of Basis
- Construction Permit Exemptions and Pre-construction Waivers
- Advice if you are new to Air Permitting
 - Understanding the difference between Construction Permits vs Operating Permits.
 - Define the project.
 - Read the regulations.
 - Internet is a useful tool. Use it, but don't let it be the final answer.
 - Responding in a timely manner makes permitting go faster (applies to both Air staff and companies). Communication is everyone's friend.
 - READ THE DRAFT AND FINAL PERMIT AND ASK QUESTIONS.

Air Pollution Control Program

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