
ENVIRONMENTAL Fact Sheet



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New Hampshire's Air Permit Program

NHDES regulates and limits air emissions from a variety of sources within New Hampshire through a statewide permitting program. The New Hampshire Code of Administrative Rules, Chapter Env-A 600 outlines the permitting process and lists sources that require permits for air emissions, either by overall source, specific device, or by pollutant. The permitting program is part of New Hampshire's plan to achieve and maintain air quality standards throughout the state. These standards include National Ambient Air Quality Standards, or NAAQS for six "criteria" pollutants (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter and lead), and standards (Ambient Air Limits or AALs) for Regulated Toxic Air Pollutants (RTAPs).

What Sources Need An Air Permit?

Sources of air emissions that require permits include point sources, such as stationary commercial and industrial facilities; area sources, which are smaller stationary sources, like spray booths and print shops; and devices, which include individual burners, furnaces, machines, etc. Table I, on page 2, summarizes the source/device threshold limits that trigger the requirement for obtaining an air permit from NHDES.

In addition to the specific sources/devices listed in Table I, the rules contain other conditions under which a source would be required to obtain a permit. Examples of these conditions include:

- Sources choosing to limit their potential to emit by accepting enforceable permit conditions.
- Sources at which documented and repeated violations occur of any of the applicable opacity or emission limits found in the rules.
- Sources at which documented and repeated violations of any NAAQS occur and the source is a significant contributor to the violation.
- Sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) for source categories defined in federal regulations 40 CFR Parts 61.
- Sources that are required to obtain a permit pursuant to Maximum Achievable Control Technology (MACT) 40 CFR Part 63.

- Sources subject to the rules governing reasonably available control technology (RACT) for nitrogen oxides (NO_x).
- Sources using a RACT Order to comply with RACT for volatile organic compounds (VOCs).
- Sources where a permit is required in order to achieve compliance with NAAQS for criteria pollutants.
- Sources where a permit is required in order to achieve compliance with AALs for RTAPs.
- Sources affected by or opting into the Acid Rain program under Title IV of the federal Clean Air Act Amendments of 1990.
- Sources defined in the rules as “major sources,” as determined by the type and amount of pollutant emitted from the source and the geographical location of the source (required by Title V of the federal Clean Air Act Amendments of 1990).

TABLE I		
Devices and Sources That Require Permits for Air Emissions		
Device/Source	Design Rating	Fuel
Fuel Burning Device	≥ 10 million Btu/hr	Gaseous or distillate fuel oil
Fuel Burning Device	≥ 4 million Btu/hr	#4 fuel oil
Fuel Burning Device	≥ 2 million Btu/hr	Solid fuel, residual oil, or used oil
Internal Combustion Engine (One or more at a source; design rating threshold is combined total of all)	≥ 1.5 million Btu/hr (aggregate of all engines > 0.15 million Btu/hr)	Liquid fuel oil
	≥ 10 million Btu/hr (aggregate of all engines > 1.5 million Btu/hr)	Gaseous fuel
Incinerator	≥ 1,000 lbs/hr	Type 0, 1, 2, 3 waste
Incinerator	≥ 200 lbs/hr	Type 4, 5, 6, 7 waste
Stationary Source, Area Source, or Device	Total actual VOC emissions ≥ 10 tons per year	
Aboveground, Vertical, VOC Storage Tank	Capacity ≥ 40,000 gallons containing VOCs with a true vapor pressure ≥ 1.52 psia at 60°F	
Device for loading tank trucks with gasoline at a gasoline terminal	Design throughput ≥ 20,000 gal/day	
Woodworking Device employing pneumatic transfer system, using a cyclone but no baghouse, for collecting any amount of sander dust	Wood waste collection rate ≥ 20 tons/yr	
Pneumatic dust transfer equipment used to convey materials, other than wood waste, into bins or silos, and not using a baghouse or filter for controlling dust		
Fixed non-metallic mineral processing plant or coal crusher	Design throughput ≥ 25 tons/hr	
Portable sand and gravel or crushed stone plant or coal crusher	Design throughput ≥ 150 tons/hr	

What Permits Are Required?

For sources that fit into one or more of the categories described above, NHDES issues five types of permits: Temporary Permits, State Permits to Operate, General State Permits, Title V Operating Permits and Permits-by-Notification.

- **Temporary Permits**

A Temporary Permit is issued prior to the commencement of construction or installation of any new or modified source or device. A Temporary Permit is issued for a period no longer than 18 months and contains terms and conditions establishing the parameters under which the source or device is constructed or operated. A Temporary Permit is issued to sources or devices based on several criteria, including the source or device type, design ratings, levels of production, and annual emission levels. A Temporary Permit will contain conditions to confirm that the source or device can operate as proposed and in compliance with applicable air standards and regulations, e.g., stack testing, monitoring, and record keeping requirements. A Temporary Permit is the first step toward obtaining either a State Permit to Operate or a Title V Operating Permit.

- **State Permits to Operate**

A State Permit to Operate is issued for a period not to exceed five years and is only issued once a source has been constructed, started operation, and demonstrated that it can operate in compliance with all applicable air regulations. A State Permit to Operate contains the emission limits and any other conditions the source is required to meet to ensure that the operation of the source will not result in a violation of any air quality standard or regulation. State permits to operate are issued to sources or devices that were required to hold Temporary Permits and are not subject to the Title V Operating Permit program.

- **General State Permits**

A General State Permit is a streamlined permit available for internal combustion engines used as emergency generators or fire pump engines. A General State Permit is issued for a period not to exceed five years. A source that falls under the General State Permit category may choose to comply with the terms and conditions of the General State Permit instead of obtaining a Temporary Permit and State Permit to Operate.

- **Title V Operating Permits**

The Title V Operating Permit program, effective June 30, 1995, is a requirement of Title V of the federal Clean Air Act Amendments of 1990. Title V Operating Permits are issued to sources, called “major sources,” which emit or have the potential to emit the following pollutants at the levels specified:

- 10 tons per year (TPY) or more of any one hazardous air pollutant (HAP).
- 25 TPY or more of any combination of HAPs.
- 50 TPY or more of VOCs.

- o 100 TPY or more of any criteria pollutant (e.g., sulfur dioxide (SO₂), nitrogen oxide (NO_x), etc.). In Hillsborough, Merrimack, Rockingham or Strafford Counties, the level for NO_x is 50 TPY or more.

Other sources, including area sources, may also be required to obtain Title V Operating Permits if they are subject to federal requirements relating to new source performance standards, hazardous air pollutants, or acid rain control.

- **Permit-by-Notification**

A Permit-by-Notification (PBN) is a simplified permit process available for non-metallic mineral processing plants (rock crushers). A source that falls under the PBN category may choose to comply with the PBN procedures and requirements for the category instead of obtaining a Temporary Permit or State Permit to Operate.

How Can I Get More Information?

The Air Permit Program is a complex process involving multiple conditions, requirements and procedures. The information presented in this fact sheet provides an overview of the statewide air permit program; it is a starting point to help sources determine if they need to enter the process. As always, NHDES is pleased to provide assistance to companies throughout the process. Additional information may be obtained by contacting the NHDES Air Permit Programs Manager, Todd Moore at todd.moore@des.nh.gov or (603) 271-1370, or on the [NHDES website](#).