

Permit Applicability Determination

June 3, 2022



PERMIT APPLICABILITY DETERMINATION



Previously, the Division of Air Enforcement used to be responsible for all permit applicability determination questions.



Now, the Bureau of Stationary Sources is responsible for all air permit applicability determination questions.



An Air Permit Applicability Determination Form was created to be completed by the applicants.



Procedure for requesting permit applicability

- **There is two steps procedures before you complete the form:**
 - Step 1: Verification by the applicant: The applicant must review N.J.A.C. 7:27-8.2(c) to confirm if the equipment or source operation needs an air permit. It is responsibility of the applicant to confirm if the source of equipment is not exempted pursuant to N.J.A.C. 7:27-8.2(d), (e) or (f).
 - Step 2: Verification by the Department: If Step 1 did not address applicant's specific situation and they have questions regarding permit applicability, the applicant must complete the Air Permit Applicability Determination Form.
- The form can be found at [Bureau of Stationary Sources - Contact Information \(state.nj.us\)](https://www.state.nj.us/bureauofstationarysources/contactinformation) website under "Permitting Guidance".
- The form shall be submitted to the Department by the email specified on the form.

AIR PERMIT APPLICABILITY DETERMINATION

The New Jersey Department of Environmental Protection (the Department) has developed this guidance to assist applicants in determining if an air permit is required for their equipment or source operation, consistent with N.J.A.C. 7:27-8.2(c).

STEP 1 – CHECK N.J.A.C. 7:27-8.2(c)

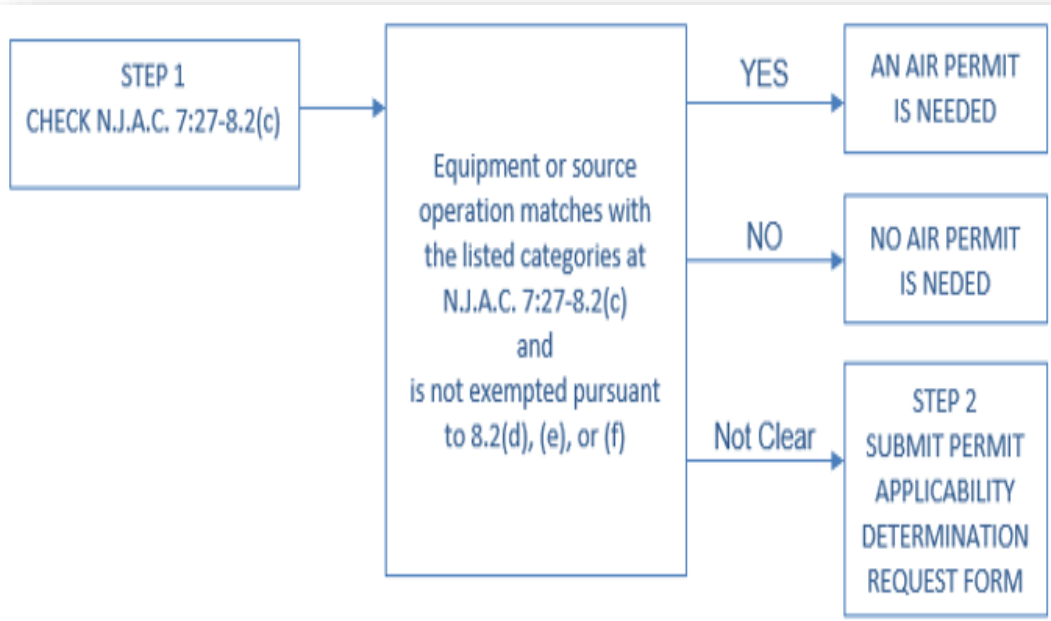
Consistent with [N.J.A.C. 7:27-8.2\(c\)](#), any equipment or source operation that may emit one or more air contaminants, except carbon dioxide (CO₂), directly or indirectly into the outdoor air and listed as a significant source requires a preconstruction permit, unless it is exempted from being a significant source pursuant to [N.J.A.C. 7:27-8.2\(d\), \(e\), or \(f\)](#).

Before contacting the Department to check if an air permit is needed, applicants must first review [N.J.A.C. 7:27-8.2\(c\)](#). If the subject equipment or source operation matches with any of the listed categories and is not exempted pursuant to N.J.A.C. 7:27-8.2(d), (e), or (f), AN AIR PERMIT IS REQUIRED.

Application forms and instruction to complete and submit an air permit application can be found at <https://www.state.nj.us/dep/aqpp/applying.html> or <https://www.state.nj.us/dep/aqpp/gp1list.htm>, if the source is eligible for a General Permit.

STEP 2 – SUBMIT PERMIT APPLICABILITY DETERMINATION FORM

If STEP 1 did not address the specific situation and/or there are questions regarding permit applicability, the applicant should complete the Air Permit Applicability Determination Request form below and submit to the Department by email at pcpnotices@dep.nj.gov. The Department will review and send an email responding the request.



AIR PERMIT APPLICABILITY DETERMINATION REQUEST

Submit to pcpnotices@dep.nj.gov. For assistance call (609) 633-2829

Air Permit Applicability Determination Form

The completed form must be sent to the email
specified on the form:
pcpnotices@dep.nj.gov

Date: Click or tap here to enter text.	Name: Click or tap here to enter text.
Email: Click or tap here to enter text.	Phone Number: Click or tap here to enter text.
Facility Name (optional): Click or tap here to enter text.	
Program Interest/Facility ID Number (if applicable): Click or tap here to enter text.	

Please describe your question regarding air permit applicability, be as specific as possible. To help the Department understand your question, describe your equipment or source operation, provide details of the process, a list of potential air contaminants and amounts in lb/hr and tons/year (if available), and, if needed, add a picture of the source or process. You may also attach picture or additional information to the email.

[Click or tap here to enter text.](#)



Contacting the Department for Applicability Determination

If an applicant contact the Department by email and require a response in writing, the Department will provide the link for the Air Permit Applicability Determination Form to be completed and submitted to the Department.

If an applicant contact the Department by phone and the response is not straightforward consistent with N.J.AC. 7:27-8.2(c), the Department will provide the link for the Air Permit Applicability Determination Form to be completed and submitted to the Department.

Contact

Mayra Reyes

Environmental Engineer

Bureau of Stationary Sources



mayra.reyes@dep.nj.gov



www.nj.gov/dep/aqpp



609-984-6072

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QUESTIONS

