

AIR POLLUTION RULES, 2014
AIR POLLUTION (FEES) REGULATIONS, 2014

INSTRUCTIONAL BOOKLET FOR FORM H
PERMIT APPLICATION FORM

ENVIRONMENTAL MANAGEMENT ACT, CHAPTER 35:05

FORM H PACKAGE

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DISCLAIMER: This document is intended for guidance only and does not bind the Environmental Management Authority. The legal basis and requirements for an Air Pollution Permit are articulated in the Air Pollution Rules, 2014 and the Air Pollution (Fees) Regulations, 2014.

SECTION A: GENERAL INFORMATION

What is an Air Pollution Permit?

It is a legally binding agreement between an operator and the Environmental Management Authority (EMA), which allows a registered emitter facility to emit specified pollutants into the environment under certain conditions, with the intention of attaining compliance with the Air Pollution Rules, 2014, within a specified period of time.

What is the benefit?

To improve the air quality of Trinidad and Tobago by controlling the quantity, conditions and concentrations of air pollutants that an operator may release into the atmosphere. Thereby achieving the objective of safeguarding ambient air quality and protecting public health from the adverse effects of air pollution.

Who needs to apply for a Permit?

Anyone who emits air pollutants outside the limits set out in the First and Second Schedules of the Air Pollution Rules, 2014, will be *notified* by the EMA in writing to apply for a permit. Upon receipt of **Notice**, the operator has thirty working days to complete and submit the application (Form H) to the EMA, along with supporting attachments.

Is there a fee associated with the Permit?

Yes. However, the amount to be paid for the application is related to the size of the facility being permitted. The criteria for determining the size of the facility have been set by the Air Pollution (Fees) Regulations, 2014 (APFR, 2014) and are based on the number of employees, the facility's net asset value and the annual sales value, with the latter taking precedence. Please consult the Schedule in the APFR, 2014 to determine the initial fee associated with the application for a permit.

The size of the facility was determined during the Source Emitter Registration phase. If no changes have occurred with respect to the number of employees, the facility's net asset value and the annual sales value, the facility category will remain the same. Please note that the onus is on the Applicant to inform the EMA, in writing, of any modification to a registered emitter facility, in accordance with Rule 8 of the APR, 2014.

Table 1: Facility Categorisation as defined by the APFR, 2014

| Facility Category | Number of Employees | Assets (TT) | Sales per Annum (TT) | Application Fee |
|-------------------|---------------------|-----------------------|------------------------|-----------------|
| Mini and micro | <5 | <250,000 | <250,000 | 200 |
| Small | 6-25 | 250,000 – 1,500,000 | 250,000 – 5,000,000 | 4,000 |
| Medium | 26-50 | 1,500,000 – 5,000,000 | 5,000,000 – 10,000,000 | 12,000 |
| Large | >50 | >5,000,000 | >10,000,000 | 16,000 |

There are annual fees associated with a permit. Please refer to the APFR, 2014 for other fee charges.

Fees are payable at First Citizens Bank Limited to Account number 1183848. **Please ensure the bank teller includes the name of the facility on the receipt.** The original receipt must be submitted along with the completed application form. A copy of the receipt should be retained for your records.

Where can an application form be obtained?

The application form can be downloaded at www.ema.co.tt. Additionally, the EMA will include the Permitting Package with the Notice.

Who must sign the application form?

The Applicant and the CEO/Company Director of the emitter facility must sign the application form.

Where should the application form be submitted?

One (1) hard copy and one (1) soft copy (in PDF format) of the completed form and all attachments must be submitted along with the *original* payment receipt to the EMA. It may be delivered by hand or mailed to:

Environmental Management Authority

Head Office

No.8, Elizabeth Street
St. Clair,
Port-of-Spain

South Office

3rd Floor, Agate Building
No.2, Adesh Drive, S.S. Erin Road
Duncan Village,
San Fernando

TOBAGO

Department of the Environment (DOE)
Old Milford Road
Shaw Park,
Tobago

Information on the Air Pollution Rules can be accessed at www.ema.co.tt or at the EMA's Head Office. The Air Unit of the EMA can also be contacted at 657-0211/ 652-7230/ 653-7912/ 226-4362.

What happens when the application is received?

Within twenty (20) working days of receipt of the application, the EMA will issue a written acknowledgement to the applicant. The application is reviewed for completeness. Any

outstanding or further information that may be required to complete the application will be communicated to the applicant in writing.

How long will it take to review my application?

Within ninety (90) working days of issuing a notice of the decision to commence consideration of an application for a permit, and upon receipt of any further information requested, the EMA may grant a permit to the applicant. This time may be extended where there is need to provide additional information (e.g., Air Quality Assessment, and/or Human Health and Ecological Risk Assessment).

What is involved in the determination of a permit?

During the processing of a permit, the EMA may request the applicant to conduct an air quality assessment, conduct or participate in a public consultation, or conduct a human health and ecological risk assessment. In determining the permit conditions, the following factors are considered: site specific conditions, relevant local regulations, actual or potential impacts of the emissions of air pollutants, location of the emitter facility to sensitive human, animal or plant receptors, cumulative impact, best professional judgment, environmental standards and best practices, and any other relevant information.

Will site visits be conducted?

Yes. Site visits will be conducted to verify the information submitted, as well as, assess operational processes, at the emitter facility's site and its relationship to the environment.

How long is the permit valid for?

The permit is valid for a period up to five (5) years from the date of issue.

What will a permit contain?

The permit will include the air pollutants permitted to be released, the quantity, conditions and concentrations of the air pollutants that the operator may release, reduction targets as determined by the EMA, monitoring frequency and duration, and any other term or condition that the EMA may specify.

Does the public have access to information on permits?

Yes. All application forms and attachments submitted to the Authority, except those which are deemed to be confidential, are accessible to the public through the National Register. If any specific information submitted is considered to be a trade secret, confidential business information, or, if disclosed would be contrary to the public interest, a Confidentiality Claim Form (Form W) and the prescribed fee should be submitted along with Form H to request that the information be omitted from the Register. The information will be withheld until the Authority makes a determination. If the claim is upheld, the information will be permanently withheld from the Register.

Is there an appeal process for the permit?

Appeals can be made to the Environmental Commission, regarding final decisions of the Authority.

SECTION B: LINE BY LINE INSTRUCTIONS FOR COMPLETING FORM H

All applicants must complete the application form and submit it in duplicate.

Please TYPE OR PRINT in the spaces provided. DO NOT USE PENCIL.

DO NOT LEAVE BLANK SPACES. If an item does not apply to you please insert N/A

Cover Page

Provide the name and the official position of the Applicant and the name, official position and contact details of the CEO/ Company Director of the facility. Ensure that the declaration is read carefully before signing the form.

Item 1 – Permit Application Type

Indicate, by checking the relevant box, whether the application is an initial one, a renewal or an update to an initial/renewal application. Provide the Source Emitter Registration Certificate number. If it is a renewal and/or update provide the Air Pollution Permit number and the expiration date of the permit.

Item 2 – Name of Parent Facility

If applicable, enter the parent facility's official or legal name as it appears on the company's Registration Certificate or Certificate of Incorporation or any other supporting legal documents. Do not use any informal name(s), abbreviations or acronyms by which the facility is known.

Item 3 – Name of Emitter Facility

Enter the official or legal name of the facility, which is the subject of the application, as it appears on the company's Registration Certificate or Certificate of Incorporation or any other supporting legal documents. Do not use any informal name(s), abbreviations or acronyms by which the facility is known.

Item 4 – Facility Contact

List the name, official position and contact information of an individual who can be contacted for further information regarding the facility and emissions from its processes or activities.

Item 5 – Age of the Facility

State whether any modifications were made to the facility at any time after the submission of an Application for Source Emitter Registration.

Item 6 – Permits/Certificates/Licences/Approvals

List all applicable permits, certificates, licences and approvals granted that are currently in effect or have been in effect at any time after the submission of an Application for Source Emitter Registration. Attach copies of permits/certificates/licences/approvals not issued by the Authority. Clearly label all attachments.

Item 7- Characteristics of the Surrounding Environment

- 7a: Meteorological Conditions:** Air pollution concentrations are influenced by prevailing weather conditions and vary considerably with time. These variations are largely determined by meteorological factors. Provide data

on the meteorological conditions at the site. Recent and historical data can be included. Meteorological parameters include wind speed and direction, atmospheric stability, temperature, solar radiation, precipitation, barometric pressure and local circulation patterns. Data should be attached to the application and clearly labelled.

Indicate whether any air dispersion modelling study has been done for the site. If one has been done, attach a copy of the report and clearly label the attachment.

7b: Topography: Topographic features can modify the general pattern of wind speed and direction and they can also influence microclimates. As such, provide a description of the topography of the site. Attach and clearly label any digital elevation models, GIS maps, other maps that have been done. Include a topographic map of a scale of 1:25,000 or any other appropriate scale which clearly shows the location of the facility in relation to the surrounding environment. Identify any sensitive human, animal or plant receptors.

7c: Land Use: Provide a description of the existing or proposed land use on or around the location of the emitter facility, and the location of any known sensitive human (hospitals, day care, schools), animal or plant receptors (environmentally sensitive areas and/or species, ecologically significant areas e.g., wetlands) within one (1) kilometre beyond the boundary of the facility. The description should be attached to the application and clearly labelled.

Indicate whether any study relating to land use and sensitive receptors was conducted for the site. Such studies may include a human health and ecological risk assessment. If one has been done, attach a copy of the report and clearly label the attachment.

Item 8 – Description of the Facility’s Operations and Activities that Generate or Will Generate Air Pollutants

8a: Provide a detailed description of the facility’s operations and activities that generate or will generate air pollutants. A description of the process, raw materials, products and by-products, for each stage of the process should be included. State the chemical composition of wastes and emissions for each emission source. The description of emissions shall include, but not be limited to, the location of the emission source, the duration and frequency of the emission, fuel information (type and consumption) for each emission source and whether there are any air pollution control equipment and/or compliance monitoring devices.

Provide technical data sheets and/or manufacturer specifications for each equipment associated with air emissions, including emergency/back-up equipment and ancillary equipment/utilities (e.g., cooling towers, sewage treatment plants). Provide details of storage tanks, including type of liquid, design capacity and type of roof (e.g.,

fixed or floating). For flare stack(s), present on site, provide stack elevations, exit temperatures, flow rates, flare stack dimensions and frequency of release.

The description should be attached to the application and clearly labelled.

- 8b: Detailed Process Flow Diagram(s).** The diagram should clearly identify each emission source for each process, control equipment, emission points, and their relationship with each other. The attachment should be clearly labelled.
- 8c: Site Plan:** Attach a clearly labelled site plan of the facility. The site plan can be a scaled map of 1:10 000 or 1:5000, or other appropriate scale and/or a sketch showing (i) *Property boundaries*; (ii) *Adjoining facilities*; (iii) *The physical layout of all existing infrastructure*; (iv) *The location of all emission sources -point and non-point (e.g., stacks, flares, vents, cooling towers, stockpiles and open pits)*; (v) *Ambient air quality monitoring locations*. Site plan(s) shall be of relevant scales, to facilitate comprehension of location, design, construction or operational processes, where necessary.

Item 9 – Planned/Scheduled Maintenance/Shutdown

Provide the dates and details of all planned shutdowns. Identify the affected areas of the process and describe the effect on emissions characteristics (e.g., location of sources, constituents, frequency and volumetric flow rate) and mitigation measures, where relevant, to address these changes. Clearly label the attachment.

Item 10 – Determination of Quantity of Emissions

Identify the method used to quantify emissions by selecting whether direct measurement, calculations and/or modelling was used. If another method was used, please specify in the line provided.

If ambient and/or stack monitoring was conducted, complete the Ambient Air Quality Data (11a and b) and Stack Release Characteristics (12a and b) Tables. If any other method was used (e.g., emission estimation, modelling) attach the results and clearly label the attachment. Provide all supporting documents, including, but not limited to, methodology, internationally accepted standards, any assumptions made, reference materials and all calculations.

Please note that the Authority reserves the right to request direct measurement (stack and/or ambient testing) where emission estimation and/or modelling is done.

Item 11a and b – Ambient Air Quality Data

Using the table provided fill in the results of ambient air quality monitoring data for each sample point. The data must not be older than five (5) years. Attach additional tables for more than one sample point or period of sampling.

All ambient air quality data must be reported as concentration, in the units, indicated in the table. The sample must be taken at a point that is representative of the impact of the facility's emissions on ambient air and in accordance with the analytical method used. Ambient air quality monitoring data from Baseline Sampling Points may also be reported.

Recommended methods of sampling and analysis include those developed by the United States Environmental Protection Agency (US EPA) (e.g., List of Designated Reference and Equivalent Methods), the New South Wales Approved Methods for the Sampling and Analysis of Air Pollutants, or, any other internationally accepted or comparable methods (e.g., ISO and Environment Canada).

Check the box [✓] to indicate that the data records for the results provided in Item 12a are attached, and clearly label the attachment. This includes, but is not limited to, the description or reference of each test method, names and qualifications of the person/s who conducted the sampling and analyses, sample records, chain of custody records, quality control sample records, general field procedures, sample data, sample management records, sampling and analytical methods and techniques, calibration records for the instruments used and the certification or accreditation of the laboratory where the analyses were conducted, if applicable. Supporting information, such as, facility operating conditions during sampling, production levels, and details of any planned or unplanned shutdown, start-up, malfunction or scheduled maintenance works that have the potential to alter pollutant characteristics shall be provided, in addition to meteorological data.

Item 12a and b – Stack Release Emissions Data

Use the table provided, fill in the results of stack release emissions testing data for each stack/ point source at the facility. The data must not be older than five (5) years. Attach additional tables for more than one stack release/point source or date. All emissions data must be reported as concentration, in the units indicated, in the table. The sample must be taken at a point that is representative of the Stack Release and in accordance with the analytical method used. Recommended methods of sampling and analysis include those developed by the United States Environmental Protection Agency (US EPA) (e.g., Promulgated Methods and Specification for measuring pollutants from smokestacks and other industrial sources), the New South Wales Approved Methods for the Sampling and Analysis of Air Pollutants, or, any other internationally accepted or comparable methods (e.g., ISO and Environment Canada).

Check the box [✓] to indicate that the data records for the results provided in Item 13a are attached, and clearly label the attachment. This includes, but is not limited to, the names and qualifications of the person(s) who conducted the sampling and analyses, sample records, sample date and time, chain of custody records, quality control sample records, general field procedures, sample data, sample management records, test methods, calibration and verification records for the instruments used and the certification/ accreditation of the laboratory where the analyses were conducted, if applicable. Supporting information, such as, operating capacity, fuel type, CO₂ and O₂ content shall be provided, along with meteorological conditions, at the time of sampling.

Item 13 – Air Pollution Management Programme

Check the box [✓] to indicate whether a programme or measures are in place to reduce or prevent the release of air pollutants generated by the facility, from entering into the environment. If a programme is in place, describe the technology employed, best management practices, pollution prevention measures and the operational and maintenance procedures implemented to reduce the facility's emissions. The description should be attached to the application and clearly labelled.

Item 14 – Air Pollution Emergency Response Plans and Procedures

Check the box [✓] to indicate whether an Air Pollution Emergency Response Plan and/or procedures exist for the facility. If one exists, attach a copy of the plan/procedure to the application and clearly label the attachment.

Item 15 – Confidentiality Claim

If any information provided is considered to be a trade secret, confidential business information and/or if disclosed, would be contrary to the public interest, complete a Confidentiality Claim (Form W) and pay the prescribed fee (i.e., \$500). Submit Form W with the proof of payment along with Form H. Form W is a request that the information be omitted from the National Register of Emitter Facilities (the Register). The information will be omitted until the Authority makes a determination. If the claim is upheld, the information will be permanently omitted from the Register.

Item 16 – List of Attachments

In the table provided list all the attachments included with the application, the number of pages in each attachment and the number of copies. Number all pages in each attachment.

