

notice described in paragraph (e)(2)(viii) of this section by immediately attaching the document to the part 70 permit. Such document may be any preconstruction permit under minor or major NSR, any source specific SIP revision, or any action subject to prior public and EPA review taken under regulations implementing section 112(g) of the Act.

(iv) The provisions of paragraph (e)(2)(iii) of this section do not apply with respect to a unitary permit program provided the unitary permit has already incorporated all new or different applicable requirements and contains sufficient terms or conditions to meet the permit content requirements of §§ 70.6(a) and (c) of this part. For purposes of this part, a unitary permit means a single permit which contains all terms and conditions needed to meet the requirements of part 70 and the requirements of major or minor NSR or regulations implementing section 112(g) of the Act.

(v) Except as provided by paragraph (e)(2)(viii) of this section, the source may not operate a change until the permitting authority has revised the part 70 permit or issued a unitary permit, as applicable.

(vi) For the more environmentally significant changes subject to a State review program, the program shall ensure that:

(A) The public, EPA, and affected States receive notice of, and opportunity to comment on, the part 70 permit revision consistent with the provisions setting forth prior review to which the change is subject; and

(B) The opportunity for comment extends to the draft part 70 permit terms as needed to revise existing part 70 permit terms and to meet the permit content requirements of §§ 70.6(a) and (c) of this part.

(vii) For less environmentally significant changes described under paragraph (e)(1)(ii) of this section, and for the purpose of determining adequate opportunity for review for the purpose of paragraph (e)(2)(i) of this section with respect to such changes, the program may vary the procedures for, and timing of, public, EPA, and affected State review in light of the environmental significance of the change. The permitting authority may designate in its program certain categories of changes, subject to EPA approval, as de minimis changes. The permitting authority may postpone until renewal of the affected part 70 permit review by the public, EPA, and affected States for such de minimis changes.

(viii) For those changes which a State review program allows a source to make

in accordance with specified requirements without obtaining prior permitting authority review and approval, the source shall submit to the permitting authority upon operating the change a notice describing the change and setting forth the applicable requirement(s) to which the change is subject and the part 70 permit terms required by §§ 70.6 (a) and (c) of this part. The notice shall also state that the source upon making the change will meet all applicable requirements and that the relevant requirements of part 70 have been met. Upon submitting the notice, the source shall attach a copy of it to its part 70 permit. This action shall revise the permit to the extent that operation of the change does not conflict with any existing permit term. Where a conflict exists, the source may not revise its permit pursuant to this provision and may not operate the change until its permit is revised.

(3) *Program provisions.* The program may provide for changes that are reviewed under a State review program to be processed under the procedures in paragraph (e)(2) of this section pursuant to regulations implementing either title V or title I of the Act provided that any procedures under title V are concurrent with any procedures under title I.

(f) *Permit revisions for changes not subject to a State review program.* (1) *Applicability.* Changes not otherwise reviewed by a State shall be incorporated into part 70 permits using the permit revision procedures set forth in paragraph (f)(2) of this section.

(i) *More environmentally significant changes not subject to a State review program.* The more environmentally significant changes in this category shall be defined in the program and shall include at a minimum the establishment or revision of the following if they are not otherwise reviewed by the State.

(A) MACT determinations made under regulations implementing section 112(j) of the Act;

(B) Alternative emission limits established under regulations implementing section 112(i)(5) of the Act;

(C) Alternative requirements established under § 70.6(a)(1)(iii) of this part or under substitute section 112 standards established pursuant to a program approved by EPA for such purpose under section 112(l) of the Act;

(D) (Establishment only) restrictions on the potential to emit of an entire source including those for the purpose of establishing minor source status under title I of the Act; and

(E) Changes involving new or alternative monitoring methods that have not been authorized as adequate

for measuring compliance under major or minor NSR, under regulations implementing section 112(g) of the Act, or under any other equivalent procedures.

(ii) *Less environmentally significant changes not subject to a State review program.* Less environmentally significant changes in this category are those approved by EPA in the program as such and include as a minimum the establishment or revision of the following if they are not subject to a State review program.

(A) Alternative operating scenarios;

(B) Monitoring terms not made or addressed in association with the processing of changes pursuant to paragraph (e) of this section; and

(C) (Revision only) restrictions on the potential to emit of an entire source including those for the purpose of establishing minor source status under title I of the Act; and

(D) Emissions averaging restrictions to meet a standard set under section 112(d) of the Act.

(2) *Procedures.* For changes described in paragraph (f)(1) of this section, the program shall provide that for each change not subject to a State review program:

(i) An adequate opportunity occurs for review by the public, EPA, and affected States to address the change and any associated revisions to the source's part 70 permit.

(ii) The terms of the permit revision will be sufficient to assure compliance with all applicable requirements and the permit content requirements of §§ 70.6 (a) and (c) of this part.

(iii) Unless specified otherwise in this paragraph, the source may not operate the change until the permitting authority has revised the part 70 permit.

(iv) The more environmentally significant changes described in paragraph (f)(1)(i) of this section shall be reviewed pursuant to procedural requirements applicable to initial permit issuance in paragraph (a)(1) of this section, except that the permitting authority shall complete review of the majority of these changes within 6 months after receipt of a complete application.

(v) For other changes described in paragraph (f)(1)(ii) of this section, and for the purpose of determining adequate opportunity for review for the purpose of paragraph (f)(2)(i) of this section with respect to such changes, the program may vary the procedures for, and the timing of, public, EPA, and affected State review in light of the environmental significance of the change.