

## Ky. Department for Environmental Protection Common Permits for Industrial Facilities

*Simplifying Compliance*

AIR QUALITY <sup>1, 2</sup>			
Permit Type <sup>3</sup>	Application Fee	Regulatory Time Frame	Potentially Permitted Activities
<b>Registration</b>	\$0	60 days	When a facility conducts activities that has the potential to emit air pollutants, an air permit or registration is typically required. In most cases, this authorization is required prior to construction or operation of the air pollution sources. The permit type applicable to a facility is based on the amount of air pollutants emitted. Some common facility types likely to need an air permit include fuel combustion, surface coating, mineral mining and processing, chemical manufacturing and use, woodworking and metallurgy.
<b>State Origin Permit (Minor Source)</b>	\$0	60 days (completeness determination) 60 days (final permit issuance) Total = 120 days	
<b>Federally Enforceable State Operating Permit (FESOP)</b>	\$0	60 days (completeness determination) 60 days (draft issuance) 30 days (public comment) 60 days (final permit issuance) Total = 210 days	
<b>Title V Permit; Prevention of Significant Deterioration (PSD) Permit (Major Source)</b>	\$0	60 days (completeness determination) 60 days (draft issuance) 30 days (public comment) 60 days (public comment response - construction authority issuance) 45 days (EPA review period - final permit issuance) Total = 255 days	

*“Regulatory Time Frame” indicates the maximum time it should take to receive a final permitting determination from the agency assuming a complete application has been received. Complete applications are often issued before the maximum approval time period is reached.*

<sup>1</sup> If the facility is located in Jefferson County, your air permit would be issued by the Louisville Metro Air Pollution Control District (APCD). You can contact APCD at 502-574-6000.

<sup>2</sup> While there is not a permit application fee, annual emission fees may be applicable after the permit is issued. Actual emissions up to 25 tons is a flat fee of \$150. Sources that emit 25 tons or greater receive a fee on a per ton basis.

<sup>3</sup> Facilities located in nonattainment areas may be subject to additional regulatory requirements and affect the permit type required. A nonattainment area is a locality where air pollution levels exceed National Ambient Air Quality Standards (NAAQS).

WASTE MANAGEMENT			
Permit Type	Application Fee	Regulatory Time Frame	Potentially Permitted Activities
<b>Hazardous Waste Generator Registration</b>	\$0 - \$600	30 - 60 days	A facility that generates 220 lbs. (100 kg) or more of non-acute or 2.2 lb. (1 kg) of acutely hazardous waste per calendar month, must register with the Division of Waste Management. Additional activities that require registration include recycling and transportation of hazardous waste (excludes on-site transportation) and generation of universal wastes, such as fluorescent lights, pesticides, batteries and thermostats.
<b>Hazardous Waste: Treatment, Storage and Disposal (TSD) Permit<sup>4</sup></b>	\$3,700 min.	180 - 365 days	A TSD permit is required prior to the construction or operation of a facility for the treatment, disposal or storage of hazardous waste or storage by a hazardous waste generator for more than 90 days.
<b>Solid Waste: Registered Permit-by-Rule</b>	\$2,500 - \$4,000	30 - 160 days	A registered permit-by-rule is needed for medical and solid waste transfer facilities, composting and land application facilities, one-acre construction demolition debris landfills, and sludge storage and treatment facilities.

<sup>4</sup> Application fees and time frame depends on complexity, types and amounts of units.



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WATER QUALITY				
Permit Type		Application Fee	Regulatory Time Frame	Potentially Permitted Activities
<b>KY Pollutant Discharge Elimination System (KPDES) Operating Permits</b>	General	\$0	7 - 30 days	If your facility will discharge pollutants from a point source into a receiving water, you most likely will need a KPDES permit. Discharges may result from process water, sanitary wastewater and stormwater coming into contact with potential pollutants. The Division of Water has a list of general and individual source categories listed at <a href="http://water.ky.gov">water.ky.gov</a> . <sup>6</sup>
	Individual	\$2,200 - \$7,000	180 - 210 days	
<b>KY Pollutant Discharge Elimination System (KPDES) Construction Stormwater Permit</b>		\$0	7 - 30 days	If one or more acres will be disturbed at a facility as a result of new construction or expansion, then this permit must be obtained prior to beginning construction activities.
<b>401 Water Quality Certification (WQC)</b>	General <500 linear feet	\$0	30 days	In the event facility construction and/or operations will physically place fill material into a jurisdictional wetland or stream, a 401 WQC will likely be required.  <i>Note: A Federal 404 permit may also be required from the U.S. Army Corps of Engineers.</i>
	Individual >500 linear feet	\$1,000 - \$5,000 <sup>7</sup>	30 - 180 days	
<b>Water Withdrawal Permit</b>		\$0	120 days	This permit is required if your facility will withdraw or divert 10,000 gallons or more per day of water from a surface or sub-surface source.
<b>Floodplain Construction Permit</b>		\$0	45 days	If your facility's construction or operations will occur along or across a stream or within the 100-year floodplain, this permit will be required.
<b>Groundwater Protection Plan (GPP)</b>		\$0	30 - 120 days	If an activity conducted at the facility has the potential to pollute groundwater, a GPP is required. This requirement also applies to the storage of certain materials. GPPs define Best Management Practices (BMPs) used to protect the groundwater.

<sup>5</sup> Excludes coal mining.

<sup>6</sup> Discharges into a municipality may require permission from the municipality. Pretreatment requirements may also apply.

<sup>7</sup> Wetlands mitigation fees are calculated per area of impact.

*This document is not a comprehensive list of Ky. DEP permits and only identifies the permits typically applicable to industrial facilities.*

### COMPLIANCE ASSISTANCE

The Division of Compliance Assistance (DCA) is available to provide recommendations and assistance with permit applications. If you are a small business and not a major source, DCA can assist you in completing air permit applications, including potential-to-emit calculations, at no cost to your facility.

*For more information on environmental permitting, contact:*

502-782-6189

ENVHELP@KY.GOV



**Environmental Compliance Assistance Program**

502-782-6189

[envhelp@ky.gov](mailto:envhelp@ky.gov)