



CLEAN AIR ACT COMPLIANCE GUIDE FOR INDIAN COUNTRY

Air pollution sources in Indian Country require air permits

The federal Clean Air Act applies to air pollution sources in Indian Country. This information sheet is to assist tribes in determining when the U.S. Environmental Protection Agency (EPA) will require you to apply for an air permit.

EPA issues two types of air permits in Indian Country – **New Source Review (NSR) Permits, and Title V (5) Operating Permits.**

NSR permits are required before you construct new sources or modify existing sources of air pollution – this includes construction of entirely new facilities, and construction projects at existing facilities, such as expansions, additions, process changes, and equipment modifications.

New and existing sources of air pollution may also need to apply for a Title V (5) Operating Permit from EPA. Title V Operating permits pull together in one document a list of all the air pollution-emitting equipment at the facility and all the requirements that apply to that equipment.



Does your tribe own or operate a power plant, a cement plant, a hotel, casino, or a landfill?

Power plants, cement plants, hotels and casinos with large boilers or diesel engines, and landfills are often categorized as “Major Sources” of air pollution. A facility is a Major Source if its air pollution emissions exceed the Major Source threshold. This threshold depends on

the air quality in your area. All Major Sources are required to apply for Title V Operating Permits.

Areas with good air quality are called Attainment Areas, and areas with poor air quality are called Nonattainment Areas. Sources in Nonattainment Areas are subject to more stringent NSR permitting requirements. EPA can help you determine the Attainment Status of your area.



Does your tribe own or operate a gas station, a hospital, a school, or an oil and gas operation?

Gas stations, hospitals or schools with small boilers or diesel engines, and oil and gas drilling operations are often categorized as “Minor Sources” of air pollution. A facility is a Minor Source if its air pollution emissions are below the Major Source threshold, but above the Minor Source threshold. EPA is working on a Tribal NSR rule to permit minor sources in Indian Country, but the rule is not yet finalized. Please contact EPA to determine if your facility needs to obtain a permit.

How can I get more information?

If you have questions, or need help calculating the emissions from your facility or determining the Attainment Status of your area, please contact the EPA Pacific Southwest/Region 9 Air Permits office. EPA can help determine whether you need a permit and what requirements apply, and provide you with a checklist of information you may need to submit in your permit application. Remember, if it emits air pollution, it may need an air permit!

If you have questions, please contact the EPA Region 9 Air Permits Office:

Anita Lee	(415) 972-3958	Lee.Anita@epa.gov	For NSR Permit Questions
Roger Kohn	(415) 972-3973	Kohn.Roger@epa.gov	For Title V Operating Permit Questions