

However, the owner or operator of a source subject to a section 111/129 Federal plan remains subject to, and must act in compliance with, section 111/129 requirements and all other applicable requirements to which the source is subject regardless of whether these requirements are included in a title V permit. See 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

The EPA has recently become aware that there has been some confusion regarding the title V obligations of section 129 sources that are subject to standards or regulations under sections

111 and 129. We are therefore including table 4 to help clarify when small MWC units (even those not subject to this Federal plan) must apply for a title V permit. While table 4 provides specific information relative to small MWC units, the same title V obligations apply to all section 129 sources subject to standards or regulations under sections 111 and 129. Of course, specific deadlines will vary for other section 129 sources depending on when the relevant NSPS is promulgated, when the relevant State or tribal section 111(d)/129 plan is approved by EPA and becomes effective,

etc. Lastly, table 4 takes into account that as of the promulgation date, *i.e.*, December 6, 2000, for the NSPS (subpart AAAA of part 60) and emission guidelines (subpart BBBB of part 60) for small MWC units, every area of the country was covered by a title V permits program under 40 CFR part 70 or part 71. This point is relevant because a section 111/129 standard cannot trigger the requirement for a source to apply for a title V permit unless a title V permits program is in effect in the area in which the source is located.

TABLE 4.—DEADLINES FOR TITLE V PERMITS

Submitting Title V Permit Applications	
If a small MWC unit is a major source or is part of a major source, and had commenced operation as of the effective date of relevant title V permits program.	then a complete title V application which covers the entire source ^a is due not later than 12 months (or if required by the title V permitting authority) after the effective date of the relevant title V permits program. See CAA section 503(c) and 40 CFR commenced 70.4(b)(11)(i), 71.4(i)(1), 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a major source or is part of a major source, but did not commence operation until after the relevant title V permits program became effective.	then a complete title V application which covers the entire source is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), and had commenced operation as of December 6, 2000.	then a complete title V application ^b is due not later than 12 months after subpart AAAA was promulgated, <i>i.e.</i> , December 6, 2001 (or earlier if required by the title V permitting authority). See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), but did not commence operation until after December 6, 2000.	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, and is subject to an EPA approved and effective State or tribal section 111(d)/129 plan.	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of the EPA approved State or tribal section 111(d)/129 plan. ^c See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing small MWC unit submit a complete title V application after December 6, 2003, and have it be considered timely. See CAA section 129(e) and section or tribal 62.15400 of subpart JJJ.
If a small MWC unit is nonmajor source or is part of a nonmajor source, and is subject to the small MWC Federal plan (subpart JJJ of 40 CFR part 62).	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of 40 CFR part 62, subpart JJJ. See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing small MWC unit submit a complete title V application after December 6, 2003, and have it considered timely. See CAA section 129(e) and section 62.15400 of subpart JJJ.
If a small MWC unit is required to obtain a title permit due to triggering more than one of the applicability criteria listed above or in 40 CFR 70.3(a) or 71.3(a).	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the unit triggers the criterion which first caused the unit to be subject to title V. See CAA section 503(c) and 40 CFR 70.3(a) and (b), 70.5(a)(1), 71.3(a) and (b) and 71.5(a)(1). In no event, however, can an existing small MWC unit submit a complete title V application after December 6, 2003, and have it be considered timely. See CAA section 129(e) and section 62.15400 of subpart JJJ.
Reopening Title V Permits	
If a small MWC unit is a major source or is part of a major source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), and is covered by a title V permit with a remaining permit term of 3 or more years on December 6, 2000.	then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of 40 CFR part 60, subpart AAAA not later than June 6, 2002. See CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).