

SCS TECHNICAL BULLETIN

EPA GUIDANCE ON TITLE V RENEWALS: STREAMLINED PROCESS, SAME LEVEL OF ACCOUNTABILITY

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Overview

The U.S. Environmental Protection Agency recently issued guidance aimed at simplifying the Title V operating permit renewal process. The message to permitting authorities is straightforward: where nothing has changed, do not overcomplicate the renewal.

From an administrative standpoint, that is a welcome shift. From a compliance standpoint, however, the expectations remain the same as they have always been.

What the Guidance Actually Does

The guidance allows for a more efficient renewal process by:

- Letting facilities rely on previously submitted applications and supporting materials
- Allowing incorporation by reference rather than full resubmittal
- Encouraging agencies to focus their effort on what has changed, not what has not

It is important to keep one point in focus:

- This does not change any regulatory requirement or reduce compliance obligations.

Where Facilities Should Pay Attention

A streamlined renewal can create the impression that the process is routine. In reality, it remains one of the few points where a facility's entire permit record can come back into focus.

Even when nothing has changed operationally:

- Prior assumptions can be questioned
- Monitoring approaches can be re-evaluated
- Applicability determinations can be revisited

And once those questions are raised, they rarely stay limited to the renewal itself.

What Is at Stake

The practical risk is not in the renewal paperwork—it is in what the renewal can uncover.

If gaps or inconsistencies are identified, potential outcomes may include:

- Notices of Violation (NOVs) tied to historical compliance issues
- Permit reopening or modification requirements
- Additional monitoring, recordkeeping, or testing obligations
- Enforcement actions and associated penalties

- Increased scrutiny in future inspections or permitting actions

In many cases, these are not new violations—they are existing conditions that were never fully revisited after the original permitting decision.

Where Issues Commonly Surface

In practice, issues identified during renewal often trace back to a few common areas:

- Outdated PTE assumptions that no longer reflect current throughput or operating hours
- Monitoring approaches that were accepted historically but do not fully demonstrate compliance under current expectations
- Changes in materials or operations (e.g., coatings, fuels, production rates) that were never fully reconciled with permit conditions
- NSR or construction permit basis is being carried forward without revalidation

These are not unusual situations—but they are often only identified when the permit is reviewed in detail during renewal.

Industries Where This Matters Most

While all Title V sources are affected, the following sectors tend to carry more exposure due to complexity or reliance on embedded assumptions:

- **Manufacturing (Chemical, Plastics, General Industrial):**
Multi-unit operations where PTE and applicability decisions were made years ago and carried forward.
- **Printing and Coating Operations:**
Emissions tied to material usage, where small changes can shift compliance position over time.

- **Power Generation and Combustion Sources:**
Ongoing focus on how compliance is demonstrated, particularly for monitoring and deviations.
- **Food and Consumer Products Manufacturing**
Facilities operating close to major source thresholds often rely on throughput or control assumptions.
- **Petroleum and Heavy Industrial:**
Long-standing permits are built on historical interpretations that may not be revisited until renewal.
- **Data Centers:**
A growing area where permitting strategies are still evolving and likely to receive increased attention.

A Practical Way to Approach Renewal

There is an opportunity here—but it requires a balanced approach.

On one hand:

- Take advantage of the streamlined process to reduce administrative effort

On the other:

- Use renewal as a targeted check on key assumptions, including:
 - Potential to emit (PTE)
 - Applicability determinations
 - Monitoring and reporting practices
 - Consistency between actual operations and permitted conditions

This does not need to be a full re-permitting exercise. A focused review is often enough to identify whether anything needs attention.

A practical first step is to revisit the assumptions used in your last renewal or initial Title V application and confirm they still reflect current operations.

Practical View

EPA's guidance is a practical step toward improving efficiency in the Title V program. It removes unnecessary repetition, but it does not change the underlying accountability.

In practice, renewals remain one of the few structured opportunities for regulators—and the public—to take a fresh look at a facility's permit.

Facilities that treat renewal as routine tend to react to issues after they are raised. Facilities that take a measured look in advance are usually in a much better position to manage the process on their terms.

For more information, contact:

[John Tsun](#), Project Director
National Practice Lead for Industrial CAA
National Expert for Industrial CAA Services

<http://www.scsengineers.com>