MICHIGAN AIR POLLUTION CONTROL COMMISSION

GENERAL RULES

PART 2. AIR USE APPROVAL

R 336.1201. Permits to install. (1/18/80)

Rule 201. (1) A person shall not install, construct, reconstruct, relocate, or alter any process, fuel-burning, or refuse-burning equipment, or control equipment pertaining thereto, which may be a source of an air contaminant, until a permit is issued by the commission. This shall be known as a permit to install and shall cover construction, reconstruction, relocation, and alteration of equipment where such is involved. A person planning to install, construct, reconstruct, relocate, or alter any such equipment shall apply to the commission for a permit to install and shall provide the information required in rule 203.

(2) If the proposed equipment is of such magnitude that some phases of construction such as site clearing, foundations, and associated structures have to commence before issuance of the permit to install, the person applying for the permit to install may apply to the commission for approval of the location of the proposed equipment. The commission shall act on such application within a reasonable time and shall not approve the proposed location unless it is reasonably convinced that the equipment, when completed, shall be in compliance with the commission's rules and state law. Construction shall not commence without approval of the location.

(3) An application for a permit to install may be approved subject to any condition, specified in writing, that is reasonably necessary to assure compliance with these rules.

(4) After issuance of the permit to install, trial operation of the equipment is permitted until the commission acts upon the permit to operate.

(5) If the installation, reconstruction, relocation, or alteration of the equipment, for which a permit has been issued, has not commenced within, or has been interrupted for, 18 months, then the permit to install shall become void unless otherwise authorized by the commission as a condition of the permit to install. "Commenced" means undertaking a continuous program of on-site fabrication, installation, erection, or modification, or having entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of construction of the facility to be completed within a reasonable time.

(6) If a permit to install has not been requested within 3 years of the date of approval of the location pursuant to subrule (2), the location shall become void unless otherwise authorized by the commission as a condition of the location approval.