

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 2. AIR USE APPROVAL

R 336.1207 Denial of permits to install.

Rule 207. (1) The commission shall deny an application for a permit to install if, in the judgment of the commission, any of the following conditions exist:

(a) The equipment for which the permit is sought will not operate in compliance with the rules of the commission or state law.

(b) Operation of the equipment for which the permit is sought will interfere with the attainment or maintenance of the air quality standard for any air contaminant.

(c) The equipment for which the permit is sought will violate the provisions of the clean air act, as amended, 42 U.S.C. §740 1 et seq., and particularly the rules promulgated on and before September 1, 1978, in standards of performance for new stationary sources, 40 C.F.R. §60.1 to §60.27 5 (July 1, 1978), and national emission standards for hazardous air pollutants, 40 C.F.R. §61.01 to §61.55 (July 1, 1978).

(d) Sufficient information has not been submitted by the applicant to enable the commission to make reasonable judgments as required by subdivisions (a) to (c).

(e) Adequate requested information for preparation of an environmental impact statement is not submitted.

(f) A satisfactory plan for reduction of emissions during air pollution alerts, warnings, and emergencies, as required by rule 203, is not submitted.

(2) When an application is denied, the applicant shall be notified in writing of the reasons therefor. A denial shall be without prejudice to the applicant's right to a hearing before the commission or for filing a further application after revisions are made to meet objections specified as reasons for the denial.

History: 1979 ACS 1, Eff. Jan. 19, 1980.