

construction permit is needed, the construction, reconstruction, replacement, relocation or modification will not result in the source violating any term or condition of the general operation permit or the registration operation permit.

(c) The construction, reconstruction, replacement, relocation or modification does not require a permit under ch. NR 405 or 408.

**Note:** This exemption applies to new or modified facilities if they are covered under a general or registration operation permit.

**(2m) EXEMPTIONS FOR SOURCES WITH GENERAL OPERATION AND REGISTRATION OPERATION PERMITS.** Notwithstanding the provisions in s. NR 406.04 (1) and (2), no construction permit is required prior to commencing construction, reconstruction, replacement, relocation or modification of a stationary source if all the following criteria are met:

(a) The source is covered under a general operation permit issued under s. NR 407.10 or a registration operation permit issued under s. NR 407.105.

(b) Except for any provisions contained in any general operation permit issued prior to September 1, 2005 specifying when a