

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 2. AIR USE APPROVAL

R 336.1208 Permits to operate.

Rule 207. (1) Before the commission issues a permit to operate and except as otherwise provided in subrule (4) of rule 201, a person shall not operate a process, fuel-burning or refuse-burning equipment, or an air-cleaning device pertaining thereto which may be a source of an air contaminant.

(2) Not more than 30 days after completion of the installation, construction, reconstruction, relocation, or alteration of a process, fuel-burning or refuse-burning equipment, or an air-cleaning device pertaining thereto which may be a source of an air contaminant, the owner or his authorized agent of the process or device shall apply in writing to the commission for a permit to operate. Completion of the installation, construction, reconstruction, relocation, or alteration is deemed to occur not later than commencement of a trial operation pursuant to subrule (4) of rule 201.

(3) The commission shall issue the permit to operate equipment if, in the judgment of the commission, all of the following conditions are met:

(a) The equipment operates in compliance with the rules of the commission, the clean air act, as amended, 42 U.S.C. §7401 et seq., and the rules promulgated on and before September 1, 1978, in standards of performance for new stationary sources, 40 C.F.R. §60.1 to §60.275 (July 1, 1978), and national emission standards for hazardous air pollutants, 40 C.F.R. §61.01 to §61.55 (July 1, 1978).

(b) The equipment does not interfere with the attainment or maintenance of the air quality standard for any air contaminant.

(c) The equipment is completed in compliance with the permit to install and conditions attached to the permit to install.

(4) The permit to operate continues in effect as long as the equipment performs in accordance with the conditions upon which the permit is based. The commission, at any time after notice and opportunity for a hearing, may rescind its permit to operate; and the equipment shall not be operated if evidence indicates that the equipment is not performing in accordance with the conditions upon which the permit is based.

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