

## FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT

### **RULE 4.4 - STANDARDS FOR GRANTING APPLICATIONS**

*(Adopted 8/91; Amended 11/93)*

- a. Before Authorization to Construct or Permit to Operate is granted, the APCO may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air contaminants discharged into the atmosphere from the article, machine equipment or other contrivance described in the Authorization to Construct or Permit to Operate. In the event of such a requirement, the APCO shall notify the applicant in writing of the required size, number and location of sampling holes; the size and location of the sampling platform; the access to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.
- b. In acting upon an application for a Permit to Operate, the APCO finds that the article, machine, equipment or other contrivance has not been constructed in accordance with the Authorization to Construct, he shall deny the Permit to Operate. The APCO shall not accept any further application for Permit to Operate the article, machine, equipment or other contrivance so constructed until he finds that the article, machine, equipment or other contrivance is in accordance with the Authorization to Construct.
- c. In acting upon an application for a Federal Operating Permit required pursuant to Rule 10.3, the Air Pollution Control Officer may issue such a permit to a source not in compliance with an applicable federal requirement, provided the application contains a schedule for compliance. Such schedule for compliance shall be part of a variance granted by the District Hearing Board.(4.4c adopted 11-1-93)
- d. The fact that an Authorization to Construct or modify or a Permit to Operate an article, machine, equipment or other contrivance described therein shall have been issued by the APCO shall not be an endorsement of such article, machine, or other contrivance, nor shall it be deemed or construed to be a warranty, guarantee or representation on the part of the APCO that emissions standards may not be exceeded by such article, machine, equipment or other contrivance. In every instance, the person, firm, or corporation to who such authorization or permit is issued shall be and remain responsible under these regulations for each and every instance wherein emission standards are exceeded by the article, machine, equipment or other contrivance described in the permit, and the fact of issuance or authorization shall not be a defense to or mitigation of any charge of violation.