

RULE 200 - PERMIT REQUIREMENTS

(a) Authority to Construct or Modify

An Authority to Construct, Modify, Replace, Operate or Use shall be obtained from the District prior to starting construction, modification, operation or use of any stationary or indirect source which may cause, potentially cause, reduce, control or eliminate the emission of air contaminants. A single authorization may be issued for all components of an integrated system or process. An Authority to Construct shall remain in effect for one (1) year or until a Permit to Operate is issued or denied, or the application is canceled at the request of the applicant, whichever occurs first. If the Authority to Construct expires prior to issuance of a Permit to Operate, the authorization may be extended for up to one (1) year if the applicant submits an annual renewal fee per Rule 300(f). Construction not in accordance with this Authority to Construct shall be sufficient reason to deny a Permit to Operate.

(b) Applications

All applications for an Authority to Construct, Modify, Replace, Operate or Use for any equipment or indirect source required in (a) above, shall be filed at the office of the District or its designated agent for accepting applications, except as provided in Rule 220(c) for new power plants. Such application shall contain all information required for a complete application as specified in (e), below. Upon request of the Control Officer, any existing stationary source of air contaminant emissions, actual or potential, shall apply for a Permit to Operate from the District. The applicant for an Authority to Construct or Permit to Operate shall pay the fees as specified in Chapter III-Fees.

(c) Preliminary Determinations

In acting upon an application for an Authority to Construct, the Control Officer shall make the following determinations:

- (1) Whether the project application is subject to the requirements of Regulation 1.
- (2) Whether the project application is ministerial, categorically exempt, or subject to an environmental

evaluation in accordance with the requirements of the California Environmental Quality Act.

(3) Whether the project application is subject to the new source review procedures specified in Rule 220(b).

(4) Whether the project is subject to the new power plant review procedures specified in Rule 220(c).

(5) Whether the project application is subject to the requirements of federal new source performance standards (Rule 490), or subject to national emission standards for hazardous air pollutants (Rule 492).

(6) Whether the project is classified as a major stationary source or major modification as defined in Rule 130 and subject to all applicable prevention of significant deterioration review requirements.

(d) General Exemptions

An Authority to Construct and Permit to Operate shall be required for all new or modified plants, equipment, process operations or indirect sources which may emit air contaminants with the following exceptions:

(1) Any vehicle as defined in the Section 670 of the California Vehicle Code, as of November 14, 2014.

(2) Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families.

(3) Barbecue equipment which is not used for commercial purposes.

(4) Orchard, vineyard or citrus grove heaters.

(5) Any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals, except that this exemption shall not apply to the following sources or equipment:

a) Agricultural sources at a stationary source that, in aggregate, produce actual emissions equal to or greater than 50 tpy of any regulated NSR pollutant. For the purposes of determining permitting applicability, fugitive

emissions, except fugitive dust emissions, are included in determining aggregate emissions;

b) Diesel engines used in agricultural operations subject to the State Airborne Toxic Control Measure (ATCM) for Stationary Compression Ignition Engines;

c) Agricultural sources subject to any state or federal regulations enforceable by the District.

(6) Mixing, blending, conveying, or other mechanical systems which do not, directly or indirectly, emit air contaminants.

(7) Gasoline and organic liquid storage tanks having a capacity of less than 250 gallons.

(8) Any article, machine, equipment or other contrivance which the Control Officer finds emits air contaminants in an amount that is less than 50% of the level specified in Rule 130(2) as significant, is not subject to any federal regulation enforceable by the District or any NSPS or NESHAP, and which and s/he determines should be exempted.

A Federal Operating (Title V) Permit shall be required for any source that is a Major Source as defined in District Regulation 5 (Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act), including Agricultural Sources as defined in Section 39011.5 of the California Health and Safety Code, as of November 14, 2014..

No exemption from the requirements listed herein under Rule 200(d) for an Authority to Construct or Permit to Operate may be allowed for any individual source which is subject to new source review in accordance with Rule 220(b).

(e) Procedures

Applications for an Authority to Construct or Permit to Operate (permit) shall be made and reviewed in accordance with the following procedures.

(1) In order to be deemed complete, an application for a permit shall include all information necessary to fully characterize the equipment, operation, emissions, and emissions impacts of the activity for which the permit is requested, and to determine compliance of such activity

with all applicable requirements, and to assess applicable fees. To be deemed complete, the application shall also include payment of all fees assessed for review of said application.

(2) Within 30 days of receipt an application for a permit, the Control Officer shall notify the applicant in writing if the application is not deemed complete, and shall provide a list of information needed to complete the application, including assessment of fees unless insufficient information has been submitted for the permit fees to be determined, in which case fees shall be assessed when the necessary information has been submitted by the applicant.