

I. Authority to Construct

Before any new or modified equipment described in Subsection I. or any existing equipment so described may be operated, a written permit shall be obtained from the Control Officer. No Permit to Operate shall be granted either by the Control Officer or the Hearing Board for any equipment described in Subsection I., constructed or installed without authorization as required by Subsection I., until the information required is presented to the Control Officer and such equipment is altered, if necessary, and made to conform to standards set forth in Rule 208 (Standards for Granting Application) and elsewhere in these Rules and Regulations.

- A. Payment of Fees - A Permit to Operate issued pursuant to Rule 201, Subsection I. shall be renewed each year by the applicant by payment of the annual permit renewal fee in the amount and manner prescribed by Regulation III.
- B. Non-Operating Equipment - A Permit to Operate non-operating equipment may be renewed provided such equipment is intact and operable.
- C. Removed Equipment - A Permit to Operate removed equipment may be renewed if such equipment is portable and:
 - 1. the Permit is current,
 - 2. is to be returned intact within no more than one year, and
 - 3. the owner/operator notifies the District, in writing, upon removal and prior to the equipment's return.

II. Permit to Operate

An Authority to Construct shall expire two years from the date of issuance unless a Subsection below provides for renewal.

- A. An Authority to Construct can be renewed upon application for one two year period provided the applicant has obtained all necessary zoning and preconstruction approvals or permits from other agencies and has:
 - 1. Begun, or caused to begin, a continuous program of actual onsite construction of equipment authorized by the Authority to Construct; or
 - 2. Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of equipment authorized by the Authority to Construct.
- B. If all zoning and preconstruction permits from other agencies have not been obtained and construction has not commenced due to economic downturn, an Authority to Construct can be renewed for one two year period upon application provided applications for these permits have been filed prior to the expiration of the initial Authority to Construct.

"Economic Downturn" means it has not been economically feasible to proceed with construction due to current product value and there is a reasonable probability the project will be economically feasible within the foreseeable future.

- C. Notwithstanding Subsection II.A., an Authority to Construct emissions control equipment can be renewed upon application.