

**RULE 208**    **Standards for Granting Applications** - Adopted 4/18/72; Amended 6/1/87,  
5/2/96, 9/17/98

- I.    The Control Officer shall deny an Authority to Construct for new or modified equipment, or a Permit to Operate existing equipment, unless:
  - A.    The applicant shows in his application the use of any equipment which causes the issuance of air contaminants, or may eliminate, reduce, or control the issuance of air contaminants, is so designed, controlled or equipped to comply with all applicable Federal, State, and KCAPCD Rules and Regulations. If compliance can be insured by including appropriate conditions pursuant to Rule 209, an Authority to Construct (or Permit to Operate) with such conditions shall be issued, and
  - B.    For issuance of an Authority to Construct, the applicant submits a signed "CEQA Indemnity Agreement", using KCAPCD's Board-approved form, in response to a request for such agreement by the Control Officer.
  
- II.   In acting upon a Permit to Operate new or modified equipment, if the Control Officer finds such equipment has been constructed or is operating not in accordance with the Authority to Construct:
  - A.    He shall deny the Permit to Operate, unless an application for modified Authority to Construct is submitted which details all changes to the original application and such proposed changes are found to comply with all applicable Federal, State, and KCAPCD Rules and Regulations, or
  - B.    If compliance with all Federal, State, and KCAPCD Rules and Regulations can be insured by including appropriate conditions pursuant to Rule 209, a Permit to Operate with such conditions shall be issued.