

RULE 210.2 Standards for Permits to Operate - Adopted 12/28/76, Amended 4/25/78, 5/15/78, 6/26/79, 4/5/82, 8/27/84, 9/16/85, 6/1/87, 5/2/96

(This Rule becomes effective and replaces Rule 210.2 currently in effect on the date the California Air Resources Board executes the Executive Order that adopts this Rule as a revision to the State Implementation Plan.)

I. Definitions

The definitions contained in Rule 210.1 shall be applicable to this Rule.

II. General

The Control Officer shall deny a Permit to Operate for any new or modified stationary source, or any portion thereof, to which Rule 210.1 applies unless:

- A. The owner or operator of the source of modification has obtained an Authority to Construct granted pursuant to Rule 210.1;
- B. The Control Officer has determined the source or modification, and any sources or modifications which provide offsets, have been constructed and/or modified to operate and emit quantities of air contaminants, consistent with conditions imposed on respective Authority to Construct permit(s) under Section VI. of Rule 210.1;
- C. The Control Officer has determined that any offsets required as a condition of the Authority to Construct will commence at the time of, or prior to, initial operation of the new source or modification, and that offsets will be maintained throughout operation of the new or modified source. In the case of a new or modified source which will be, in whole or in part, a replacement for an existing source on the same property, the Control Officer may allow a maximum of 180 days as a startup period for simultaneous operation of the existing stationary source and the new stationary source or replacement; and
- D. The Control Officer has determined all conditions specified in the Authority to Construct have been, or likely will be complied with by any dates specified.

III. Requirements

The Control Officer shall require as a condition for issuance of any Permit to Operate for a new or modified source, that the source and any offset source be operated consistent with any conditions imposed on respective Authority to Construct permit(s) under Section VI. of Rule 210.1.

IV. Severability

If any portion of this Rule is found to be unenforceable, such finding shall have no effect on the enforceability of remaining portions of the Rule, which shall continue to be in full force and effect.