

RULE 2092 STANDARDS FOR PERMITS TO OPERATE (Adopted May 21, 1992, Amended December 17, 1992)

1.0 Purpose

The purpose of this rule is to define the conditions which must be met in order for an APCO to issue a Permit to Operate.

2.0 Applicability

This rule shall apply to any source operation which emits or may emit air contaminants and is required to obtain a permit according to Rule 2010 (Permits Required).

3.0 Definitions

Except where the context indicates otherwise, words used in this rule are used in exactly the same sense as the same words in Rule 2201 (New and Modified Stationary Source Review Rule).

4.0 Requirements

4.1 The APCO shall deny a Permit to Operate for any new or modified stationary source or any portion thereof to which Rule 2201 (New and Modified Stationary Source Review Rule) applies unless:

4.1.1 The owner or operator of the source has obtained an Authority to Construct granted pursuant to Rule 2201 (New and Modified Stationary Source Review Rule); and

4.1.2 The APCO has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistent with the conditions imposed on their respective Authorities to Construct under the applicable sections of Rule 2201 (New and Modified Stationary Source Review Rule); and

4.1.3 The APCO has determined that any offsets required as a condition of an Authority to Construct or a Permit to Operate shall commence not later than the date of initial operation of the new or modified source, except that where a new or modified stationary source is, in whole or in part, a replacement for an existing stationary source on the same or contiguous property, the APCO may allow a maximum of 90 calendar days as a start-up period for simultaneous operation of the existing stationary source and the new or replacement source; and

4.1.4 The APCO has determined that all conditions specified in the Authority to Construct have been or will be complied with by any dates specified.

4.2 The APCO shall require as a condition for the issuance of any Permit to Operate for a new or modified source that the source and any offsetting source be operated consistently with any conditions imposed on their respective Authorities to Construct under the applicable sections of Rule 2201 (New and Modified Stationary Source Review).

5.0 Severability

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