

RULE 213 TEMPORARY PERMIT TO OPERATE  
(Adopted 9/14/99)

A permit holder shall provide written notification to the Air Pollution Control District before operating or using Equipment granted an Authority to Construct. Upon such notification, the Authority to Construct shall serve as a temporary Permit to Operate for the Equipment, subject to the following conditions:

Prior to initiating operation under the temporary Permit to Operate, the permit holder shall provide documentation to the District which demonstrates, in a manner acceptable to the Air Pollution Control District, that any pre-operational requirements specified in the Authority to Construct have been complied with.

During operation under the temporary Permit to Operate, the permit holder shall demonstrate, in a manner acceptable to the Air Pollution Control District, that the Equipment is operating consistent with the analysis assumptions and requirements of the Authority to Construct.

The Temporary Permit to Operate shall remain in effect for a period of up to 90 days. In the event that the permit holder is unable to demonstrate compliance with the requirements of the Authority to Construct within this period, the permit holder may request from the District an extension of the temporary Permit to Operate for up to an additional 90 days. The request shall include a description of the tests completed to date and the actions planned by the permit holder to demonstrate compliance during the extended temporary Permit to Operate period.

During operation of any Equipment under the temporary Permit to Operate, the permit holder shall take all feasible steps to comply with the requirements of the Authority to Construct. The applicant shall use this period to confirm the emission estimates made in the Authority to Construct using monitoring or source testing. If the monitoring or source testing data show these estimates to be incorrect, the permitted emissions shall be adjusted accordingly. The permit holder shall not be considered in violation of the permit if emission limits are exceeded due to testing requirements or process debugging operations under the temporary Permit to Operate. However, the permit holder must implement all feasible procedures to maintain continual compliance with the requirements of the Authority to Construct. In no event shall operation under the temporary Permit to Operate cause a violation of Ambient Air Quality Standards.

In order to provide for continued operation during the time required to process an application for a Permit to Operate, the Air Pollution Control District may extend the temporary Permit to Operate an additional 90 days upon the filing of a Complete Application for the Permit to Operate by the permit holder which demonstrates that the Source is in full compliance with the Authority to Construct and Permit to Operate.

If the temporary Permit to Operate expires prior to issuance of a Permit to Operate by the District, the permit holder shall either cease operation of the Equipment until the Permit to Operate is issued, or shall obtain a Variance from the District Hearing Board which extends the time period for the temporary Permit to Operate beyond the time limits specified in this Rule.