

RULE 21. PERMIT CONDITIONS (Adopted 1/1/69: Rev. Effective 11/29/94)

The Air Pollution Control Officer may issue an Authority to Construct, Permit to Operate, Certificate of Emission Reduction Credit, Certificate of Mobile Source Emission Reduction Credit, or a Permit to Rent subject to temporary or permanent conditions which will ensure compliance with the provisions of these Rules and Regulations and applicable State laws and regulations. Such conditions shall be in writing, shall become part of the Authority to Construct, Permit to Operate, Certificate of Emission Reduction Credit, Certificate of Mobile Source Emission Reduction Credit, or Permit to Rent and shall be complied with at all times. Commencing work under such an Authority to Construct or commencing operation under such a Permit to Operate or renting under such a Permit to Rent shall be deemed acceptance of all the conditions specified. The Air Pollution Control Officer shall issue an Authority to Construct or Permit to Operate or Permit to Rent with revised conditions upon receipt of a new application, if the applicant demonstrates that an article, machine, equipment or other contrivance can operate in compliance with the provisions of these rules and regulations and applicable State laws and regulations under the revised conditions. Where the proposed revision of Permit to Operate or Permit to Rent conditions is for an article, machine, equipment or other contrivance for which an Authority to Construct was issued after March 27, 1974, and where the proposed revision of Permit to Operate or Permit to Rent conditions, including proposed revision of conditions relating to the method of operations, will result in increased emissions, the Air Pollution Control Officer shall evaluate the proposed revision in accordance with the provisions of Rule 20.1(b) and shall determine compliance with Rules 20.1, 20.2, 20.3, 20.4 and 20.7 as if an application for an Authority to Construct had been received containing the proposed revised conditions. In said situations, the Permit to Operate or Permit to Rent with revised conditions shall not be granted in cases where such an Authority to Construct would not have been granted in accordance with said Rules 20.1, 20.2, 20.3, 20.4 and 20.7. The Air Pollution Control Officer may revise a Certificate of Emission Reduction Credit or Certificate of Mobile Source Emission Reduction Credit upon receipt of a new application from the certificate owner that demonstrates the emission reductions under the revised conditions will remain real, permanent, and enforceable within provisions of these rules and regulations and applicable State and Federal laws and regulations. (Any person who fails to comply with any condition imposed shall be liable to penalty pursuant to Division 26, Part 4, Chapter 4, Article 3, of the State of California Health and Safety Code). This rule does not authorize the Air Pollution Control Officer to change conditions to a Permit to Operate, a Certificate of Emission Reduction Credit, Certificate of Mobile Source Emission Reduction Credit, or a Permit to Rent in effect without prior notice to the permittee.