

(Adopted October 5, 1979)(Amended March 7, 1980)(Amended September 10, 1982)  
(Amended July 12, 1985)(Amended June 28, 1990)(Amended December 7, 1995)

### **RULE 1313. PERMITS TO OPERATE**

(a) Change of Operator

The Executive Officer or designee shall exempt from the provisions of this rule any facility which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal, change in operator, or a change in Rule 219 (Equipment Not Requiring a Permit).

(b) No Permit to Construct Issued

For new or modified sources or facilities which are constructed without the required Permit to Construct, the application for a Permit to Operate shall, for the purpose of this rule, be considered an application for a Permit to Construct. The Executive Officer or designee shall deny the Permit to Operate unless the new or modified facility complies with all provisions of Regulation XIII. All offsets must be obtained within 90 days after notice from the Executive Officer or designee that offsets are required.

(c) Additional Offsets

The Permit to Operate shall be denied if it is determined that actual emissions are greater than previously calculated when the Permit to Construct was issued, unless additional offsets are obtained within 90 days after notice from the Executive Officer or designee that offsets are required to mitigate the increase.

(d) Start-Up

For a new source or modification which will be a replacement, in whole or part, for an existing source on the same or contiguous property, a maximum of 90 days may be allowed as a start-up period for simultaneous operation of the subject sources.

(e) Permit Conditions

The Executive Officer or designee shall require as a condition for the issuance of any Permit to Operate for a new or modified facility, that the facility and any offset facility be operated consistent with any conditions imposed on their respective Permit to Construct.

- (f) Major Facility Permit Condition Limitation Relaxation  
Any major source that has taken a permit condition limiting a source's mass emissions in order to avoid NSR since August 1980 shall be subject to provisions of Regulation XIII if such permit condition is removed or relaxed in any way.
- (g) Emission Limitation Permit Conditions  
Every permit shall have the following conditions:
  - (1) Identified BACT conditions;
  - (2) Monthly maximum emissions from the permitted source.