

(Adopted October 7, 1988)

RULE 1713. SOURCE OBLIGATION

- (a) The Executive Officer shall deny any permit to construct or operate if the owner or operator constructs or operates a source or modification not in accordance with the application submitted pursuant to this paragraph or with the terms of any permit to construct.
- (b) The Executive Officer shall deny a permit to operate if the owner or operator of a source or modification subject to this regulation commences construction without applying for and receiving a permit to construct.
- (c) A permit to construct shall become invalid if construction is not commenced within 24 months after receipt of such approval, if construction is discontinued for a period of 24 months or more, or if construction is not completed within a reasonable time. The Executive Officer may extend the 24-month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within 24 months of the projected and approved commencement date.
- (d) A permit to construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the State Implementation Plan and any other requirements under local, state, or federal law.
- (e) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980 on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of Rule 1703 shall apply to the source or modification as though construction had not yet commenced on the source or modification.

- (f) **Post-Construction Monitoring**
The owner or operator of a major stationary source or major modification shall, after construction of the stationary source or modification, conduct such ambient monitoring as the Executive Officer determines is necessary to determine the effect emissions from the stationary source or modification may have, or are having, on air quality in any area.

- (g) **No Permit to Construct Issued** For new or modified permit units or sources which are constructed without the required permit to construct, the application for permit to operate shall, for the purposes of this regulation, be considered an application for permit to construct. The Executive Officer shall deny the permit to operate unless the new source or modification complies with all rules in this regulation whether the rules pertain to a permit to construct or permit to operate.