

## SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

### **RULE 2070 - STANDARDS FOR GRANTING APPLICATIONS**

*(Adopted May 21, 1992, Amended December 17, 1992)*

#### **1.0 Purpose**

The purpose of this rule is to explain the standards by which an APCO may deny an application for an Authority to Construct or Permit to Operate. Any source operation must be constructed and operated in accordance with Rule 2201 (New and Modified Stationary Source Review Rule), Rule 4001 (New Source Performance Standards), and Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), the Authority to Construct, and the Permit to Operate.

#### **2.0 Applicability**

The provisions of this rule shall apply to any source operation required to obtain a permit according to Rule 2010 (Permits Required).

#### **3.0 Compliance with Emission Limitations**

The APCO shall deny an Authority to Construct or a Permit to Operate except as provided by Rule 2040 (Applications), if the applicant does not show that the use of any source operation, which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such an air pollution control article, machine, equipment, or other contrivance, that it may be expected to operate without emitting or without causing to be emitted air contaminants in violations of Section 41700 or 41701 or 42301 of the Health and Safety Code or of these rules and regulations.

#### **4.0 Compliance with New Source Review Rule**

The APCO shall deny an Authority to Construct or a Permit to Operate for any new or modified stationary source which does not or will not comply with all applicable provisions of Rule 2201 (New and Modified Stationary Source Review Rule).

#### **5.0 Compliance with New Source Performance Standards and National Emissions Standards For Hazardous Air Pollutants**

The APCO shall deny an Authority to Construct or a Permit to Operate for any new or modified stationary source which does not or will not comply with all applicable provisions of Rule 4001 (New Source Performance Standards) and Rule 4002 (National Emissions Standards For Hazardous Air Pollutants).

#### **6.0 Construction According to the Authority to Construct**

In acting upon a Permit to Operate, if the APCO finds that the source operation has not been constructed in accordance with the Authority to Construct, the APCO shall deny the Permit to

Operate. The APCO shall not accept any further application for the Permit to Operate the source operation so constructed until the APCO finds that the source operation has been constructed in accordance with the Authority to Construct.

#### **7.0 Operation According to the Permit to Operate Conditions**

A person shall not operate any source operation contrary to conditions specified on the Permit to Operate issued in accordance with the provisions of this rule.