

**San Joaquin Valley
Unified Air Pollution Control District**

Reactivating Canceled Permits

Approved By: _____ Signed _____ Seyed Sadredin, Director of Permit Services	Date: <u>2/27/95</u>
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I. Purpose

The purpose of this policy is to establish the procedures and the requirements for reactivating canceled Permits to Operate (PTOs). All permits with status "D" (deleted) or "I" (inactive) shall be treated as canceled permits for the purpose of this policy.

II. Background

Occasionally, some facilities request to cancel permits for sources that are not in immediate use. Often, the reason for such requests is to minimize the fees by not having to pay for the equipment that is not in use. Prior to the District unification, some sources were allowed to reactivate canceled permits without NSR review. This practice was continued, in a limited number of cases, even after the unification. A careful review of the changes made to the NSR rule in 1991 dictates a change in this policy.

III. Discussion

With the 1991 changes to the NSR, canceled permits do not contribute to the NSR balance or to the Stationary Source Potential Emit (SSPE). Since the NSR balance and the SSPE are used in determining the applicability of the offset requirements, reactivation of canceled permits without NSR review opens a major avenue for circumventing the NSR requirements. For instance, a source near the offset trigger levels can reduce their potential to emit by temporarily canceling permits. New or modified equipment can be permitted without triggering offset requirements, and then the old permits can be reactivated without NSR review. Other obvious examples are when permits are canceled for generating ERCs or to allow for netting out of the NSR requirements.

IV. Procedures for Reactivating Canceled Permits

Permit applications to reactivate canceled permits will be subject to the NSR rule, and all other applicable rules in effect at the time of application. A piece of equipment without a valid permit is treated as a new source subject to the NSR requirements.

To streamline the permitting process, the applicant will be allowed to refer to the existing information on District files when applying to reactivate canceled permits.

It is important to advise sources wishing to cancel permits, that upon reactivation they will be subject to the NSR and any new applicable requirements.

V. Application Shield

Rule 2010, section 4.3, provides an application shield for existing sources. The application serves as a temporary PTO until the review is completed and a new permit is issued. However, the source is required to comply with the terms and conditions of the previous permit until the District review is completed and a new permit is issued.