

RULE 203. TRANSFER

(Adopted 10/18/1971, revised 5/1/1972, readopted 10/23/1978, revised 4/17/1997, xx/xx/xxxx)

A. Applicability

This rule shall apply to any person transferring operation or ownership of permitted equipment.

B. Exemptions

None.

C. Definitions

See Rule 102 for definitions.

D. Requirements

1. Transfer of Permits

An Authority to Construct or Permit to Operate shall not be transferable, whether by operation of law or otherwise, either from one location to another, or from one piece of equipment to another, except for those items specifically noted on the permit as being portable and/or relocatable.

Any application to transfer a permit from one permit holder to another shall be accompanied by a filing fee as specified in Rule 210, Fees. A change in business name only is not a transfer and shall not be assessed a fee. Transferring an entire permit from one permit holder to another shall not be assessed any evaluation fees. If a transfer of ownership/operator requires permit(s) to be split into multiple permits, the applicant(s) shall be assessed evaluation fee(s) as specified in Rule 210.

An application for the transfer of ownership only shall constitute a temporary Permit to Operate if authorized by Health and Safety Code Section 42301(f). The Control Officer shall approve an application for the transfer of a permit if all of the following requirements are met:

- a. the article, machine, equipment, or contrivance subject to the permit is in compliance with all applicable orders, rules, and regulations of the District, Air Resources Board and the Environmental Protection Agency;
- b. a written agreement or other written proof of transfer of ownership deemed sufficient by the Control Officer which specifies the date of ownership transfer has been submitted to the District;
- c. the permit has been reviewed by the District to determine that permit conditions are adequate to ensure compliance with, and enforceability of, District rules and regulations applicable to the article, machine or contrivance for which the permit was issued;
- d. where D(1)(c) has not been met, the Control Officer shall require that the permit be revised to specify the permit conditions necessary in accordance with all applicable rules and regulations; and
- e. all fees associated with the permit have been paid.

2. An application for transfer of a permit shall be filed within 30 days of change of ownership or operator.