

SANTA BARBARA COUNTY
AIR POLLUTION CONTROL DISTRICT
POLICIES AND PROCEDURES

Policy No.	<u>6100.034.1997</u> Div Pol Yr	Draft	<u> </u>
Supersedes No.	<u>6100.034.1993</u> Div Pol Yr	Final	<u> x </u>
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Topic:	<u>Failure to Obtain Permit (Rule 210.V.A.4)</u>		
Distribution:	<u>Engineering Division Staff</u>		

This policy clarifies the intent of Rule 210.V.A.4, which states:

“An applicant seeking an ATC or PTO for equipment for which an Authority to Construct was required but not obtained, shall pay a fee double that prescribed for the ATC in Section I. If operation of equipment is conducted without a valid PTO, the fee prescribed in Section I for the PTO, plus annual permit renewal and emission fees that would have been assessed with a valid PTO, shall be doubled. The amount due may be reduced by the amount paid under a Notice of Violation issued for the unpermitted equipment.”

The policy to be used for the following scenarios is presented below:

Case 1. Builds without an ATC and operates without a PTO:

The source needs both an ATC and a PTO. The ATC fees prescribed in Section I (filing fee and evaluation fee) are doubled. The PTO fees prescribed in Section I (filing fee and evaluation fee) are also doubled. Additionally, any annual permit renewal and emission fees which would have been assessed with a valid PTO are also doubled. Thus, if the source has been operating for two years without a valid PTO, the annual renewal and emission fees for both years are to be doubled.

Case 2. Builds without an ATC but has not operated:

In this case, the source also needs both an ATC and PTO. The ATC fees prescribed in Section I (filing fee and evaluation fee) are doubled. However, when they apply for a PTO, no penalties are assessed.

Policies and Procedures Memoranda are intended to provide agency staff, applicants and the public guidance relative to standardized APCD procedures. These policies and procedures shall not be interpreted in conflict with APCD Rules and Regulations or administrative policies, and may be modified or updated periodically without advance notice.

Case 3. Builds with an ATC but operates without a PTO:

In this case, the source already has a valid ATC but needs a PTO. As in Case 1, the PTO fees prescribed in Section I (filing fee and evaluation fee) are doubled. Additionally, any annual permit renewal and emission fees which would have been assessed with a valid PTO are also doubled. Thus, if the source has been operating for two years without a valid PTO, the annual renewal and emission fees for both years are to be doubled.

Exceptions to the above policy can be made by management.