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.
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.