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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201  
PERMITS AND GENERAL PROVISIONS

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AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39, and 39.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg.30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in R02 - \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART C: PROHIBITIONS

Section 201.142	Construction Permit Required
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No person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing

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emission source or air pollution control equipment, without first obtaining a construction permit from the Agency, except as provided in Sections 201.146 or Section 201.170(b) of this Part.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

Section 201.170                      Portable Emission Units

- a) An emission unit or units is portable provided that the emission unit or units meets the following criteria.
- 1) Emissions from the emission unit or units are expected to occur for less than one year at any one site.
  - 2) The emission unit or units of air pollution is subject to the requirements of Section 201.169 of this Subpart.
  - 3) The emission unit or group of emission units that will be changing sites is permitted to emit less than 25 tons per year of any combination of regulated air pollutants.
  - 4) The emission unit or units is mounted on a chassis or skids and is designed to be moveable.
  - 5) The emission unit or units is not used as a thermal desorption system pursuant to 35 Ill. Adm. Code 728. Table F or as an incinerator system.
- b) An owner or operator of a portable emission unit or units meeting the requirements of subsection (a) of this Section may change the site of such unit or units without obtaining a new construction or operating permit pursuant to Section 201.142, 201.143, or 210.169 of this Part, provided that the owner or operator meets the following requirements:
- 1) The owner or operator has obtained a construction and operating permit containing special conditions as required by subsection (c) of this Section for such unit or units, or is exempt pursuant to subsection (d) of this Section.

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- 2) If a permit issued pursuant to subsection (c) of this Section includes more than one emission unit, the owner or operator shall move all emission units covered by the permit to the new site.
- 3) The owner or operator does not locate the emission unit or units on a site with a source:
  - A) That is subject to the requirements of Section 39.5 of the Act; or
  - B) That would become subject to the requirements of Section 39.5 of the Act if the emissions of all regulated pollutants from the portable emission unit or units were included in such source's potential to emit.
- 4) The owner or operator does not modify the operation of the emission unit or units in such a way so as to:
  - A) Make the emission unit or units subject to New Source Review (NSR) requirements pursuant to 35 Ill. Adm. Code 203 or to Prevention of Significant Deterioration (PSD) pursuant to Section 9.1(a) of the Act; or
  - B) Make the emission unit or units a support facility of a source that is subject to Section 39.5 of the Act.
- 5) Prior to moving the emission unit or units to a new site, the owner or operator shall notify the Agency by certified mail of the items listed below unless the emission unit or units is exempt pursuant to subsection (d) of this Section:
  - A) The location of the new site;
  - B) The estimated emissions of all regulated air pollutants while located at the new site; and
  - C) That the operation of the unit or unit will be consistent with its construction and operating permits.

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- 6) The owner or operator shall keep a copy of the construction and operating permits for that emission unit or units on the site where the emission unit or units are in operation.
- c) Permit Requirements.
- 1) The owner or operator unit must obtain a new or amended construction and operating permit containing special conditions for changing the site of the portable emission unit or units pursuant to the requirements of Sections 201.142, 201.143 and 201.169 of this Subpart prior to an initial change in site of an emission unit or units. The permit application, in addition to the information required pursuant to Section 201.152, 201.157 and 201.169 of this Part, must contain the following information:
- A) The initial site of the emission unit or units;
- B) A permanent address where correspondence may be sent to the owner or operator; and
- C) The permanent site of any required operating records.
- 2) If the portable emission unit or units has a permit pursuant to this subsection, but has not changed sites within the prior twelve months at least once, the owner or operator shall obtain a revised permit prior to changing the site of the emission unit or units.
- d) The owner or operator of a portable emission unit or units that is included in more than one operating permit and meets the requirements of subsections (a)(2) through (a)(5), (b)(3), (b)(4) and (b)(6) of this Section may change the site of such unit or units without obtaining a new construction or operating permit pursuant to Section 201.142, 201.143 or 201.169 of this Part when such unit or units is moved to a site covered by such permit.

(Source: Added at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)