

22.101(455B) Applicability of Title V operating permit requirements.

22.101(1) Except as provided in rule 22.102(455B), any person who owns or operates any of the following sources shall obtain a Title V operating permit:

a. Any affected source subject to the provisions of Title IV of the Act;

b. Any major source;

c. Any source subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance for new stationary sources), 567-subrule 23.1(5) (emission guidelines), unless the source is specifically exempted, or Section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants), 567-subrule 23.1(4) (emission standards for hazardous air pollutants for source categories) or Section 112 of the Act. A source is not required to obtain a permit solely because it is subject to the provisions of Section 112(r) of the Act. Any source required to obtain a Title V operating permit solely because of the requirement imposed by this paragraph, and which is not a major source, is required to obtain a Title V permit only for the emissions units and related equipment causing the source to be subject to the Title V program;

d. Any solid waste incinerator unit required to obtain a Title V permit under section 129(e) of the Act;

e. Any source category designated by the administrator pursuant to 40 CFR 70.3 as amended through June 20, 1996.

22.101(2) Title V deferred stationary sources. The requirement to obtain a Title V permit is deferred for all sources listed in 22.101(1) that are not major sources, affected sources, or solid waste incineration units required to obtain a permit pursuant to Section 129(e) of the Act, unless by the final promulgation of a federal standard to which the source is subject under the provisions of 40 CFR Part 60 (as amended through July 14, 2004), 40 CFR Part 63 (as amended through January 10, 2005), or 567-subrule 23.1(5) a source is required to obtain a Title V permit. Each source receiving a deferral under the provisions of this rule shall submit a Title V permit application to the department within 12 months of the date when

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the requirement to obtain a Title V permit is no longer deferred for that source.

22.101(3) Election to apply for permit. Any source exempt under rule 22.102(455B) may elect to apply for a Title V permit.

