



.....**PERMIT APPLICATION INSTRUCTION SHEET**.....

The instructions below are intended to provide guidance on the information required by the application. If you have any questions or need assistance completing the application, please contact the Butte County Air Quality Management District (District) at (530) 332-9400 and dial "0" to speak with the receptionist. District staff are also available to provide assistance and answer questions by appointment. Copies of the permit application and supplemental forms are available on the District's website at www.bcaqmd.org. Please Note: District records, including records submitted by an applicant for a Permit to Operate or Authority to Construct, shall be considered public records and are open to public inspection, unless the records are exempt from disclosure by statutory or case law. More information of the District's Public Records Policy is provided below.

1. **APPLICATION TYPE AND FILING FEE:** Please check the appropriate box. Most projects which may cause the issuance of air contaminants require written authorization from the Air Pollution Control Officer (APCO) before any article, machine, or equipment may be installed, operated, used, leased or rented. In most cases written authorization is granted in the form of an Authority to Construct permit or Permit to Operate. Some insignificant sources may be exempt from permitting requirements but may still require written authorization by the APCO. New owners of existing businesses that had a valid Permit to Operate within the last two years are required to either file an application for a new permit or an application for Transfer of Ownership of the previous permit within 30 days of acquisition of the business. Expedited Authority to Construct permits are limited to emergency and/or short term projects such as remediation of contaminated soil or purging of a gasoline storage tank. **Application fees are due at the time the application is submitted.** In addition to the application fee, each permit is assessed an Authority to Construct or Permit to Operate fee at the time of issuance. Fees are assessed in accordance with District Rule 500. These fees are based on the estimated cost of permit issuance and include services rendered such as toxic health risk assessments, public notice fees, or any services for which the District must recover costs. The permit will be accompanied by an invoice for fees due that must be paid before the permit is valid. All fees are non-refundable, even if your application is withdrawn, canceled or denied.

2. **CONTACT INFORMATION:**

RESPONSIBLE COMPANY (OWNER/OPERATOR): Please provide the name and address of the person, partnership, company, corporation, agency, or other responsible entity to whom the permit will be issued. The Responsible Company (Owner/Operator) is the entity or person having legal possession or control of the equipment and/or property for which a permit is required. The application form should be signed by a Responsible Official or his or her delegated agent. A Responsible Official is an individual with the authority to certify that a source will comply with all District requirements and conditions set forth in a permit. A delegated agent is

an individual, such as a contractor, who is stipulated by a Responsible Official to act on behalf of the Responsible Company. The original permit will be issued in the name of the Responsible Company. Copies of the permit(s), correspondence, and invoices will be sent to all parties identified in the application as designated by the applicant.

FACILITY LOCATION: Identify the street address of the proposed or actual equipment location. If the location does not have a designated address, please provide the latitude and longitude, UTM coordinates, GPS data, or nearest cross streets and distance and direction to site in the project description box.

CONTRACTOR INFORMATION: Please provide the name and contact information for any contractor designated by the Responsible Official to act on behalf of the Responsible Company.

3. **PROJECT INFORMATION:** Please provide the name of the project, the type of project, and a brief description of the equipment to be installed or modified or the activity to be performed. **Equipment Description:** Briefly describe the equipment and/or process proposed for construction, installation, and/or operation. If the application is for a modification, describe what changes are proposed. If type of material being used or process throughput is changing, please be specific about the proposed changes in the quantity and/or type of materials being used or processed.

4. **SUPPLEMENTAL INFORMATION:** All applicants are required to complete the General Supplemental Information form, unless this information was previously submitted as part of a separate application and is current. You may also be required to complete a Supplemental Information form that is specific to the type of equipment or activity being considered. The application form lists some of the most frequently used forms. You may access all of the supplemental forms by selecting this link, <http://www.bcaqmd.org/page/stationary-sources.php> or visit our website at www.bcaqmd.org and look under the “forms/resources” tab.

5. **PROJECT STATUS:** This section requires the applicant to inform the District if the project has begun or has already been completed. Note that a project is deemed to have commenced if the applicant has completed any type of work at the site where the equipment or activity will be located, including, but not limited to: earth moving activities, pouring cement slabs or foundation work, constructing buildings, structural modifications, and accepting delivery of “process” or air pollution control equipment. These types of activities require written authorization from the Air Pollution Control Officer in advance. Some of the activities may be exempt from permit requirements. If you have questions or need additional information, please contact the District.

6. **K-12 SCHOOL:** California Health and Safety Code Section 42301.6 requires the preparation of a public notice if the source may release toxic air pollutants and the source is located within 1000 feet of the outer boundary of any school or school site. The notice is required if the emissions pose a “significant risk” to the public. District staff is available to provide assistance in determining whether the project is near a school and/or whether the emissions are likely to be considered to pose a “significant risk” to the public. This question must be answered or the application will be denied. If the information is incorrect (i.e. box is marked “No” and the outer boundary of a school is within 1000 feet of the project), the application will be denied and a Notice of Noncompliance issued for submittal of false information. If a public notice is required, you must also submit the Public Notice Supplemental Information form with the application. If required, the APCO will prepare the public notice in which the proposed project or modification for which the application for a permit is made is fully

described. This notice will be distributed by mail or other means at the applicant's expense.

7. **MAJOR STATIONARY SOURCES:** Any "federally major" facilities in the State of California that are owned, operated, or under the responsibility of the Responsible Company must be in compliance with all air pollution rules and regulations or must be on a compliance schedule prior to issuance of any permit. In Butte County, a "federally major" facility is a stationary source that has the potential to emit 100 tons per year of any regulated criteria air pollutant, 25 tons per year of any combination of Hazardous Air Pollutants (HAP), or more than 10 tons per year of any single HAP. Other areas in California have major source thresholds that are lower. Responsible Companies operating in California that are not in compliance with all air pollution rules and regulations must submit a compliance schedule with the application. Please note that the Responsible Official must sign the permit application if the Responsible Company operates, or is responsible for, any "federally major" facilities in the state of California.

8. **SIGNATURE:** This application must be signed by the Responsible Official and/or his or her delegated agent. An original "wet ink" signature is required; no stamps, electronic images, photocopies, or faxes will be accepted.

INDEMNIFICATION: Pursuant to District Rule 500, Section 5: Each applicant for, and recipient of, an Authority to Construct Permit or Permit to Operate agrees to indemnify, defend and hold the DISTRICT (including its Board Members, officers, directors, managers, employees and agents) harmless and free and clear from and against any liability, debt, obligation, claim, judgment, action, cause of action or cost or expense, of any amount or nature whatsoever incurred by or imposed upon the DISTRICT arising out of, as a result of, related to or in any way in connected with the denial, issuance, modification or renewal of a permit, including a permit by the Hearing Board. Such costs or expenses shall include, but not be limited to, reasonable attorneys' fees, expert witness fees and all other litigation expenses.

PUBLIC RECORDS POLICY AND TRADE SECRETS: By policy, all District records, including records submitted by an applicant for a permit to operate or authority to construct, shall be considered public records and open to public inspection with the least possible delay, unless the records are exempt from disclosure by statutory or case law or authorized as exempt from disclosure due to ongoing District investigation or potential litigation. The complete District Public Record Information Disclosure Policy is available upon request.

Permit applicants should be aware that any information submitted to the District is subject to release upon written request pursuant to the District's policy:

- to the public upon request, except for trade secrets which do not constitute emissions data;
- to the California Air Resources Board; and,
- to the Federal Environmental Protection Agency, which protects trade secrets as provided in the Clean Air Act, Section 114[c], as amended in 1970 in 40 Code of Federal Regulations, Chapter 1, Part 2.

Permit applicants may be required to disclose information to the District which are trade secrets pursuant to Government Code Section 6254.7(d). Trade secrets are not public records and are not subject to disclosure under the District's public records policy. Trade secrets may include, but are not limited to, any formula, plan, patterns, process, tool, mechanism, compounds, procedure, production data, or compilation of information which is

not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article or trade of a service having commercial value, and which gives a user an opportunity to obtain a business advantage over competitors who do not know or use it.

Any person or source from whom the District obtains any records may label "trade secret" any part of those records which is entitled confidentiality pursuant to Government Code Section 6254.7 and District requirements. Written justification for the "trade secret" designation shall be furnished to the District together with the records so designated. The justification shall be as detailed as possible without disclosing the trade secret. Be advised that this justification will be released if the documents designated as "trade secret" are later requested. The person or source may submit additional information to support the justification, and such information, upon request, shall be kept confidential in the same manner as the record sought to be protected.