

**APPLICATION FOR
AUTHORITY TO CONSTRUCT (ATC) AND PERMIT TO OPERATE (PTO)
-INSTRUCTIONS-**

- A. To avoid unnecessary delays, please review the separate Checklist for Permit Applications before submitting your ATC / PTO application.
- B. A nonrefundable filing fee of \$102 is required for each permit. The District will assess reasonable additional fees based upon expenses and the average weighted labor rate if the original application fee does not cover the time and effort required to evaluate the project. You will be notified of the estimated evaluation fees in writing in conjunction with notification that the application is deemed complete. See District Rule 3010 for additional information on fees: <https://ww2.valleyair.org/media/avdnfnwj/rule-3110-effective-7-1-2026-clean.pdf>
A permit may contain multiple emissions units. An emissions unit is any distinct process which: 1) consists of the aggregation of equipment items operating together to perform a given function; and 2) has the potential to cause the emission of an air contaminant. An emissions unit may consist of a single piece of equipment or multiple pieces of equipment, and includes any associated air pollution control equipment. If you do not know the total number of emissions units, the District will determine that for you and send a bill for the appropriate fee. Checks or money orders shall be made payable to the SJVAPCD. Credit card payment information is available at <https://ww2.valleyair.org/make-a-payment/> or by calling the District office at (559) 230-6000.
- C. Please note that for projects subject to emission offsetting requirements, the following provisions apply:
1. Pursuant to District Rule 2201, Section 8.0, the use of pre-baseline ERCs is prohibited if the usage of such credits during the effective period of a particular EPA-approved plan exceeds the respective pollutant's Pre-Baseline ERC Usage Cap identified in that plan. Pre-baseline ERCs are those that were banked prior to the baseline year for a given EPA-approved Attainment Plan. Please note that this prohibition applies to ATC projects issued after the Pre-Baseline ERC Usage Cap is exceeded.
 2. Pursuant to Section 4.8 of District Rule 2201, all ATCs issued for new major sources or federal major modifications triggering offsets for NOx or VOC are required to provide ERCs that are surplus at time of ATC issuance for the full federal offset quantity as calculated in 40 CFR 51.165(a)(3)(ii)(J).
- D. **Line 1.** Indicate the name of the business exactly as it should appear on the ATC and on the PTO.
- E. **Line 2.** List the mailing address where correspondence regarding the application and billing for the annual permit fee may be sent. Please include your nine-digit zip code.
- F. **Line 3.** List the physical location where the emissions unit(s) will be operated – if the location is the same as the mailing address, please check the box indicating so. If a street address is not applicable, provide the United States Geological Survey (USGS) quarter-section, township, and range or the Universal Transverse Mercator (UTM) coordinates.
- G. **Line 4.** Indicate whether the property is located within 1,000 ft. of the property boundary of a school. Identify the nearest school by name and address.
- H. **Line 5.** Indicate the general nature of the business performed by the facility.
- I. **Line 6.** List any standard industrial classification (SIC) code(s) that apply to the facility (if known).
- J. **Line 7.** The District recommends that Title V facilities request a Certificate of Conformity (COC) when applying for a modification to their federal operating permit. Obtaining a COC allows the EPA to review and approve the project during the 45-day EPA review period prior to the issuance of your ATC. If a COC is requested, please complete and attach a Compliance Certification form (TVFORM-005).
If you wish to receive the Authority to Construct (ATC) permit from the District while postponing the EPA review process, then please check NO, and the EPA review will commence after you apply to modify your Federal Operating Permit. Please note that while checking NO does bypass the EPA review at this time for the purpose of COC (District Rule 2520), it will not bypass any EPA review triggered pursuant to District Rule 2201. Also note that the operation of equipment prior to EPA approval may result in Federal enforcement action, if EPA finds that the modification violated applicable Federal requirements. Contact the District for additional information on this process at the phone number or address listed on page 3 of these instructions.
- K. **Line 8.** For each emissions unit, state the make, model, size, type, and serial number of the entire emissions unit or of its major components. Information must be provided for all pieces of equipment comprising each emissions unit. Identify the

applicable permit number for each emissions unit that has either a valid PTO or a valid ATC. Attach a Supplemental Application Form if available (available on the District's website), and use additional sheets if necessary.

- L. **Line 9.** Indicate if the equipment or modification is already installed or completed. If YES, indicate the date of installation or modification. If the application is for an existing emissions unit that is now subject to permit requirements due to a loss of exemption, please provide proof of date of installation, such as maintenance records, purchase invoice, non-District permit, etc. If NO, indicate the expected date of installation or modification.
- M. **Line 10.** Check the applicable Box to indicate whether you would like to review the draft ATC and conditions of approval before final issuance of the permit. You may request a three-working-day review period or a ten-working-day review period, or you may indicate that no review period is requested. If none of the three Boxes is checked, we will assume no review period is requested.

Be aware that requesting a review period may delay final approval of your ATC permit until the requested review period elapses, although the District can finalize the permit at the applicant's request at any time during a requested review period. In addition, at any time during the three or ten-day review period, you may ask for additional review time. Any requested review period will take place prior to a required noticing period. In no case will the District allow a requested review period to interfere with our statutory permit-issuance timelines.

- N. **Line 11.** If this application is for the construction of a new facility, please check the "YES" Box and complete the CEQA Information Supplemental Form available on the District's website, otherwise, please check the "NO" Box and address the next questions regarding Land Use Approval. For information, "by Right" means that the proposed equipment or project does not require any Land Use approval: the right to operate comes with the property. Note: applications for new gasoline dispensing facilities (GDF) are not required to submit this form.
- O. **Line 12.** Indicate whether this application is being submitted as the result of a Notice of Violation (NOV) or a Notice to Comply (NTC) from the Air Pollution Control District. If so, include the NOV/NTC number.

- P. **Line 13. Applicant**
1. Type or print the name of the applicant. The applicant must be an officer of the business who will be responsible for complying with all conditions of the ATC and the PTO,
 2. Type or print the **title** of the applicant,
 3. Type or print the **date**,
 4. **Sign** the application in ink.

- Q. **Line 14. Applicant Contact Information.** Type or print the daytime telephone number, cell phone number, and e-mail address of the applicant.

- R. **Line 15. Optional Section.** Please check whether your organization is a Healthy Air Living (HAL) participant or an INSPECT participant. For more information on either of these programs, please check the appropriate box, or call the District at the number listed on the last page of these instructions.

- S. **Supplemental Information Required With Each Application.** The following data, specifications, plans, and drawings must be submitted with each application for ATC and PTO:

1. **Supplemental Application Forms** – The District provides supplemental application forms which must accompany this application for many types of equipment such as engines, boilers, painting operations, etc. All of the supplemental application forms are available on the District website.
2. **Equipment Location Drawing or Plot Plan** - The drawing or sketch submitted should be to scale and must show the following:
 - a. The property involved and outlines of all buildings and structures on it. Clearly identify all property lines.
 - b. The location and identification of the proposed emissions unit(s) on the property.
 - c. Location of the property with respect to streets and all adjacent properties. Identify adjacent properties. Show the location of all buildings outside of the property that are within 150 feet of the emissions unit. Identify all such buildings (i.e. residence, apartment building, warehouse, retail store, etc.), specifying the height (in feet or number of stories) of each building. Indicate the direction north on the drawing.
3. **Equipment Description** - For each emissions unit, state the make, model, size, type, and serial number of the entire emissions unit or of its major components. Provide information on all individual pieces of equipment comprising each emissions unit. List all electric motor horsepower ratings associated with all equipment.

4. **Description of Operation** - Include detailed written descriptions of all operations to be carried out in the proposed process, especially those operations which may result in the emission of air contaminants. Supply all data concerning the nature, volumes, particle sizes, weights, and concentrations of all types of air contaminants that may be discharged at each stage in the process. Describe the operation of air pollution control equipment in sufficient detail to allow the District to determine if the process can be expected to consistently operate at the required control efficiencies.
5. **Expected Emission of Air Contaminants** - Submit calculated estimates of the emission of all air contaminants from the proposed equipment, including a reference to the source of emission factors. If applicable, include any test data which was collected and analyzed by independent laboratories and used to support the calculations.
6. **Operating Schedule** - Specify the maximum and the average number of hours per day, days per week, and weeks per year that the emission unit(s) will be operated.
7. **Health Risk Assessment** - Specify the distance from the emission point to the nearest business and the nearest residence.
8. **Process Weight** - Detail the type and the total weight of each material consumed or processed by each emission unit on the basis of pounds per hour or some other mass per unit time which most accurately provides a mechanism to quantify maximum emissions. The ATC and the PTO may list conditions that limit the process weight to the quantity specified in the application.
9. **Fuels and Burners Used** - Provide the following information:
 - a. **Gaseous Fuels** - Type, source, heating value, sulfur content (both total and as H₂S), the amount of excess combustion air (%) utilized, and cubic feet per hour.
 - b. **Liquid Fuels** - Type, source, heating value, sulfur content, nitrogen content, API gravity (degrees), preheat temperature, the type of atomization (steam, air, or mechanical), the amount of excess combustion air (%) utilized, and gallons per hour.
 - c. **Solid Fuels** - Type, source, heating value, sulfur content, nitrogen content, ash content, the amount of excess combustion air (%) utilized, and consumption rate in pounds per hour.

For all burners, indicate the make, model, size (MMBtu/hr), type, number of burners, and the capacity range of each burner from the minimum to the maximum rate of heat input.

10. **Process and Instrumentation Flow Diagram** - For continuous processes, show the flow of materials and the location and type of all instrumentation, including any stack gas monitors. Show all pertinent temperatures, pressures, volumetric flow rates and mass flow rates.
11. **Equipment Drawings** - Provide scaled and dimensioned drawings, including elevations, as required to clearly illustrate the design and operation of the emissions unit(s) and the pollution control devices. Include manufacturers catalog descriptions whenever available.

Applications may be submitted electronically and either by mail or in person at any of the following locations. The District is pleased to provide businesses with assistance in all aspects of the permitting process. Any business is welcome to call the **Small Business Assistance (SBA) Hotline** or to visit the SBA Office located in each of the regional offices. No appointment is necessary. For more information, please call the SBA Hotline serving the county in which your business is located.

www.valleyair.org

| | | |
|--|--|---|
| <p><u>Northern Region Office</u> (Serving San Joaquin, Stanislaus, and Merced Counties):</p> <p>4800 Enterprise Way Modesto, California 95356-8718</p> <p>Main: (209) 557-6400 SBA Hotline: (209) 557-6446</p> | <p><u>Central Region Office</u> (Serving Madera, Fresno, and Kings Counties):</p> <p>1990 E. Gettysburg Avenue Fresno, California 93726-0244</p> <p>Main: (559) 230-5900 SBA Hotline: (559) 230-5888</p> | <p><u>Southern Region Office</u> (Serving Tulare and Kern Counties):</p> <p>34946 Flyover Court Bakersfield, California 93308</p> <p>Main: (661) 392-5500 SBA Hotline: (661) 392-5665</p> |
|--|--|---|