

San Joaquin Valley Unified Air Pollution Control District

Locking in Provisions of Permitting Policies at the Time Applications are Deemed Complete

Approved By: SIGNED
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I. Purpose

District permitting policies are intended to provide uniform and consistent guidelines for permit processing. The purpose of this document is to ensure that, as new and revised policies are developed, permitting policy changes do not unnecessarily delay or otherwise adversely affect the processing of complete applications.

II. Discussion

Because changes in permitting policies may unnecessarily delay or otherwise adversely impact application processing, it is generally the District's intent that policy provisions be "locked-in" at the time applications are deemed complete. Under certain circumstances, however, it may be appropriate to apply new or revised policies to applications that have already deemed complete. When existing policy provisions conflict with legal requirements, for example, it is absolutely necessary that the revised provisions be applied to all applications. Other examples of when the District may choose to apply a new or revised policy to complete applications include when new generally accepted emission factors have been developed, when technologies change significantly making the existing policy requirements inappropriate, and when public comments are received that change the District's decision. Therefore, in addition generally requiring that policy provisions be locked-in at completeness, this policy also includes procedures for specifying that certain complete applications may be subject to revised policy requirements.

III. Locking in Policy Provisions at Time of Completeness

Unless otherwise specifically stated in a new or revised permitting policy, the provisions of the new or revised policy shall apply only to those applications deemed complete on or after the date of the policy.

In cases where the District determines that new or revised policies must be applied to applications that have already been deemed complete, the new or revised policy will:

- 1) specifically identify which existing applications are subject to policy provisions; and
- 2) include a written justification for applying the new or revised provisions to the applications that have been deemed complete.