

## San Joaquin Valley Air Pollution Control District

### District Policy ADM 1205 Authority to Construct Application Review Process

Approved By:  Brian Clements Director of Permit Services	Approval Date: September 2, 2014 Revision Date: April 1, 2026
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#### I. Purpose of this Policy

This policy outlines the Authority to Construct (ATC) permitting process.

#### II. Applicability

This policy applies to all ATC applications received by the District, except for over-the-counter permits, to ensure they are processed consistently and in accordance with District procedures.

#### III. ATC Application Review Process

The ATC permitting process consists of two primary steps, the preliminary review and final review.

##### Preliminary Review

The purpose of the preliminary review is to ensure the District has enough information to process the ATC application during the final review, and that the required application filing fees have been received. Within 30 days of receiving an application, the processing staff shall deem the project either complete or incomplete pursuant to District Rule 2201 (New and Modified Stationary Source Review Rule). The 30-day preliminary review timeframe refers to the timeframe for staff to determine whether an application contain sufficient information to evaluate the project (determine completeness). If an application is deemed incomplete, the overall preliminary review process may take longer than 30 days in order to obtain the additional information necessary to deem the application complete. A complete application contains all necessary information to evaluate the proposed project and to determine applicability and compliance with the following:

- Best Available Control Technology
- California Environmental Quality Act (CEQA)
- Health Risk Assessment (HRA) / Risk Management Review (RMR)
- SB 288 Major Modification
- Federal Major Modification

- Public and/or School notifications
- Emission offsets
- Prevention of Significant Deterioration

#### Complete Application

Once an application is determined to be complete, a Completeness Letter is prepared and sent to the applicant. This letter informs the applicant that the District has completed the preliminary review of the application and provides an estimate of the project evaluation fees.

#### Incomplete Application

An incomplete application means the application package contains deficiencies in the information needed to conduct the final review. If the application is determined to be incomplete, an Incompleteness Letter is prepared and sent to the applicant. The letter identifies the information required to complete the application.

#### Intent to Deny / Denial

If the requested information is not received within the specified deadline, the District may issue the applicant an Intent to Deny letter and/or Final Denial letter, as appropriate, via certified mail.

### **Final Review**

The purpose of the final review is to evaluate the complete ATC application proposal to determine whether it complies with all applicable rules and regulations. The final review involves the preparation of the final application review document (also referred to as the engineering evaluation), in which the processing staff:

- Clearly and concisely describes the application proposal,
- Performs emission calculations,
- Evaluates compliance with all applicable rules and regulations, including District Rule 2201,
- Ensures the proposed project complies with CEQA requirements, and
- Prepares ATC permits with conditions that enforce the requirements of the applicable rules and regulations.

#### Public / School Notice

When project-related emissions exceed certain thresholds as identified in District Rule 2201, public notification of the project is required prior to the District making a final decision on the project. For public notification and publication purposes, the proposed project is forwarded to the California Air Resources Board (CARB) for review and is also posted on the District's website for a 30-day public comment period.

When increases in project-related emissions occur within 1,000 feet of the outer

boundary of a K-12 school site, a school public notification is required prior to the District making a final decision on the project pursuant to California Health and Safety Code 42301.6. For school public notification purposes, a notice describing the proposed project is distributed to the parents or guardians of students enrolled at the affected school(s) and to each address within a radius of 1,000 feet of the proposed equipment for a 30-day public comment period.

#### Application Review Timeframe

While the District strives to process all projects as expeditiously as possible, pursuant to District Rule 2201, the final review process may take up to 180 days after an application is deemed complete for both permitting and CEQA purposes. Applicant-proposed changes to the project can further extend the final review processing time period.

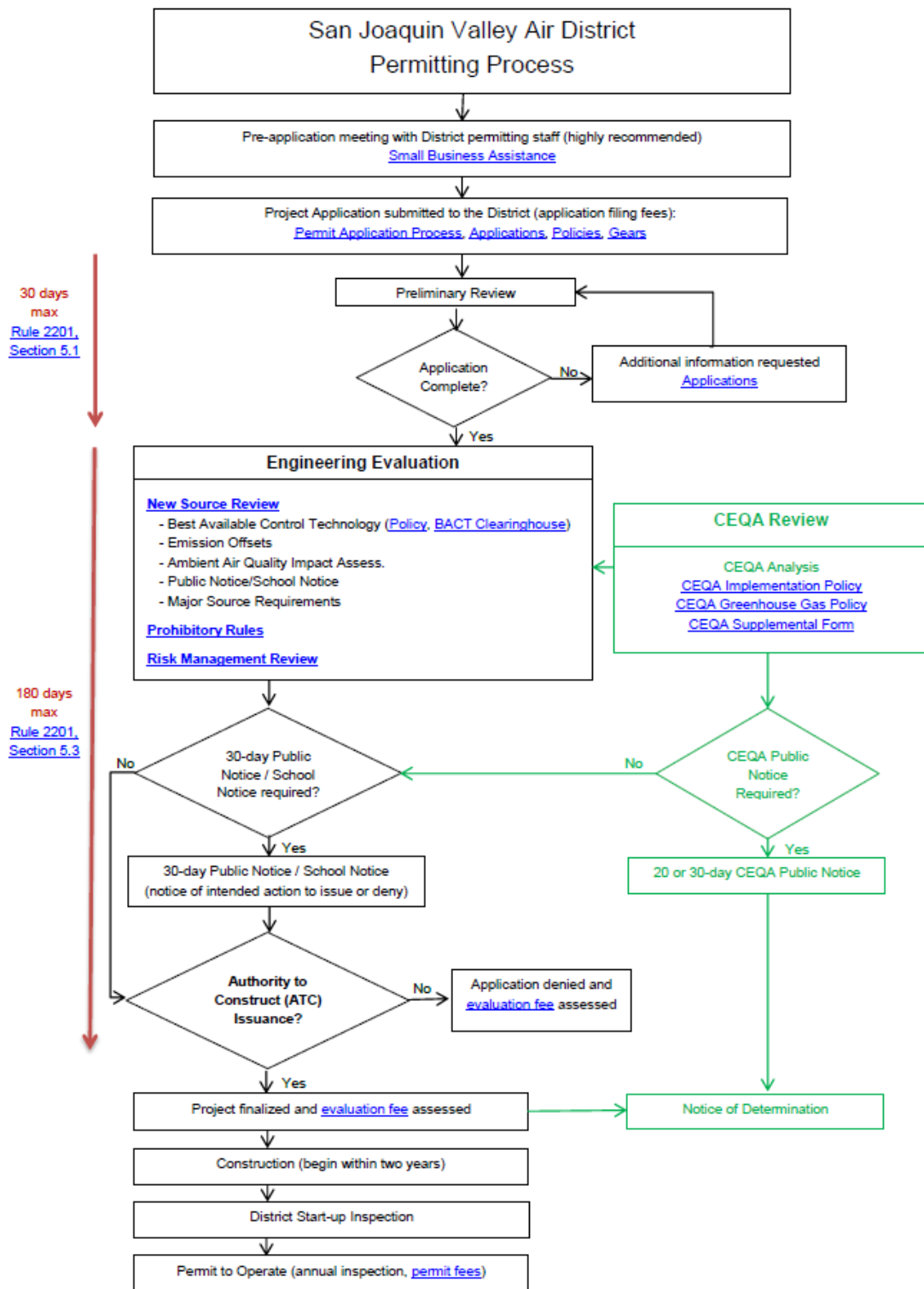
#### ATC Issuance

Following completion of the final review and, if applicable, the public notice and/or school notification period, the District shall proceed with finalizing the ATC project once all written comments received have been addressed and the proposed project is determined to comply with all applicable rules and regulations. Once the project is finalized, a cover letter, the final ATC permit(s), and an invoice for the project processing fees are sent to the applicant.

### **IV. Permitting Process Flowchart**

A permit processing guide flowchart is shown on the following page and also available at the following webpage:

[https://www.valleyair.org/media/doesidh4c/permit\\_processing\\_flowchart.pdf](https://www.valleyair.org/media/doesidh4c/permit_processing_flowchart.pdf)



**V. Revisions to this Policy**

**Revision Log**

<b>Revision Date</b>	<b>Revisions</b>
September 2, 2014	- Initial policy
April 1, 2026	- Removed internal administrative processing steps - Removed references to Permit to Operate application review to clarify that this policy applies only to Authority to Construct application review - Other minor clarifications - Added revision log