**Section 201.160 Standards for Issuance**

a) No construction permit shall be granted unless the applicant submits proof to the Agency that:

1) The emission unit or air pollution control equipment will be constructed or modified to operate so as not to cause a violation of the Act or of this Chapter; and

2) If subject to a future compliance date, the applicant has an approved compliance program and project completion schedule in accordance with the provisions of Subpart H of this Part.

b) No operating permit shall be granted unless the applicant submits proof to the Agency that:

1) The emission unit or air pollution control equipment has been constructed or modified to operate so as not to cause a violation of the Act or of this Chapter, or has been granted a variance therefrom by the Board and is in full compliance with such variance; and

2) The emission unit or air pollution control equipment has been constructed or modified in accordance with all conditions in the construction permit, where applicable; and

3) The emission unit or air pollution control equipment has been shown by tests in accordance with the provisions of Subpart J of this Part, applicable regulations, and permit conditions to operate in accordance with the emission limitations set forth in this Chapter, provided that the Agency may waive the requirement for actual tests where sufficient standard testing information is available; and

4) The applicant has taken all technically feasible measures, including changes in work rules, to minimize the duration and frequency of startups and to reduce the quantity of emissions during startups; and

5) If subject to a future compliance date, the applicant has an approved compliance program and project completion schedule in accordance with the provisions of Subpart H of this Part; and

6) If required, the applicant has an approved episode action plan in effect in accordance with the provisions of 35 Ill. Adm. Code 244.

(Source: Amended at 22 Ill. Reg. 11451, effective June 23, 1998)