

FACT SHEET

CONSTRUCTION AND RECONSTRUCTION REQUIREMENTS

Construction or Reconstruction Requirements

Various notifications and submittals related to the construction of a new affected source, or the reconstruction of an affected source are required. Separate applications for approval are required for each source construction or reconstruction.

Construction or Reconstruction Approval

After June 17, 1999, no construction of a new major affected source, reconstruction of a major affected source, or reconstruction of a major source making it an affected source, can occur without submitting an application and obtaining advance approval from the delegated authority. There is a tight schedule for submittal of an application, for facilities that began construction or reconstruction before June 17, 1999 (the effective date of the rule).

Schedule for Submittal of Construction or Reconstruction Applications

Condition	When to Submit Application for Approval
If construction or reconstruction began AFTER June 17, 1999	As soon as practicable BEFORE construction or reconstruction is scheduled to commence
If construction or reconstruction began BEFORE June 17, 1999, but not initial startup	As soon as practicable BEFORE startup, but no later than August 16, 1999 (60 days after June 17, 1999)

The MACT general provisions allow for a 60-day approval or denial period, once the facility has been notified in writing that its application is complete. The delegated authority will make a completeness determination within 30 calendar days of receipt of the original application.

Notifications for Major Source Construction or Reconstruction

Owners or operators of new or reconstructed major affected sources that have an initial startup after June 17, 1999 shall provide the following information in writing to the delegated authority:

- A notification of intention to construct a new major affected source, reconstruct a major affected source, or reconstruct a major source such that the source becomes a major affected source, along with the application for approval of construction or reconstruction;
- a notification of the date when construction or reconstruction was commenced, submitted simultaneously with the application for approval of construction or reconstruction, if construction or reconstruction was commenced before June 17, 1999;
- a notification of the date when construction or reconstruction was commenced, delivered or postmarked not later than 30 days after such date, if construction or reconstruction was commenced after June 17, 1999;
- a notification of the anticipated date of startup of the source, delivered or postmarked not more than 60 days nor less than 30 days before such date; and
- a notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.