

COLORADO DEPARTMENT OF HEALTH
Division or Section of APCD/Stationary Sources Program

INTER-OFFICE COMMUNICATION

MEMO#: PS92-3

To: Permitting Section Staff
From: Jim Geier
Re: Sources Operating without Permits/Air Requests
Date: November 12, 1992

The revisions to the State and Federal Clean Air Acts have resulted in a higher level of concern for sources to be in compliance with all regulatory requirements. We need to increase our awareness of source compliance issues and inform sources and the Compliance Monitoring and Enforcement Section of issues as they arise. The main area of concern that I have regards sources operating without appropriate permits.

When an application for a new permit is received by an engineer a quick review should be done to note if it is a source that is already operating. These sources should be identified and noted in a memo to myself and the Enforcement Section Chief. Additionally, we need to ensure that all permits are processed as expeditiously as possible. In this regard we need to follow-up on requests for additional information (AIR) and deny applications for information requests that are not received within 30 calendar days of the date the AIR letters are sent. Please let me know of any permits which you are denying based on a lack of AIR response prior to such denial. A schedule of when they intend to respond will be allowed for sources not already operating. Also, all AIR letters should include a phrase noting that construction of the source cannot commence until the permit is issued.

The Kleros permit tracking system will contain a 30 day flag for noting those AIR requests that have not been received, as a reminder.

To ensure compliance, keep us out of trouble and keep the air clean, please make sure that all applicants realize that they must have a permit before they construct and/or operate.

In order to identify problems now, I need each of you to provide me with an update of the permits you currently have in your office. Please note in a list those permits awaiting receipt of AIR and those you feel may already be operating. Hopefully you have been using the informal D-base tracking system on the lan which will make this task easier. Please provide this list to me by November 30.