

## **AMENDATORY SECTION**

### **Rule 6.1.10 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source**

- (a) Any person proposing to replace or substantially alter the emission control technology installed on an existing stationary source shall file a Notice of Construction (NOC) application with the Agency. Replacement or substantial alteration of control technology does not include routine maintenance, repair or similar parts replacement.
- (b) For projects not otherwise reviewable under Rule 6.1(a)(1) or Rule 6.1(a)(2), the Agency may:
  - (1) Require that the owner or operator employ RACT on the affected stationary source;
  - (2) Prescribe reasonable operation and maintenance conditions for the control equipment; and,
  - (3) Prescribe other requirements as authorized by chapter 70.94 RCW.
- (c) Within ~~((thirty))~~30 days ~~((of))~~of receipt of a Notice of Construction application under this rule the Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within ~~((thirty))~~30 days of receipt of a complete NOC application under this rule the Agency shall either issue an order of approval or a proposed RACT determination for the proposed project.
- (d) Construction shall not ~~((“))~~commence~~((“))~~ on a project subject to review under this rule until the Agency issues a final order of approval. However, any NOC application filed under this rule shall be deemed to be approved without conditions if the Agency takes no action within ~~((thirty))~~30 days of receipt of a complete NOC application.
- (e) Approval to replace or substantially alter emission control technology shall become invalid if construction is not commenced within ~~((eighteen))~~18 months after receipt of such approval, if construction is discontinued for a period of ~~((eighteen))~~18 months or more, or if construction is not completed within a reasonable time. The Agency may extend the ~~((eighteen))~~18-month period upon satisfactory showing that an extension is justified. This provision does not apply to the~~((time))~~ period between construction of the approved phases of a phased construction project; each phase must commence construction within ~~((eighteen))~~18 months of the projected and approved commencement date.