

567—21.3(455B) Emission reduction program.

21.3(1) Content. An air contaminant emission reduction program submitted to the department pursuant to these rules shall include a schedule for the installation of pollution control devices or the replacement or alteration of specified facilities in such a way that emissions of air contaminants are reduced to comply with the emission standard specified in 567—Chapter 23. The schedule must include, as a minimum, the following five increments of progress:

- a.* The date of submittal of the final control plan to the department.
- b.* The date by which contracts will be awarded for emission control systems or process modification or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modifications.
- c.* The date of initiation of on-site construction or installation of emission control equipment or process change.
- d.* The date by which on-site construction or installation of emission control equipment or process modification is to be completed.
- e.* The date by which final compliance is to be achieved.

21.3(2) Action. The director shall approve the programs if they are adequate and reasonable.

a. Upon approval of a program, a variance is granted for one year or until the final compliance date, whichever period is shorter. Emission reduction programs shall be reviewed annually by the director and a variance extension granted for ongoing approved emission reduction programs which show satisfactory progress toward the elimination or prevention of air pollution. The director may specify under what conditions and to what extent the variance or variance extension is granted.

b. If the director disapproves a program, the applicant may appeal to the commission, and the applicant shall have a period of 30 days from date of notification by the director in which to file an appeal.

c. Failure to meet any increment of progress in the compliance schedule contained in an approved emission reduction program may result in the disapproval by the director of the program and termination of the associated variance.

21.3(3) Reports. Each person responsible for an approved program shall make periodic written progress reports to the department, as specified by the department. The department shall make periodic reports to the commission on emission reduction programs submitted, and on the recommendations related to such programs.

This rule is intended to implement Iowa Code section 455B.143.