



APPLICATION PACKET

FOR AN

AIR QUALITY PERMIT TRANSFER

INTRODUCTION

This application packet has been designed to assist in the transfer of air quality permits. A permit may be transferred to another person if the person who holds the permit submits a transfer application at least 30 days before the proposed transfer. In accordance with Arizona Administrative Code (A.A.C.) R18-2-323, if the transfer is not denied within 10 working days after receipt of the application, it shall be deemed approved.

Please note that an application packet must be completed for each plant that will be transferred to the new Permittee.

If the applicant has any questions on how to fill out this application, please contact ADEQ's Air Quality Permit's Section at (602) 771-2337.

DISCLAIMER

This application packet does not waive the rights of the Director as provided under A.A.C. R18-2-323 to request that additional information be submitted by the applicant to assist in the processing of an application for an air quality permit transfer. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in an application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. If there are any differences in form between this application packet and Title 18, Chapter 2 of the A.A.C., the A.A.C. shall take precedence.

APPLICATION INSTRUCTIONS

1. INSTRUCTIONS

This application packet consists of the following three forms which must be completed in order to file a complete air quality permit application:

FORM A: Request for an Air Quality Permit Transfer

This form shall be completed in full by the current Permittee and is used to provide information that is specific to the current Permittee. In addition, the form also identifies the permits that will be transferred, and the provisions that will be made for the payment of overdue fees.

FORM B: Acceptance of an Air Quality Permit Transfer

This form shall be completed in full by the new Permittee and is used to provide information that is specific to the new Permittee.

FORM C: Equipment List

Both of the following tables shall be completed in full by the current Permittee:

Table C.1 of this form shall be used to provide a list of all equipment located at the facility that will be transferred from the current Permittee to the new Permittee. This list shall include the type of equipment, make, model, maximum rated capacity, serial number, manufacture date, and equipment identification number of each piece of equipment.

Table C.2 of this form shall be used to identify those pieces of equipment that will not be transferred to the new Permittee. This list shall also include the type of equipment, make, model, maximum rated capacity, serial number, manufacture date, and equipment identification number of each piece of equipment. In addition, the current Permittee shall identify the reasons that the equipment will not be transferred, as well as its future operational and air quality permit statuses.

APPLICATION INSTRUCTIONS

2. FEES

There are no fees associated with permit transfers.

3. FILING INSTRUCTIONS

Please mail FORMS A through C of the application packet to the following address:

Arizona Department Of Environmental Quality
Air Quality Division
1110 West Washington
Phoenix, Arizona 85007

Please remember to make photocopies of the completed application packet for your records prior to mailing.

FORM A

Request for an Air Quality Permit Transfer

THIS FORM SHALL BE COMPLETED BY THE CURRENT PERMITTEE

PART I: Current Permittee Information

1. Business license name of organization: _____
 2. Mailing Address: _____
City: _____ State: _____ ZIP: _____
 3. Name (or names) of Owners/Principals: _____
FAX #: _____ Phone: _____
 4. Name of Owner's Agent: _____
FAX #: _____ Phone: _____
 5. Plant/Site Manager or Contact Person/Title: _____
FAX #: _____ Phone: _____
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PART II: Permits to Be Transferred

Permit Numbers Covered by this transfer notice: _____

Please list all permits (e.g. installation, operating, unitary, minor revisions, significant revisions, administrative amendments).

PART III: Equipment to Be Transferred

Will all of the equipment covered by the air quality permit identified in Part II above, be transferred to the new Permittee identified in Part I of Form B?

Q YES Q NO

If the Answer is YES, complete Table C.1 of Form C.

If the Answer is NO, complete Tables C.1 and C.2 of Form C.

FORM B

Acceptance of an Air Quality Permit Transfer

THIS FORM SHALL BE COMPLETED BY THE NEW PERMITTEE

PART I: New Permittee Information

1. Business license name of organization: _____
2. Mailing Address: _____
City: _____ State: _____ ZIP: _____
3. Type of Organization: Corporation Individual Owner Partnership Other: _____
Government Entity (Government Facility Code: _____)
4. Name (or names) of Owners/Principals: _____
FAX #: _____ Phone: _____
5. Name of Owner's Agent: _____
FAX #: _____ Phone: _____
6. Plant/Site Manager or Contact Person/Title: _____
FAX #: _____ Phone: _____
7. Proposed Plant Name: _____
8. Proposed Plant Location/Address: _____
City: _____ County: _____ ZIP: _____
Latitude/Longitude, Elevation: _____
9. Will this plant be relocated to an Indian Reservation? - YES - NO

PART II: Request for Name Change

Attach to this application packet a letter requesting that ADEQ change the name on the permit documents to the name of the new Permittee. This letter should specify the name that should appear on the permit, as well as identify the Primary Responsible Official for the facility.

FORM B

Acceptance of an Air Quality Permit Transfer

PART III: Demonstration of Technical and Financial Capabilities

Provide sufficient information regarding the new Permittee's technical and financial capabilities with regards to operating the equipment identified in Table C.1 of Form C, to allow the Director to determine if the organization receiving the permit is capable of operating the source in compliance with the air quality permit identified in Part II of Form A and all other applicable requirements (utilize additional pages if necessary):

PART IV: Personnel Qualifications

Provide information showing the names and qualifications (resumes may be included) of all individuals principally responsible for operating the source (utilize additional pages if necessary):

FORM B

Acceptance of an Air Quality Permit Transfer

PART V: Enforcement History

Below, provide a brief description of any action for the enforcement of any federal or state law, rule or regulation, or any county, city or local government ordinance relating to the protection of the environment, instituted against any person employed by the new Permittee and principally responsible for operating the facility during the five years preceding the date of application (utilize additional pages if necessary). In lieu of this description, the new Permittee may submit a copy of the certificate of disclosure or 10-K form required under A.R.S. § 49-109, or a statement that this information has been filed in compliance with A.R.S. § 49-109 (utilize additional pages if necessary):

FORM B

Acceptance of an Air Quality Permit Transfer

PART VI: Certification by the Primary Chief Financial Officer (CFO):

I certify I have knowledge that the party accepting responsibility for the permit is financially capable of operating the facility in compliance with the law . (Please note that the information that provides the basis for this statement must be included with the air quality permit transfer application.*)

Signature of the Chief Financial Officer: _____ Date: _____

Typed or Printed Name: _____

Official Title of Signer: _____

Telephone Number: _____

* This information may include quarterly/annual reports, accounting records, etc.

PART VII: Transfer Agreement

Attach to this application packet a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee. This agreement must be signed by both the current and new Permittee.

Pursuant to A.R.S. § 41-1030:

- (1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.
 - (2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.
 - (3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.
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PART VIII: Certification of Truth, Accuracy, and Completeness

I certify that I have knowledge of the facts herein set forth on Form B and Table C.1 of Form C and that they are true, accurate and complete to the best of my knowledge and belief. I also accept responsibility for the operation of the equipment identified in Table C.1 of Form C and will operate the source in compliance with the air quality permits identified in Part II of Form A and all other applicable requirements.

Signature of Responsible Official: _____ Date: _____

Typed or Printed Name: _____

Official Title of Signer: _____

FORM C

Equipment List

THIS FORM SHALL BE COMPLETED BY THE CURRENT PERMITTEE

Table C.1 shall be used to provide a list of all equipment located at the facility that will be transferred from the current Permittee to the new Permittee. The list needs to include the type of equipment, make, model, maximum rated capacity, serial number, manufacture date, and equipment identification number of each piece of equipment (utilize additional pages if necessary).

Table C.1: Equipment to be Transferred to the New Permittee

Type of Equipment	Maximum Rated	Make	Model	Serial Number	Date of Manufacture	Equipment I.D. Number

FORM C

Equipment List

Table C.2 shall be used to identify those pieces of equipment that will not be transferred to the new Permittee. The list also needs to include the type of equipment, make, model, maximum rated capacity, serial number, manufacture date, and equipment identification number of each piece of equipment. In addition, the current Permittee shall identify the reasons that the equipment will not be transferred, as well as its future operational and air quality permit status (utilize additional pages if necessary).

Table C.2: Equipment That will not be Transferred to the New Permittee

Type of Equipment	Maximum Rated	Make	Model	Serial Number	Date of Manufacture	Equipment I.D. Number

EXPLANATION
