**Section 201.170 Portable Emission Units**

a) An emission unit is portable provided that the emission unit meets the following criteria.

1) Emissions from the emission unit are expected to occur for less than one year at any one site.

2) The emission unit of air pollution is subject to the requirements of Section 201.169 of this Subpart.

3) The emission unit or group of emission units that will be changing sites is permitted to emit less than 25 tons per year of any combination of regulated air pollutants.

4) The emission unit is mounted on a chassis or skids and is designed to be moveable.

5) The emission unit is not used as a thermal desorption system pursuant to 35 Ill. Adm. Code 728.Table F or as an incinerator system.

b) An owner or operator of a portable emission unit meeting the requirements of subsection (a) of this Section may change the site of the unit without obtaining a new construction or operating permit pursuant to Section 201.142, 201.143, or 201.169 of this Part, provided that the owner or operator meets the following requirements:

1) The owner or operator has obtained a construction and operating permit containing special conditions as required by subsection (c) of this Section for the emission unit, or is exempt pursuant to subsection (d) of this Section.

2) If a permit issued pursuant to subsection (c) of this Section includes more than one emission unit, the owner or operator shall move all emission units covered by the permit to the new site.

3) The owner or operator does not locate the emission unit on a site with a source:

###### A) That is subject to the requirements of Section 39.5 of the Act; or

B) That would become subject to the requirements of Section 39.5 of the Act if the emissions of all regulated pollutants from the portable emission unit were included in such source’s potential to emit.

4) The owner or operator does not modify the operation of the emission unit in such a way so as to:

A) Make the emission unit subject to New Source Review (NSR) requirements pursuant to 35 Ill. Adm. Code 203 or to Prevention of Significant Deterioration (PSD) pursuant to Section 9.1(a) of the Act; or

B) Make the emission unit a support facility of a source that is subject to Section 39.5 of the Act.

5) At least three days prior to moving the emission unit to a new site, the owner or operator shall notify the Agency by certified mail. The notification shall include the items listed in this subsection (b)(5), unless the emission unit is exempt pursuant to subsection (d) of this Section:

A) The location of the new site;

B) The estimated emissions of all regulated air pollutants while located at the new site; and

C) That the operation for the emission unit will be consistent with its construction and operating permits.

6) The owner or operator shall keep a copy of the construction and operating permits for that emission unit on the site where the emission unit is in operation.

c) Permit Requirements.

1) The owner or operator of an emission unit must obtain a new or amended construction and operating permit containing special conditions for changing the site of the portable emission unit pursuant to the requirements of Sections 201.142, 201.143 and 201.169 of this Subpart prior to an initial change in site of an emission unit. The permit application, in addition to the information required pursuant to Section 201.152, 201.157 and 201.169 of this Part, must contain the following information:

A) The initial site of the emission unit;

B) A permanent address where correspondence may be sent to the owner or operator; and

C) The permanent site of any required operating records.

2) If the portable emission unit has a permit pursuant to this subsection (c), but has not changed sites within the prior twelve months at least once, the owner or operator shall obtain a revised permit prior to changing the site of the emission unit.

d) The owner or operator of a portable emission unit that is included in more than one operating permit and meets the requirements of subsections (a)(2) through (a)(5), (b)(3), (b)(4) and (b)(6) of this Section may change the site of the unit without obtaining a new construction or operating permit pursuant to Section 201.142, 201.143 or 201.169 of this Part when the unit is moved to a site covered by the permit.

(Source: Added at 27 Ill. Reg. 5820, effective March 21, 2003)