

Construction Permits: Change in Facility Ownership

FREQUENTLY ASKED QUESTIONS (FAQ)

This document is intended to answer some frequently asked questions when a permitted facility undergoes a change in ownership. This guidance applies to permitted facilities in Linn County only.

1. What notifications are necessary when an existing, permitted facility changes ownership?

Construction permits are not transferable from one owner to another pursuant to [Linn County Code of Ordinances \(LCCO\) Chapter 10 Article III Section 10-58\(g\)\(2\)](#).

If permitted equipment undergoes a change in ownership, the new owner must submit a written notification to Linn County Public Health Air Quality Branch (LCPH AQB) no later than 30 days after the change. Address the notification to:

Air Quality Branch
Linn County Public Health
1020 6th Street SE
Cedar Rapids, IA 52401

If the facility has a Title V Operating Permit, additional information may be required. Please refer to [Iowa Administrative Code 567 Chapter 22.111\(1\)](#) or contact the Iowa DNR at (515) 725-8200.

2. Is there a form (Permit to Operate (PTO) application) for a change in ownership?

Yes. The notification requirements can be found in [Linn County Code of Ordinances \(LCCO\) Chapter 10 Article III Section 10-58\(g\)\(2\)](#) and require the notification to include the following information:

- The date of ownership change;
- The name, address, telephone number, and email address of the responsible official, the contact person and the owner of the equipment both before and after the ownership change;
- The PTO number(s) of the equipment changing ownership; and
- [PTO application form\(s\)](#) for each piece of equipment and applicable permit filing fees pursuant to LCCO Chapter 10 Article III Section 10-59(a). As an alternative, LCPH AQB will invoice the company for the permit filing fees.

CONSTRUCTION PERMIT QUICK REFERENCES AND LINKS

Locate a facility's current air construction permits at:

<http://www.linncleanair.org/Business-and-Industry/Issued-Permits.aspx>

Is a Modification to My Air Construction Permit Needed? Fact Sheet and FAQ:

[Permit Modification Fact Sheet](#)

[Permit Modification FAQ](#)

Construction Permit Application Forms:

<http://www.linncleanair.org/Content/Business-Industry/Application-Forms.aspx>

Construction Permit Application Fees Policy and Fee Schedule:

[Policy](#)

[Fee Schedule](#)

3. What if I find equipment at a facility I recently purchased that does not appear to have a construction permit?

If you find equipment without an existing air construction permit, first check our [Construction Permit Search](#) found on our website for the permit. You may search construction permits by company name or stack (permit) description. Contact LCPH AQB for assistance.

If the permit is not listed on the site and the equipment is not exempt or grandfathered, then you may need to fill out a construction permit application for any unpermitted equipment using the [forms](#) from our website.

4. Do I have to update my construction permit to reflect the change in ownership?

Yes, modifying the construction permit is necessary even if the only difference from the existing construction permit is the new owner or facility contact information pursuant to [LCCO Chapter 10 Article III Section 10-58\(g\)\(2\)](#). A new permit will be issued to the new owner after LCPH receives the change in ownership notification and has processed the PTO application.

Please refer to fact sheet [Is Modification to My Air Construction Permit Needed?](#) for more details on when a modification to your permit is necessary. This can include equipment relocation, stack parameter alterations or emission unit alterations.

5. Is there a fee for updating my construction permit to reflect the change in ownership?

Yes. Pursuant to LCCO Chapter 10 Article III Section 10-59(a), an application fee is required for **EACH** new PTO to be issued under an ownership change. The current fee is listed in the instructions of the [PTO application form](#) in addition to the [Fee Schedule](#).

6. What if I am the new owner and I do not plan to continue operating a source with a construction permit?

A rescission of an existing permit is necessary if the new owner plans to idle existing equipment it does not intend to operate or is removed from the facility. LCPH AQB may require the new owner to permanently cap the stack or make other physical changes to the equipment if it is to remain in place.

If a rescission is requested, please send a letter addressed to:

Air Quality Branch
Linn County Public Health
1020 6th Street SE
Cedar Rapids, IA 52401

or by email to:

ComplianceReporting-Air@linncounty.org. The letter should contain the facility number and permit number(s). Both can be found on the front page of the permit(s) in most cases.

If you have questions regarding this or any other Construction Permitting topic, please call: (319) 892-6000 and ask to speak to a member of the Air Quality Branch.
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Disclaimer: This document does not take place of any rule or law. This document may not reflect changes in rule or law that occur after the date noted below. Please contact LCPH for the most recent applicable rules.