

Repealed 5/12/2015

19-2-109.5 Private sector air quality permitting professionals certification program.

- (1) As used in this section, "AQPP" means an air quality permitting professional.
- (2) The board may establish a program to certify private sector AQPPs, including consultants and employees of companies that may seek air quality permits from the division. Any program established under this section shall include:
 - (a) a training program established and operated by the department, which describes and explains the state law and rules regarding the air quality permit application and approval procedure under this chapter;
 - (b) the requirement to pass an exam to measure qualifications of AQPP applicants;
 - (c) an option for certification of an AQPP by passing the exam without undergoing any training required under the program;
 - (d) an application process, including a fee established under Section 63J-1-504 that covers the costs of the training, testing, and application process and the department's maintenance of a list of certified AQPPs;
 - (e) certification of qualified AQPP applicants;
 - (f) maintenance by the department of a current list of certified AQPPs, which is available to the public;
 - (g) procedures for the expedited review by the department of air quality permit applications submitted by certified AQPPs; and
 - (h) professional standards for AQPPs.
- (3) The board may not require AQPP certification as a condition of preparing or submitting a notice of intent or operating permit application under this chapter.
- (4) Any program under this section shall provide for revocation of any certification issued under this section if the department determines, through an administrative hearing conducted under Title 63G, Chapter 4, Administrative Procedures Act, and Section 19-1-301, that the AQPP:
 - (a) knowingly or negligently submitted false information or data as part of an air quality permit application;
 - (b) prepared more than three air quality permit applications in one calendar year in a manner that each did not substantially comply with department application requirements; or
 - (c) prepared any air quality permit application in violation of the professional standards defined by department rule.