**340-216-0100**

**Delayed Construction**

(1) Permittees for which construction is delayed and for which a non-Major New Source Review ACDP is required may apply for a fee reduction due to delayed construction. Procedures for construction delays for Major New Source Review permitted sources are in OAR 340-224-0030(5).

(2) Permittees may apply for a reduction in the annual fee due to delayed construction after the first full year after the construction permit is issued.

(3) Annual fees for delayed construction are one half of the regular annual fee for the source.

(4) If the owner or operator intends to modify the project before construction begins or is completed, the owner or operator must obtain approval for the modification of the project following the permit application requirements in OAR 340 division 216. If construction has commenced, the owner or operator must temporarily halt construction until the permit modification is issued.

(5) Permittees who have received DEQ approval for payment of the delayed construction fee must obtain authorization from DEQ prior to beginning construction. Owners or operators must submit written notification, together with the prorated annual fee for the remaining months of the year, to DEQ at least thirty (30) days before beginning construction.

Stat. Auth.: ORS 468.020  
Stats. Implemented: ORS 468A