of the standards or limitations set forth in Subchapter c of this Chapter shall immediately report such incident to the Agency by telephone, telegraph or such other method as constitutes the fastest available alternative, except if otherwise provided in the operating permit. Thereafter, any such person shall comply with all reasonable directives of the Agency with respect to the incident. In addition, any person subject to this Subpart shall maintain such records and make such reports as may be required in procedures adopted by the Agency pursuant to Subpart K.

Section 201.264 Continued Operation or Startup Prior to Granting of Operating Permit

Any person desiring to continue to operate, or to startup in accordance with Section 201.149 prior to the date when an operating permit is required pursuant to Section 201.143 or 201.144 shall make immediate application for permission to operate during a malfunction, breakdown or startup in accordance with Section 201.261.

Section 201.265 Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup

The granting of permission to operate during a malfunction or breakdown, or to violate the standards or limitations of Subchapter c of this Chapter during startup, and full compliance with any terms and conditions connected therewith, shall be a prima facie defense to an enforcement action alleging a violation of Section 201.149, of the emission and air quality standards of this Chapter, and of the prohibition of air pollution during the time of such malfunction, breakdown or startup.

SUBPART J: MONITORING AND TESTING

Section 201.281 Permit Monitoring Equipment Requirements

a) Except as otherwise provided at Subpart L of this Part, every emission source or air pollution control equipment shall be equipped with such monitoring instruments as may be required as a condition to a permit issued by the Agency. The permit may require that such monitoring instruments be continuous or intermittent. Such monitoring instruments shall be installed, maintained and operated at the expense of the owner or operator of the emission source or air pollution control equipment. A permit condition to monitor is appealable to the Board pursuant to Section 40 of the Act.

(Source: Amended at 13 Ill. Reg. 2066, effective February 3, 1989)

Section 201.282 Testing

Every emission source or air pollution control equipment shall be subject to the following testing requirements for the purpose of determining the nature and quantities of specified air contaminant emissions and for the purpose of determining ground level and ambient air concentrations of such air contaminants:

a) Testing by Owner or Operator. The Agency may require the owner or operator of the emission source or air pollution control equipment to conduct such tests in accordance with procedures adopted by the Agency, at such reasonable times as may be specified by the Agency and at the expense of the owner or operator of the emission source or air pollution control equipment. The Agency may adopt procedures detailing methods of testing and formats for reporting results of testing. Such procedures and revisions thereto, shall not become effective until filed with the Secretary of State, as required by the APA. All such tests shall be made by or under the direction of a person qualified by training and/or experience in the field of air pollution testing. The Agency shall have the right to observe all aspects of such tests.

b) Testing by the Agency. The Agency shall have the right to conduct such tests at any time at its own expense. Upon request of the Agency, the owner or operator of the emission source or air pollution control equipment shall provide, without charge to the Agency, necessary holes in stacks or ducts and other safe and proper testing facilities, including scaffolding, but excluding instruments and sensing devices, as may be necessary.

Section 201.283 Records and Reports

Any person subject to this Subpart shall maintain such records and make such reports as may be required in procedures adopted by the Agency pursuant to Subpart K.

SUBPART K: RECORDS AND REPORTS

Section 201.301 Records

The owner or operator of any emission source or air pollution control equipment shall maintain, as a minimum: records detailing all activities pursuant to any compliance program and project completion schedule pursuant to Subpart H; records detailing all malfunctions, breakdowns or startups pursuant to Subpart I and records of all monitoring and testing conducted pursuant to Subpart J, plus records of all monitoring and testing of any type whatsoever conducted with respect to specified air contaminants. All such records shall be made available to the Agency at any reasonable time.