**Section 202.401 Duration**

a) A permit containing an ACS shall be issued for no longer than five years, or for such shorter period as the Agency may specify as necessary for periodic review of the ACS or to accomplish the purposes of the Act or of this Chapter. However, an ACS permit may not be issued for a period of time which is greater than the useful life of an emission source which contributes an emission reduction to the ACS. The burden of proving the useful life of the emission source is on the applicant.

b) Upon the initial issuance or renewal of an ACS permit, the Agency shall consider all factors which it reasonably construes as bearing upon the useful life of an emission source which contributes an emission reduction to the ACS. Where a shutdown emission source contributes an emission reduction to an ACS, the Agency shall specify the useful life of the shutdown emission source in a permit condition. Factors which the Agency considers shall include, as a minimum:

1) The anticipated useful life of the principal components of the emission source upon purchase;

2) The physical condition of the principal components of the emission source;

3) The technological acceptability of the emission source;

4) The economic viability of the emission source; and

5) The demonstrated useful life of emission sources of the same category or functional type.

c) The Agency shall make a record of the factors considered and the basis for its initial or modified determination of useful life made pursuant to subsection (b).

(Source: Amended at 8 Ill. Reg. 4171, effective March 16, 1984)