significant permit revision procedures, public notice of the proposed change must be provided in the manner required for significant permit revisions under § 71.11. Such notice shall provide at least 30 days for public comment on the requested change, shall identify the time and place of any hearing that may be held, and shall include a statement of procedures to request a hearing if a hearing has not already been scheduled. For purposes of this paragraph, such a hearing may be held as soon as 14 days after publication of a notice that the requested change is being processed as a significant permit revision. The source shall not implement the requested change unless and until the permitting authority approves it as a significant permit revision.

(iii) Any person who filed a public objection pursuant to this paragraph which the permitting authority within 28 days of public notification does not determine to be germane and nonfrivolous may bring suit in Federal court to compel action by the permitting authority and, in accordance with applicable standards for obtaining such relief under Federal law, seek an injunction in Federal court prohibiting the source from implementing the

requested change.

(iv) In the case of a program delegated pursuant to § 71.10, where the minor permit revision has not been denied or required to be reviewed under significant permit revision procedures, the permitting authority may issue a final minor permit revision after EPA's 45-day review period has elapsed provided the Administrator has not objected to the requested change, or after EPA has notified the permitting authority after the close of the public comment period that EPA will not object to issuance of the minor permit revision, whichever is first, provided that the final minor permit revision does not differ from the draft permit except to the extent any changes to the draft permit qualify for administrative permit amendment procedures under

(v) Within 60 days after the permitting authority's receipt of an application for a minor permit revision, or 15 days after the expiration of EPA's 45-day review period (in the case of a program delegated pursuant to § 71.10), whichever is later, the permitting authority shall:

paragraph (e) of this section.

(A) Issue the minor permit revision as proposed;

(B) Deny the minor permit revision application;

(C) Determine that the requested revision does not meet the minor permit revision criteria and should be reviewed

under significant permit revision procedures; or

(D) Revise the draft minor permit revision and, in the case of a program delegated pursuant to § 71.10, if such revision includes any changes that do not qualify for processing as administrative permit amendments under paragraph (e) of this section, transmit to the Administrator the new proposed permit revision as required by § 71.10(d).

(vi) Any person who objected to a minor permit revision request during the public comment period shall be notified by the permitting authority upon final approval of the request. The permitting authority shall also place a copy of its final approval decision in the public docket in which it places minor permit revision requests when received or provide a substantially equivalent means of public access to its final decision.

(6) Reopening of the public comment period. If any data, information, or arguments submitted during the public comment period appear to raise substantial new questions concerning a permit, the permitting authority may reopen or extend the comment period to give interested persons an opportunity to comment on the information or arguments submitted. Comments filed during the reopened comment period shall be limited to the substantial new questions that caused its reopening. The public notice shall define the scope of the reopening.

(7) Issuance and effective date of permit.

(i) After the close of the public comment period on a draft permit, the permitting authority shall issue a final permit decision. The permitting authority shall notify the applicant and each person who has submitted written comments or requested notice of the final permit decision. This notice shall include reference to the procedures for appealing a decision on a permit.

(ii) A final permit decision shall become effective immediately upon issuance of the decision unless a later effective date is specified in the

(8) Source's ability to make change. The source may make the change proposed in its minor permit revision application in accordance with paragraph (g)(5) of this section. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions specified in paragraphs (g)(5)(v) (A) through (D) of this section, the source must comply with both the applicable requirements governing the change and the proposed permit terms

and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to revise. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to revise may be enforced against it.

(9) Source liability. If, after a source makes the requested change but prior to a permitting authority's final action to approve the change and revise the permit, the Administrator objects to the proposed minor permit revision (in the case of a program delegated pursuant to § 71.10), or the permitting authority either denies the minor permit revision or determines that the requested revision does not meet the minor permit revision criteria and should be reviewed under significant permit revision procedures, the source shall be liable for having operated in violation of its existing permit from the time at which it implemented the requested change. Notwithstanding the preceding sentence, the permitting authority may issue a permit revision that varies from the source's application without rendering the source liable for violating its existing permit if the permitting authority's revisions are not necessary to make the change eligible for minor permit revision procedures and do not change the applicant's proposed determination of which requirements of the Act apply to the source as a result of the requested change and if the source demonstrates to the satisfaction of the permitting authority its compliance with the applicable requirement to which it is subject as a result of the change and the source's proposed permit revision. However, the source would remain liable for any violations of the requirements of the Act applicable as a result of the change and the source's proposed permit revision. [OPTION: ADD NEW SENTENCE: If, after the permitting authority's final action to revise the permit, any verification testing of the new operating level or revised monitoring approach as required by paragraph (g)(2)(vi) of this section demonstrates that the new operating level or revised monitoring approach fails to demonstrate compliance, the source then shall comply with the monitoring and recordkeeping permit terms and conditions that applied to the source before the minor permit revision, the minor permit revision shall be null and void and cease to have effect, and the source shall be liable for operating in violation of its permit from the time it implemented the change.]