

## § 74.17

(7) The allowable 1985 SO<sub>2</sub> emissions rate under § 74.23;

(8) The current allowable SO<sub>2</sub> emissions rate under § 74.24;

(9) The current promulgated SO<sub>2</sub> emissions rate under § 74.25;

(10) If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in § 74.47 for combustion sources; and

(11) A statement whether the combustion source was previously an affected unit under this part;

(12) A statement that the combustion source is not an affected unit under § 72.6 of this chapter and does not have an exemption under § 72.7, § 72.8, or § 72.14 of this chapter;

(13) A complete compliance plan for SO<sub>2</sub> under § 72.40 of this chapter; and

(14) The following statement signed by the designated representative of the combustion source: "I certify that the data submitted under subpart C of part 74 reflects actual operations of the combustion source and has not been adjusted in any way."

(b) *Accompanying documents.* The designated representative of the combustion source shall submit a monitoring plan in accordance with § 74.61.

[60 FR 17115, Apr. 4, 1995, as amended at 63 FR 18841, Apr. 16, 1998]

## § 74.17 Application requirements for process sources. [Reserved]

## § 74.18 Withdrawal.

(a) *Withdrawal through administrative amendment.* An opt-in source may request to withdraw from the Acid Rain Program by submitting an administrative amendment under § 72.83 of this chapter; provided that the amendment will be treated as received by the permitting authority upon issuance of the notification of the acceptance of the request to withdraw under paragraph (f)(1) of this section.

(b) *Requesting withdrawal.* To withdraw from the Acid Rain Program, the designated representative of an opt-in source shall submit to the Administrator and the permitting authority a request to withdraw effective January 1 of the year after the year in which the submission is made. The submission

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shall be made no later than December 1 of the calendar year preceding the effective date of withdrawal.

(c) *Conditions for withdrawal.* In order for an opt-in source to withdraw, the following conditions must be met:

(1) By no later than January 30 of the first calendar year in which the withdrawal is to be effective, the designated representative must submit to the Administrator an annual compliance certification report pursuant to § 74.43.

(2) If the opt-in source has excess emissions in the calendar year before the year for which the withdrawal is to be in effect, the designated representative must submit an offset plan for excess emissions, pursuant to part 77 of this chapter, that provides for immediate deduction of allowances.

(d) *Administrator's action on withdrawal.* After the opt-in source meets the requirements for withdrawal under paragraphs (b) and (c) of this section, the Administrator will deduct allowances required to be deducted under § 73.35 of this chapter and part 77 of this chapter and allowances equal in number to and with the same or earlier compliance use date as those allocated under § 74.40 for the first year for which the withdrawal is to be effective and all subsequent years.

(e) *Opt-in source's prior violations.* An opt-in source that withdraws from the Acid Rain Program shall comply with all requirements under the Acid Rain Program concerning all years for which the opt-in source was an affected unit, even if such requirements arise, or must be complied with after the withdrawal takes effect.

(f) *Notification.* (1) After the requirements for withdrawal under paragraphs (b) and (c) of this section are met and after the Administrator's action on withdrawal under paragraph (d) of this section is complete, the Administrator will issue a notification to the permitting authority and the designated representative of the opt-in source of the acceptance of the opt-in source's request to withdraw.

(2) If the requirements for withdrawal under paragraphs (b) and (c) of this section are not met or the Administrator's action under paragraph (d) of this section cannot be completed, the