§ 75.2 Applicability.

(a) Except as provided in paragraphs (b) and (c) of this section, the provisions of this part apply to each affected unit subject to Acid Rain emission limitations or reduction requirements for \( \text{SO}_2 \) or \( \text{NO}_X \).

(b) The provisions of this part do not apply to:

(1) A new unit for which a written exemption has been issued under §72.7 of this chapter (any new unit that serves one or more generators with total nameplate capacity of 25 MWe or less and burns only fuels with a sulfur content of 0.05 percent or less by weight may apply to the Administrator for an exemption); or

(2) Any unit not subject to the requirements of the Acid Rain Program due to operation of any paragraph of §72.6(b) of this chapter; or

(3) An affected unit for which a written exemption has been issued under §72.8 of this chapter and an exception granted under §75.67 of this part.

(c) The provisions of this part apply to sources subject to a State or federal \( \text{NO}_X \) mass emission reduction program, to the extent these provisions are adopted as requirements under such a program.

(d) The provisions of this part apply to sources subject to a State or Federal mercury (Hg) mass emission reduction program, to the extent that these provisions are adopted as requirements under such a program.

§ 75.3 General Acid Rain Program provisions.

The provisions of part 72, including the following, shall apply to this part:

(a) §72.2 (Definitions);

(b) §72.3 (Measurements, Abbreviations, and Acronyms);

(c) §72.4 (Federal Authority);

(d) §72.5 (State Authority);

(e) §72.6 (Applicability);
§ 75.4 Compliance dates.

(a) The provisions of this part apply to each existing Phase I and Phase II unit on February 10, 1993. For substitution or compensating units that are so designated under the Acid Rain permit which governs that unit and contains the approved substitution or reduced utilization plan, pursuant to §72.41 or §72.43 of this chapter, the provisions of this part become applicable upon the issuance date of the Acid Rain permit. For combustion sources seeking to enter the Opt-in Program in accordance with part 74 of this chapter, the provisions of this part become applicable upon the submission of an opt-in permit application in accordance with §74.14 of this chapter. The provisions of this part for the monitoring, recording, and reporting of NO$_X$ mass emissions become applicable on the deadlines specified in the applicable State or federal NO$_X$ mass emission reduction program, to the extent these provisions are adopted as requirements under such a program. In accordance with §75.20, the owner or operator of each existing affected unit shall ensure that all monitoring systems required by this part for monitoring SO$_2$, NO$_X$, CO$_2$, opacity, moisture and volumetric flow are installed and that all certification tests are completed no later than the following dates (except as provided in paragraphs (d) through (i) of this section):

(1) For a unit listed in table 1 of §73.10(a) of this chapter, November 15, 1993.

(2) For a substitution or a compensating unit that is designated under an approved substitution plan or reduced utilization plan pursuant to §72.41 or §72.43 of this chapter, or for a unit that is designated an early election unit under an approved NO$_X$ compliance plan pursuant to part 76 of this chapter, that is not conditionally approved and that is effective for 1995, the earlier of the following dates:

(i) January 1, 1995; or

(ii) 90 days after the issuance date of the Acid Rain permit (or date of approval of permit revision) that governs the unit and contains the approved substitution plan, reduced utilization plan, or NO$_X$ compliance plan.

(b) In accordance with §75.20, the owner or operator of each new affected unit shall ensure that all monitoring systems required under this part for monitoring of SO$_2$, NO$_X$, CO$_2$, opacity, and volumetric flow are installed and that all certification tests are completed on or before the later of the following dates:

(1) January 1, 1995, except that for a gas-fired unit or oil-fired unit located in an ozone nonattainment area or the ozone transport region, not later than January 1, 1996.

(2) For a substitution or a compensating unit that is not a substitution or compensating unit under paragraph (a)(2) of this section: January 1, 1995.

(3) For a gas-fired Phase II unit or an oil-fired Phase II unit, January 1, 1995, except that installation and certification tests for continuous emission monitoring systems for NO$_X$ and CO$_2$ or excepted monitoring systems for NO$_X$ under appendix E or CO$_2$ estimation under appendix G of this part shall be completed as follows:

(i) For an oil-fired Phase II unit or a gas-fired Phase II unit located in an ozone nonattainment area or the ozone transport region, not later than July 1, 1995; or

(ii) For an oil-fired Phase II unit or a gas-fired Phase II unit not located in an ozone nonattainment area or the ozone transport region, not later than January 1, 1996.

(4) For a gas-fired Phase II unit or an oil-fired Phase II unit, January 1, 1995, except that installation and certification tests for continuous emission monitoring systems for NO$_X$ and CO$_2$ or excepted monitoring systems for NO$_X$ under appendix E or CO$_2$ estimation under appendix G of this part shall be completed as follows:

(1) For an oil-fired Phase II unit or a gas-fired Phase II unit located in an ozone nonattainment area or the ozone transport region, not later than July 1, 1995; or

(2) For a gas-fired Phase II unit or an oil-fired Phase II unit not located in an ozone nonattainment area or the ozone transport region, not later than January 1, 1996.

(5) For combustion sources seeking to enter the Opt-in Program in accordance with part 74 of this chapter, the expiration date of a combustion source’s opt-in permit under §74.14(e) of this chapter.