§ 96.115 Delegation by CAIR designated representative and alternate CAIR designated representative.

(a) A CAIR designated representative may delegate, to one or more natural persons, his or her authority to make an electronic submission to the Administrator provided for or required under this part.

(b) An alternate CAIR designated representative may delegate, to one or more natural persons, his or her authority to make an electronic submission to the Administrator provided for or required under this part.

(c) In order to delegate authority to make an electronic submission to the Administrator in accordance with paragraph (a) or (b) of this section, the CAIR designated representative or alternate CAIR designated representative, as appropriate, must submit to the Administrator a notice of delegation, in a format prescribed by the Administrator, that includes the following elements:

1. The name, address, e-mail address, telephone number, and facsimile transmission number (if any) of such CAIR designated representative or alternate CAIR designated representative;
2. The name, address, e-mail address, telephone number, and facsimile transmission number (if any) of each such natural person (referred to as an agent);
3. For each such natural person, a list of the type or types of electronic submissions under paragraph (a) or (b) of this section for which authority is delegated to him or her; and
4. The following certification statements by such CAIR designated representative or alternate CAIR designated representative:
   (i) “I agree that any electronic submission to the Administrator that is made when I am a CAIR designated representative or alternate CAIR designated representative, as appropriate, and before this notice of delegation is superseded by another notice of delegation under 40 CFR 96.115(d) shall be deemed to be an electronic submission by me.”
   (ii) “Until this notice of delegation is superseded by another notice of delegation under 40 CFR 96.115(d), I agree to maintain an e-mail account and to notify the Administrator immediately of any change in my e-mail address unless all delegation of authority by me under 40 CFR 96.115 is terminated.”

(d) A notice of delegation submitted under paragraph (c) of this section shall be effective, with regard to the CAIR designated representative or alternate CAIR designated representative identified in such notice, upon receipt of such notice by the Administrator and until receipt by the Administrator of a superseding notice of delegation submitted by such CAIR designated representative or alternate CAIR designated representative, as appropriate. The superseding notice of delegation may replace any previously identified agent, add a new agent, or eliminate entirely any delegation of authority.

(e) Any electronic submission covered by the certification in paragraph (c)(4)(i) of this section and made in accordance with a notice of delegation effective under paragraph (d) of this section shall be deemed to be an electronic submission by the CAIR designated representative or alternate CAIR designated representative submitting such notice of delegation.


Subpart CC—Permits

Source: 70 FR 25339, May 12, 2005, unless otherwise noted.

§ 96.120 General CAIR NOx Annual Trading Program permit requirements.

(a) For each CAIR NOx source required to have a title V operating permit or required, under subpart II of this part, to have a title V operating permit or other federally enforceable permit, such permit shall include a
CAIR permit administered by the permitting authority for the title V operating permit or the federally enforceable permit as applicable. The CAIR portion of the title V permit or other federally enforceable permit as applicable shall be administered in accordance with the permitting authority’s title V operating permits regulations promulgated under part 70 or 71 of this chapter or the permitting authority’s regulations for other federally enforceable permits as applicable, except as provided otherwise by §96.105, this subpart, and subpart II of this part.

(b) Each CAIR permit shall contain, with regard to the CAIR NO\textsubscript{X} source and the CAIR NO\textsubscript{X} units at the source covered by the CAIR permit, all applicable CAIR NO\textsubscript{X} Annual Trading Program, CAIR NO\textsubscript{X} Ozone Season Trading Program, and CAIR SO\textsubscript{2} Trading Program requirements and shall be a complete and separable portion of the title V operating permit or other federally enforceable permit under paragraph (a) of this section.

[70 FR 25339, May 12, 2005, as amended at 71 FR 25383, Apr. 28, 2006]

§ 96.122 Information requirements for CAIR permit applications.

A complete CAIR permit application shall include the following elements concerning the CAIR NO\textsubscript{X} source for which the application is submitted, in a format prescribed by the permitting authority:

(a) Identification of the CAIR NO\textsubscript{X} source;

(b) Identification of each CAIR NO\textsubscript{X} unit at the CAIR NO\textsubscript{X} source; and

(c) The standard requirements under §96.106.

§ 96.123 CAIR permit contents and term.

(a) Each CAIR permit will contain, in a format prescribed by the permitting authority, all elements required for a complete CAIR permit application under §96.122.

(b) Each CAIR permit is deemed to incorporate automatically the definitions of terms under §96.102 and, upon recordation by the Administrator under subpart EE, FF, GG, or II of this part, every allocation, transfer, or deduction of a CAIR NO\textsubscript{X} allowance to or from the compliance account of the CAIR NO\textsubscript{X} source covered by the permit.

(c) The term of the CAIR permit will be set by the permitting authority, as necessary to facilitate coordination of the renewal of the CAIR permit with issuance, revision, or renewal of the CAIR NO\textsubscript{X} source’s title V operating permit or other federally enforceable permit as applicable.

[70 FR 25339, May 12, 2005, as amended at 71 FR 25383, Apr. 28, 2006]

§ 96.124 CAIR permit revisions.

Except as provided in §96.123(b), the permitting authority will revise the CAIR permit, as necessary, in accordance with the permitting authority’s title V operating permits regulations or the permitting authority’s regulations for other federally enforceable permits as applicable addressing permit revisions.