evaluate the sufficiency of such documents, if submitted.

§ 96.14 Objections concerning the NOX authorized account representative.

(a) Once a complete account certificate of representation under §96.13 has been submitted and received, the permitting authority and the Administrator will rely on the account certificate of representation unless and until a superseding complete account certificate of representation under §96.13 is received by the Administrator.

(b) Except as provided in §96.12(a) or (b), no objection or other communication submitted to the permitting authority or the Administrator concerning the authorization, or any representation, action, inaction, or submission of the NOX authorized account representative shall affect any representation, action, inaction, or submission of the NOX authorized account representative or the finality of any decision or order by the permitting authority or the Administrator under the NOX Budget Trading Program.

(c) Neither the permitting authority nor the Administrator will adjudicate any private legal dispute concerning the authorization or any representation, action, inaction, or submission of any NOX authorized account representative, including private legal disputes concerning the proceeds of NOX allowance transfers.

Subpart C—Permits

§ 96.20 General NOX Budget trading program permit requirements.

(a) For each NOX Budget source required to have a federally enforceable permit, such permit shall include a NOX Budget permit administered by the permitting authority.

(1) For NOX Budget sources required to have a title V operating permit, the NOX Budget portion of the title V permit shall be administered in accordance with the permitting authority’s regulations promulgated to administer non-title V permits, except as provided otherwise by this subpart or subpart I of this part. The applicable provisions of such non-title V permits regulations may include, but are not limited to, provisions addressing permit applications, permit application shield, permit duration, permit shield, permit issuance, permit revision and reopening, public participation, State review, and review by the Administrator.

(b) Each NOX Budget permit (including a draft or proposed NOX Budget permit, if applicable) shall contain all applicable NOX Budget Trading Program requirements and shall be a complete and segregable portion of the permit under paragraph (a) of this section.

§ 96.21 Submission of NOX Budget permit applications.

(a) Duty to apply. The NOX authorized account representative of any NOX Budget source required to have a federally enforceable permit shall submit to the permitting authority a complete NOX Budget permit application under §96.22 by the applicable deadline in paragraph (b) of this section.

(b)(1) For NOX Budget sources required to have a title V operating permit:

(i) For any source, with one or more NOX Budget units under §96.4 that commence operation before January 1, 2000, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 covering such NOX Budget units to the permitting authority at least 18 months (or such lesser time provided under the permitting authority’s title V operating permits regulations for final action on a permit application) before May 1, 2003.
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(i) For any source, with any NOX Budget unit under §96.4 that commences operation on or after January 1, 2000, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 covering such NOX Budget unit to the permitting authority at least 18 months (or such lesser time provided under the permitting authority’s title V operating permits regulations for final action on a permit application) before the later of May 1, 2003 or the date on which the NOX Budget unit commences operation.

(2) For NOX Budget sources required to have a non-title V permit:

(i) For any source, with one or more NOX Budget units under §96.4 that commences operation before January 1, 2000, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 covering such NOX Budget units to the permitting authority at least 18 months (or such lesser time provided under the permitting authority’s non-title V permits regulations for final action on a permit application) before May 1, 2003.

(ii) For any source, with any NOX Budget unit under §96.4 that commences operation on or after January 1, 2000, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 covering such NOX Budget unit to the permitting authority at least 18 months (or such lesser time provided under the permitting authority’s non-title V permits regulations for final action on a permit application) before the later of May 1, 2003 or the date on which the NOX Budget unit commences operation.

(c) Duty to reapply. (1) For a NOX Budget source required to have a title V operating permit, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 for the NOX Budget source covering the NOX Budget units at the source in accordance with the permitting authority’s title V operating permits regulations addressing permit renewal.

(2) For a NOX Budget source required to have a non-title V permit, the NOX authorized account representative shall submit a complete NOX Budget permit application under §96.22 for the NOX Budget source covering the NOX Budget units at the source in accordance with the permitting authority’s non-title V permits regulations addressing permit renewal.

§ 96.22 Information requirements for NOX Budget permit applications.

A complete NOX Budget permit application shall include the following elements concerning the NOX Budget source for which the application is submitted, in a format prescribed by the permitting authority:

(a) Identification of the NOX Budget source, including plant name and the ORIS (Office of Regulatory Information Systems) or facility code assigned to the source by the Energy Information Administration, if applicable;

(b) Identification of each NOX Budget unit at the NOX Budget source and whether it is a NOX Budget unit under §96.4 or under subpart I of this part;

(c) The standard requirements under §96.6; and

(d) For each NOX Budget opt-in unit at the NOX Budget source, the following certification statements by the NOX authorized account representative:

(1) "I certify that each unit for which this permit application is submitted under subpart I of this part is not a NOX Budget unit under 40 CFR 96.4 and is not covered by a retired unit exemption under 40 CFR 96.5 that is in effect."

(2) If the application is for an initial NOX Budget opt-in permit, "I certify that each unit for which this permit application is submitted under subpart I is currently operating, as that term is defined under 40 CFR 96.2."

§ 96.23 NOX Budget permit contents.

(a) Each NOX Budget permit (including any draft or proposed NOX Budget permit, if applicable) will contain, in a format prescribed by the permitting authority, all elements required for a complete NOX Budget permit application under §96.22 as approved or adjusted by the permitting authority.

(b) Each NOX Budget permit is deemed to incorporate automatically the definitions of terms under §96.2.