be used in determining the most stringent emissions limitation. Where the power production facility is subject to different emissions limitations depending on the type of fuel it uses during the calendar year, the most stringent emissions limitation shall be determined separately with regard to each type of fuel and the resulting limitation with the highest amount of lbs/mmBtu shall be treated as the facility’s most stringent federally enforceable or State enforceable emissions limitation.

(2) If there is no applicable emissions limitation that can be used in determining the most stringent emissions limitation under paragraph (c)(2)(v) of this section, then the power production facility has no non-utility generator emissions rate for purposes of paragraphs (c)(2)(v)(D) and (F) of this section and the generation from units and generators within the dispatch system if the facility is within the dispatch system or as generation from units and generators outside the dispatch system if the facility is outside the dispatch system.

(3) Notwithstanding paragraphs (c)(2)(v)(F) (1) and (2) of this section, if the power production facility is authorized under Federal or State law to use only natural gas as fuel, then the most stringent emissions limitation for the facility for the calendar year shall be deemed to be 0.0006 lbs/mmBtu.

(G) “Fraction of generation outside dispatch system” = 1 – fraction of generation within dispatch system – fraction of generation from non-utility generators.

(H) “Fraction of non-Phase I and non-foreign generation in NERC region” is the portion of the NERC region’s total sales generated by units and generators other than Phase I units or foreign sources in the unit’s NERC region in 1985, as set forth in table 1 of this section.

(I) “NERC region emissions rate” is the weighted average emission rate (in lbs/mmBtu) for the unit’s NERC region in 1985, as set forth in table 1 of this section.

### TABLE 1—NERC REGION GENERATION AND EMISSIONS RATE IN 1985

<table>
<thead>
<tr>
<th>NERC region</th>
<th>Fraction of non-foreign generation in NERC region</th>
<th>NERC weighted average emissions rate (lbs/mmBtu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>WSCC</td>
<td>0.847</td>
<td>0.466</td>
</tr>
<tr>
<td>SPP</td>
<td>0.948</td>
<td>0.647</td>
</tr>
<tr>
<td>SERC</td>
<td>0.749</td>
<td>1.315</td>
</tr>
<tr>
<td>NPCC</td>
<td>0.423</td>
<td>1.058</td>
</tr>
<tr>
<td>MAPP</td>
<td>0.725</td>
<td>1.171</td>
</tr>
<tr>
<td>MAIN</td>
<td>0.682</td>
<td>1.495</td>
</tr>
<tr>
<td>MAAC</td>
<td>0.750</td>
<td>1.599</td>
</tr>
<tr>
<td>ERCOT</td>
<td>1.000</td>
<td>0.491</td>
</tr>
<tr>
<td>ECAR</td>
<td>0.549</td>
<td>1.564</td>
</tr>
</tbody>
</table>

§ 72.93 Units with Phase I extension plans.

Annual compliance certification report. The designated representative for a control unit governed by a Phase I extension plan shall include in the unit’s annual compliance certification report for calendar year 1997, the start-up test results upon which the vendor is released from liability under the vendor certification of guaranteed sulfur dioxide removal efficiency under §72.42(c)(12).

§ 72.94 Units with repowering extension plans.

(a) Design and engineering and contract requirements. No later than January 1, 2000, the designated representative of a unit governed by an approved repowering plan shall submit to the Administrator and the permitting authority:

(1) Satisfactory documentation of a preliminary design and engineering effort.

(2) A binding letter agreement for the executed and binding contract (or for each in a series of executed and binding contracts) for the majority of the equipment to repower the unit using the technology conditionally approved by the Administrator under §72.44(d)(3).

(3) The letter agreement under paragraph (a)(2) of this section shall be signed and dated by each party and specify:

(1) The parties to the contract;
§ 72.96 Administrator's action on compliance certifications.

(a) The Administrator may review, and conduct independent audits concerning, any compliance certification and any other submission under the Acid Rain Program and make appropriate adjustments of the information in the compliance certifications and other submissions.

(b) The Administrator may deduct allowances from or return allowances to a source's compliance account in accordance with part 73 of this chapter based on the information in the compliance certifications and other submissions, as adjusted.

§ 72.95 Allowance deduction formula.

The following formula shall be used to determine the total number of allowances to be deducted for the calendar year from the allowances held in an affected source's compliance account as of the allowance transfer deadline applicable to that year:

\[
\text{Total allowances deducted} = Tons \text{ emitted} + \text{Allowances surrendered for underutilization} + \text{Allowances deducted for Phase I extensions} + \text{Allowances deducted for substitution or compensating units}
\]

where:

(a) “Tons emitted” is the total tons of sulfur dioxide emitted by the affected units at the source during the calendar year, as reported in accordance with part 75 of this chapter.

(b) “Allowances surrendered for underutilization” is the total number of allowances calculated in accordance with §72.92 (a) and (c).

(c) “Allowances deducted for Phase I extensions” is the total number of allowances calculated in accordance with §72.42(f)(1)(i).

(d) “Allowances deducted for substitution or compensating units” is the total number of allowances calculated in accordance with the surrender requirements specified under §72.41(d)(3) or (e)(1)(iii)(B) or §72.43(d)(2).