§ 96.22

(a) 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 permits regulations addressing operating 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 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.

(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; and

(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.”

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§ 96.30 Compliance certification report.

(a) Applicability and deadline. For each control period in which one or more NOX Budget units at a source are subject to the NOX Budget emissions limitation, the NOX authorized account representative of the source shall submit to the permitting authority and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

(b) Contents of report. The NOX authorized account representative shall include in the compliance certification report under paragraph (a) of this section the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOX Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOX Budget unit;
(2) At the NOX authorized account representative’s option, the serial numbers of the NOX allowances that are to be deducted from each unit’s compliance account under § 96.54 for the control period;
(3) At the NOX authorized account representative’s option, for units sharing a common stack and having NOX emissions that are not monitored separately or apportioned in accordance with subpart H of this part, the percentage of allowances that is to be deducted from each unit’s compliance account under § 96.54(e); and
(4) The compliance certification under paragraph (c) of this section.

(c) Compliance certification. In the compliance certification report under paragraph (a) of this section, the NOX authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOX Budget units at the source in compliance with the NOX Budget Trading Program, whether each NOX Budget unit for which the compliance certification is submitted was operated during the calendar year covered by