Environmental Protection Agency

§ 96.320 General CAIR NOx Ozone Season Trading Program permit requirements.

(a) For each CAIR NOx Ozone Season source required to have a title V operating permit or required, under subpart III 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 §96.305, this subpart and subpart III of this part.

(b) Each CAIR permit shall contain, with regard to the CAIR NOx Ozone Season source and the CAIR NOx Ozone Season units at the source covered by the CAIR permit, all applicable CAIR NOx Ozone Season Trading Program, CAIR NOx Annual Trading Program, and CAIR SO2 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 25382, May 12, 2005, as amended at 71 FR 25394, Apr. 28, 2006]

§ 96.321 Submission of CAIR permit applications.

(a) Duty to apply. The CAIR designated representative of any CAIR NOx Ozone Season source required to have a title V operating permit shall submit to the permitting authority a complete CAIR permit application under §96.322 for the source covering each CAIR NOx Ozone Season unit at the source at least 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the CAIR NOx Ozone Season unit commences commercial operation, except as provided in §96.383(a).

(b) Duty to Reapply. For a CAIR NOx Ozone Season source required to have a title V operating permit, the CAIR designated representative shall submit a complete CAIR permit application under §96.322 for the source covering each CAIR NOx Ozone Season unit at the source to renew the CAIR permit in accordance with the permitting authority’s title V operating permits regulations addressing permit renewal, except as provided in §96.383(b).

[70 FR 25382, May 12, 2005, as amended at 71 FR 25394, Apr. 28, 2006]

§ 96.322 Information requirements for CAIR permit applications.

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

(a) Identification of the CAIR NOx Ozone Season source;

(b) Identification of each CAIR NOx Ozone Season unit at the CAIR NOx Ozone Season source; and

(c) The standard requirements under §96.306.

[70 FR 25382, May 12, 2005, as amended at 71 FR 25394, Apr. 28, 2006]

§ 96.323 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 §96.322.

(b) Each CAIR permit is deemed to incorporate automatically the definitions of terms under §96.302 and, upon recordation by the Administrator