§ 96.31 Permitting authority's and Administrator's action on compliance certifications.

(a) The permitting authority or the Administrator may review and conduct independent audits concerning any compliance certification or any other submission under the NOX Budget Trading Program and make appropriate adjustments of the information in the compliance certifications or other submissions.

(b) The Administrator may deduct NOX allowances from or transfer NOX allowances to a unit’s compliance account or a source’s overdraft account based on the information in the compliance certifications or other submissions, as adjusted under paragraph (a) of this section.

Subpart E—NOX Allowance Allocations

§ 96.40 State trading program budget.

The State trading program budget allocated by the permitting authority under §96.42 for a control period will equal the total number of tons of NOX emissions apportioned to the NOX Budget units under §96.4 in the State for the control period, as determined by the applicable, approved State implementation plan.

§ 96.41 Timing requirements for NOX allowance allocations.

(a) By September 30, 1999, the permitting authority will submit to the Administrator the NOX allowance allocations, in accordance with §96.42, for the control periods in 2003, 2004, and 2005. 

(b) By April 1, 2003 and April 1 of each year thereafter, the permitting authority will submit to the Administrator the NOX allowance allocations, in accordance with §96.42, for the control period in the year that is three years after the year of the applicable deadline for submission under this paragraph (b). If the permitting authority fails to submit to the Administrator the NOX allowance allocations in accordance with this paragraph (b), the Administrator will allocate, for the applicable control period, the same number of NOX allowances as were allocated for the preceding control period. 

(c) By April 1, 2004 and April 1 of each year thereafter, the permitting authority will submit to the Administrator the NOX allowance allocations, in accordance with §96.42, for any NOX allowances remaining in the allocation set-aside for the prior control period.