

**Environmental Protection Agency**

**§ 97.141**

**§ 97.123 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 § 97.122.

(b) Each CAIR permit is deemed to incorporate automatically the definitions of terms under § 97.102 and, upon recordation by the Administrator under subpart EE, FF, GG, or II of this part, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from the compliance account of the CAIR NO<sub>x</sub> source covered by the permit.

(c) The term of the CAIR permit will be set by the permitting authority, as necessary to facilitate coordination of the renewal of the CAIR permit with issuance, revision, or renewal of the CAIR NO<sub>x</sub> source's title V operating permit or other federally enforceable permit as applicable.

**§ 97.124 CAIR permit revisions.**

Except as provided in § 97.123(b), the permitting authority will revise the CAIR permit, as necessary, in accordance with the permitting authority's title V operating permits regulations or the permitting authority's regulations for other federally enforceable permits as applicable addressing permit revisions.

**Subpart DD [Reserved]**

**Subpart EE—CAIR NO<sub>x</sub> Allowance Allocations**

**§ 97.140 State trading budgets.**

The State trading budgets for annual allocations of CAIR NO<sub>x</sub> allowances for the control periods in 2009 through 2014 and in 2015 and thereafter are respectively as follows:

State	State trading budget for 2009–2014 (tons)	State trading budget for 2015 and thereafter (tons)
Alabama .....	69,020	57,517
Delaware .....	4,166	3,472
District of Columbia .....	144	120
Florida .....	99,445	82,871
Georgia .....	66,321	55,268
Illinois .....	76,230	63,525
Indiana .....	108,935	90,779

State	State trading budget for 2009–2014 (tons)	State trading budget for 2015 and thereafter (tons)
Iowa .....	32,692	27,243
Kentucky .....	83,205	69,337
Louisiana .....	35,512	29,593
Maryland .....	27,724	23,104
Michigan .....	65,304	54,420
Minnesota .....	31,443	26,203
Mississippi .....	17,807	14,839
Missouri .....	59,871	49,892
New Jersey .....	12,670	10,558
New York .....	45,617	38,014
North Carolina .....	62,183	51,819
Ohio .....	108,667	90,556
Pennsylvania .....	99,049	82,541
South Carolina .....	32,662	27,219
Tennessee .....	50,973	42,478
Texas .....	181,014	150,845
Virginia .....	36,074	30,062
West Virginia .....	74,220	61,850
Wisconsin .....	40,759	33,966
Total .....	1,521,707	1,268,091

**§ 97.141 Timing requirements for CAIR NO<sub>x</sub> allowance allocations.**

(a) The Administrator will determine by order the CAIR NO<sub>x</sub> allowance allocations, in accordance with § 97.142(a) and (b), for the control periods in 2009, 2010, 2011, 2012, 2013, and 2014.

(b) By July 31, 2011 and July 31 of each year thereafter, the Administrator will determine by order the CAIR NO<sub>x</sub> allowance allocations, in accordance with § 97.142(a) and (b), for the control period in the fourth year after the year of the applicable deadline for determination under this paragraph.

(c) By July 31, 2009 and July 31 of each year thereafter, the Administrator will determine by order the CAIR NO<sub>x</sub> allowance allocations, in accordance with § 97.142(a),(c), and (d), for the control period in the year of the applicable deadline for determination under this paragraph.

(d) The Administrator will make available to the public each determination of CAIR NO<sub>x</sub> allowances under paragraph (a), (b), or (c) of this section and will provide an opportunity for submission of objections to the determination. Objections shall be limited to addressing whether the determination is in accordance with § 97.142. Based on any such objections, the Administrator will adjust each determination to the extent necessary to ensure that it is in accordance with § 97.142.