

---

## 40 C.F.R. § 97.87

---

### Change in regulatory status.

---

(a) *Notification.* When a NO<sub>x</sub> Budget opt-in unit becomes a NO<sub>x</sub> Budget unit under § 97.4(a), the NO<sub>x</sub> authorized account representative shall notify in writing the permitting authority and the Administrator of such change in the NO<sub>x</sub> Budget opt-in unit's regulatory status, within 30 days of such change.

(b) *Permitting authority's and Administrator's action.* (1)(i) When the NO<sub>x</sub> Budget opt-in unit becomes a NO<sub>x</sub> Budget unit under § 97.4(a), the permitting authority will revise the NO<sub>x</sub> Budget opt-in unit's NO<sub>x</sub> Budget opt-in permit to meet the requirements of a NO<sub>x</sub> Budget permit under § 97.23 as of an effective date that is the date on which such NO<sub>x</sub> Budget opt-in unit becomes a NO<sub>x</sub> Budget unit under § 97.4(a).

(ii)

(A) The Administrator will deduct from the compliance account for the NO<sub>x</sub> Budget unit under paragraph (b)(1)(i) of this section, or the overdraft account of the NO<sub>x</sub> Budget source where the unit is located, NO<sub>x</sub> allowances equal in number to and allocated for the same or a prior control period as:

(1) Any NO<sub>x</sub> allowances allocated to the NO<sub>x</sub> Budget unit (as a NO<sub>x</sub> Budget opt-in unit) under § 97.88 for any control period after the last control period during which the unit's NO<sub>x</sub> Budget opt-in permit was effective; and

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)