
40 C.F.R. § 97.1006

Standard requirements.

- (a) *Designated representative requirements.* The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§ 97.1013 through 97.1018.
- (b) *Emissions monitoring, reporting, and recordkeeping requirements.* (1) The owners and operators, and the designated representative, of each CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§ 97.1030 through 97.1035.
- (2) The emissions and heat input data determined in accordance with §§ 97.1030 through 97.1035 shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 3 allowances under §§ 97.1011 and 97.1012 and to determine compliance with the CSAPR NO_x Ozone Season Group 3 primary and secondary emissions limitations and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§ 97.1030 through 97.1035 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.
- (c) *NO_x emissions requirements—(1) CSAPR NO_x Ozone Season Group 3 primary and secondary emissions limitations—(i) Primary emissions limitation.* As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 3 allowances available for deduction for such control period under § 97.1024(a) in an amount not less than the amount determined under § 97.1024(b), comprising the sum of—
- (A) The tons of total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 3 units at the source; plus
- (B) Two times the excess, if any, over 50 tons of the sum, for all CSAPR NO_x Ozone Season Group 3 units at the source and all calendar days of the control period, of any NO_x emissions from such a unit on any calendar day of the control period exceeding the NO_x emissions that would have occurred on that calendar day if the unit had combusted the same daily heat input and emitted at any backstop daily NO_x emissions rate applicable to the unit for that control period.
- (ii) *Exceedances of primary emissions limitation.* If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 3 units at a CSAPR NO_x Ozone Season Group 3 source are in excess of the
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CSAPR NO_x Ozone Season Group 3 primary emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall hold the CSAPR NO_x Ozone Season Group 3 allowances required for deduction under § 97.1024(d); and

(B) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

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