

15A NCAC 2D .1416 EMISSION ALLOCATIONS FOR UTILITY COMPANIES

(a) After November 1, 2000 but before the EPA promulgation of revisions to 40 CFR Part 51, Subpart G, revising the nitrogen oxide budget for North Carolina, the following limits apply:

- (1) Carolina Power & Light. The total emissions from all the coal-fired boilers and combustion turbines that are not listed in Rule .1417 of this Section at Carolina Power & Light Company's Asheville, Cape Fear, Lee, Mayo, Roxboro, Sutton, and Weatherspoon facilities shall not exceed:
- (A) 12,019 tons per ozone season for 2004;
- (B) 15,566 tons per ozone season for 2005;
- (C) 14,355 tons per ozone season for 2006 and each year thereafter until revised according to Rule .1420 of this Section; and

Furthermore, except as allowed under Paragraph (d) of this Rule, individual sources at these facilities named in the table in this Subparagraph shall not exceed during the ozone season the nitrogen oxide emission allocations in the table.

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/ozone season) 2005	EMISSION ALLOCATIONS (tons/ozone season) 2006 and later
Asheville, Buncombe Co.	1	551	714	659
	2	538	697	643
Cape Fear Chatham Co	5	286	371	342
	6	406	526	485
Lee Wayne Co	1	145	188	173
	2	159	206	190
	3	465	603	556
Mayo Person Co	1	1987	2572	2373
Roxboro Person Co	1	861	1115	1028
	2	1602	2075	1914
	3	1773	2295	2116
	4	1698	2199	2028
L V Sutton New Hanover Co.	1	182	236	217
	2	198	256	236
	3	806	1044	962
Weatherspoon Robeson Co.	1	85	110	102
	2	97	125	116
	3	180	234	215

- (2) Duke Power. The total emissions from all the coal-fired boilers and combustion turbines that are not listed in Rule .1417 of this Section at Duke Power Company's Allen, Belews Creek, Buck, Cliffside, Dan River, Marshall, and Riverbend facilities shall not exceed:
- (A) 17,816 tons per ozone season for 2004;
 - (B) 23,072 tons per ozone season for 2005;
 - (C) 21,278 tons per ozone season for .2006 and each year thereafter until revised according to Rule .1420 of this Section; and

Furthermore, except as allowed under Paragraph (d) of this Rule, individual sources at these facilities named in the table in this Subparagraph shall not exceed during the ozone season the nitrogen oxide emission allocations in the table.

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/season) 2005	EMISSION ALLOCATIONS (tons/season) 2006 and later
G G Allen Gaston Co.	1	350	453	418
	2	355	460	424
	3	590	764	705
	4	528	683	630
	5	678	748	690
Belews Creek Stokes Co.	1	2591	3356	3095
	2	3020	3911	3608
Buck Rowan Co.	5	66	86	79
	6	73	95	87
	7	78	101	93
	8	319	413	381
	9	337	437	403
Cliffside Cleveland and Rutherford Co.	1	76	98	91
	2	82	106	98
	3	107	138	128
	4	120	156	144
	5	1326	1717	1584
Dan River Rockingham Co.	1	132	171	157
	2	144	186	172
	3	304	394	363
Marshall Catawba Co.	1	1011	1309	1207
	2	1056	1367	1261
	3	1784	2311	2131
	4	1764	2285	2107

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/season) 2005	EMISSION ALLOCATIONS (tons/season) 2006 and later
Riverbend Gaston Co.	10	299	387	357
	7	216	280	258
	8	225	291	268
	9	285	369	340

(b) After November 1, 2000, and after any EPA promulgation of revisions to 40 CFR Part 51, Subpart G, revising the nitrogen oxide budget for North Carolina, the following limits apply:

- (1) Carolina Power & Light. The total emissions from all the coal-fired boilers and combustion turbines that are not listed in Rule .1417 of this Section at Carolina Power & Light Company's Asheville, Cape Fear, Lee, Mayo, Roxboro, Sutton, and Weatherspoon facilities shall not exceed:
- (A) 12,019 tons per ozone season in 2004;
 - (B) 15,024 tons per ozone season for 2005;
 - (C) 11,320 tons per ozone season for 2006 and each year thereafter until revised according to Rule .1420 of this Section; and

Furthermore, except as allowed under Paragraph (d) of this Rule, individual sources at these facilities named in the table in this Subparagraph shall not exceed during the ozone season the nitrogen oxide emission allocations in the table.

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/ozone season) 2005	EMISSION ALLOCATIONS (tons/ozone season) 2006 and later
Asheville Buncombe Co	1	551	689	519
	2	538	672	507
Cape Fear Chatham Co	5	286	358	270
	6	406	508	382
Lee Wayne Co.	1	145	182	137
	2	159	199	150
	3	465	582	438
Mayo Person Co	1	1987	2483	1872

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/ozone season) 2005	EMISSION ALLOCATIONS (tons/ozone season) 2006 and later
Roxboro Person Co	1	861	1076	811
	2	1602	2003	1509
	3	1773	2215	1669
	4	1698	2122	1599
L V Sutton New Hanover Co.	1	182	228	171
	2	198	247	186
	3	806	1007	759
Weatherspoon Robeson Co.	1	85	107	80
	2	97	121	91
	3	180	225	170

- (2) Duke Power. The total emissions from all the coal-fired boilers and combustion turbines that are not listed in Rule .1417 of this Section at Duke Power Company's Allen, Belews Creek, Buck, Cliffside, Dan River, Marshall, and Riverbend facilities shall not exceed:
- (A) 17,816 tons per ozone season;
 - (B) 22,270 tons per ozone season for 2005;
 - (C) 16,780 tons per ozone season for 2006 and each year thereafter until revised according to Rule .1420 of this Section; and

Furthermore, except as allowed under Paragraph (d) of this Rule, individual sources at these facilities named in the table in this Subparagraph shall not exceed during the ozone season the nitrogen oxide emission allocations in the table.

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/ozone season) 2005	EMISSION ALLOCATIONS (tons/ozone season) 2006 and later
G G Allen Gaston Co.	1	350	437	329
	2	355	444	334
	3	590	737	556
	4	528	660	497
	5	578	722	544
Belews Creek Stokes Co.	1	2591	3239	2441
	2	3020	3775	2846
Buck Rowan Co.	5	66	83	63
	6	73	91	69

FACILITY	SOURCE	EMISSION ALLOCATIONS (tons/ozone season) 2004	EMISSION ALLOCATIONS (tons/ozone season) 2005	EMISSION ALLOCATIONS (tons/ozone season) 2006 and later
	7	78	97	73
	8	319	399	300
	9	337	422	318
Cliffside Cleveland and Rutherford Co.	1	76	95	71
	2	82	102	77
	3	107	134	101
	4	120	150	113
	5	1326	1658	1249
Dan River Rockingham Co.	1	132	165	124
	2	144	180	135
	3	304	380	286
Marshall Catawba Co.	1	1011	1263	952
	2	1056	1320	994
	3	1784	2230	1680
	4	1764	2206	1662
Riverbend Gaston Co.	10	299	374	282
	7	216	270	204
	8	225	281	212
	9	285	356	268

- (c) Posting of emission allocation. The Director shall post the emission allocations for sources covered under this Rule on the Division's web page.
- (d) Trading. Sources shall comply with the requirements of this Rule using the nitrogen oxide budget trading program set out in Rule .1419 of this Section.
- (e) Monitoring. The owner or operator of a source subject to this Rule shall show compliance using a continuous emission monitor that meets the requirements of 40 CFR Part 75, Subpart H, with such exceptions as allowed under 40 CFR Part 75, Subpart H or 40 CFR Part 96.
- (f) Operation of control devices. All emission control devices and techniques installed to comply with this Rule shall be operated during the ozone season in the manner in which they are designed and permitted to be operated.
- (g) Days of violations. For the purposes of this Rule, the number of days of violation for a source shall be determined after the end of the ozone season as follows:
- (1) To the source's allocation in this Rule, the allocations acquired before December 1 of that year under Rule .1419 of this Section are added and the allocations transferred before December 1 of that year under Rule .1419 of this Section are subtracted.

- (2) The value calculated under Subparagraph (1) of this Paragraph is compared to the actual emissions from the source for the ozone season. If the value calculated under Subparagraph (1) of this Paragraph is greater than or equal to the actual emissions from the source for the ozone season, the source is in compliance. If the value calculated under Subparagraph (1) of this Paragraph is less than the actual emissions from the source for the ozone season, the source is not in compliance.
- (3) If the source is not in compliance, beginning with September 30, the actual emissions for that day and each preceding day are subtracted from the actual emissions for the ozone season until the value calculated under Subparagraph (1) of this Paragraph is greater than or equal to the actual emissions. Each day that the source operated after this day to September 30 is a day of violation.
- (h) Modification and reconstruction. The modification or reconstruction of a source covered under this Rule shall not make that source a “new” source under this Rule. A source that is modified or reconstructed shall retain its emission allocations under Paragraph (a) or (b) of this Rule.
- (i) Additional controls. The Environmental Management Commission may specify through rulemaking a specific emission limit lower than that established under this Rule for a specific source if compliance with the lower emission limit is required as part of the State Implementation Plan to attain or maintain the ambient air quality standard for ozone.

*History Note: Authority G.S. 143-215.3(a)(1);143-215.107(a)(5), (7), (10);
Temporary Adoption Eff. November 1, 2000;
Eff. April 1, 2001;
Temporary Amendment Eff. August 1, 2001;
Amended Eff. June 1, 2004; July 15, 2002.*

15A NCAC 02D .1417 EMISSION ALLOCATIONS FOR LARGE COMBUSTION SOURCES

- (a) Applicability. This rule applies to the sources listed in Paragraph (b) of this Rule or to the following types of sources that are permitted before November 1, 2000, and are not covered under Rule .1416 of this Section:
- (1) fossil fuel-fired stationary boilers, combustion turbines, or combined cycle systems serving a generator with a nameplate capacity greater than 25 megawatts electrical and selling any amount of electricity; or
 - (2) fossil fuel-fired stationary boilers, combustion turbines, or combined cycle systems having a maximum design heat input

greater than 250 million Btu per hour that are not covered under Subparagraph (1) of this Paragraph.

(b) Initial emission allocations.

- (1) After November 1, 2000 but before the EPA promulgation of revisions to 40 CFR Part 51, Subpart G, revising the nitrogen oxide budget for North Carolina, the emission allocations in the tables in this Subparagraph shall apply. Except as allowed under Paragraph (d) of this Rule, sources named in the tables in this Subparagraph shall not exceed during the ozone season the nitrogen oxide (NO_x) emission allocations in the tables until revised according to Rule .1420 of this Section:

ELECTRICAL GENERATING UNITS

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
Butler Warner Generating, Cumberland Co.	Combustion Turbine 1	27	33	49
	Combustion Turbine 2	27	33	49
	Combustion Turbine 3	27	33	49
	Combustion Turbine 6	28	35	52
	Combustion Turbine 7	27	33	49
	Combustion Turbine 8	27	33	49
	Combustion Turbine 4	34	43	63
	Combustion Turbine 5	35	43	63
Cogentrix-Rocky Mount, Edgecombe Co.	Boiler ST unt	319	398	351

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
Cogentrix- Elizabethtown, Bladen Co.	Coal boiler ST-own	115	143	126
Cogentrix- Kenansville, Duplin Co.	Stoker boiler ST- LLE	103	128	113
Cogentrix- Lumberton, Robeson Co.	Coal boiler ST-TON	114	142	125
Cogentrix-Roxboro, Person Co.	ST-ORO	175	218	192
Cogentrix- Southport, Brunswick Co.	ST-ORT	356	443	391
Duke Power, Lincoln	Combustion Turbine 1	18	23	23
Duke Power, Lincoln	Combustion Turbine 2	18	23	23
	Combustion Turbine 3	18	23	23
	Combustion Turbine 4	18	23	23
	Combustion Turbine 5	18	23	23
	Combustion Turbine 6	18	23	23
	Combustion Turbine 7	18	23	23

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
	Combustion Turbine 8	18	23	23
	Combustion Turbine 9	18	23	23
	Combustion Turbine 10	18	23	23
	Combustion Turbine 11	18	23	23
	Combustion Turbine 12	18	23	23
	Combustion Turbine 13	18	23	23
	Combustion Turbine 14	18	23	23
	Combustion Turbine 15	18	23	23
	Combustion Turbine 16	19	24	24
Panda-Rosemary, Halifax Co.	CT-ary	35	43	32
	CW-ary	25	31	23
Roanoke Valley, Halifax Co.	1	447	557	492
	2	142	178	167
	Boiler 1	194	243	64

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
RJ Reynolds Tobaccoville Facility, Forsyth Co.	Boiler 2	218	273	64
	Boiler 3	178	223	64
	Boiler 4	190	238	64
UNC-CH, Orange Co.	Boiler no. 5, 6, and 7	116	145	128
	Boiler no. 8	120	150	113
CP&L, Lee Plant, Wayne County	Combustion Turbine 10	25	31	31
	Combustion Turbine 11	25	31	31
	Combustion Turbine 12	92	115	115
	Combustion Turbine 13	92	115	115
Dynergy, Rockingham County	Combustion Turbine 1	34	42	42
	Combustion Turbine 2	33	42	42
	Combustion Turbine 3	33	42	42
	Combustion Turbine 4	33	41	41

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
	Combustion Turbine 5	33	41	41
CP&L, Woodleaf, Rowan County	Combustion Turbine 1	22	27	27
	Combustion Turbine 2	22	27	27
	Combustion Turbine 3	22	27	27
	Combustion Turbine 4	21	27	27
	Combustion Turbine 5	22	27	27
	CP&L, Mark's Creek, Richmond County	Combustion Turbine 1	22	27
Combustion Turbine 2		22	27	27
Combustion Turbine 3		22	27	27
Combustion Turbine 4		22	27	27
Combustion Turbine 5		21	27	27
Combustion Turbine 6		21	27	27

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
	Combustion Turbine 7	22	28	28
CP&L, Asheville, Buncombe County	Combustion Turbine	60	75	75
	Combustion Turbine	60	75	75

NON-ELECTRICAL GENERATING UNITS

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
Weyerhaeuser Paper Co., Martin Co.	Riley boiler	566	709	379
	Package boiler	20	25	25
Blue Ridge Paper Products, Haywood Co.	Pulverized coal dry bottom boiler – Big Bill	212	265	141
	Pulverized coal dry bottom boiler – Peter G	187	234	125

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2006 and later
	Pulverized coal dry bottom boiler – Riley Coal	358	447	239
	Pulverized coal, wet bottom boiler – No. 4	365	456	244
	Boiler – Riley Bark	135	169	90
International Paper Corp., Halifax Co.	Wood/ bark, no. 6 oil, pulverized coal dry bottom boiler	518	648	346
Weyerhaeuser Co. New Bern Mill, Craven Co.	#1 power boiler	181	226	121
	#2 power boiler	58	72	72
International. Paper, Columbus Co.	No. 3 Power Boiler	126	158	84
	No. 4 Power Boiler	334	418	223
Fieldcrest-Cannon, Plant 1 Cabarrus Co.	Boiler	174	217	116

- (2) After November 1, 2000, and after any EPA promulgation of revisions to 40 CFR Part 51, Subpart G, revising the nitrogen oxide budget for North Carolina, the emission allocations in the tables in this Subparagraph shall apply. Except as allowed under Paragraph (d) of this Rule, sources named in the tables in this Subparagraph

shall not exceed during the ozone season the nitrogen oxide (NO_x) emission allocations in the tables until revised according to Rule .1420 of this Section:

ELECTRIC GENERATING UNITS

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSIONS ALLOCA- TIONS (tons/ozone season) 2006 and later
Butler Warner Generating, Cumberland Co.	Combustion Turbine 1	27	33	49
	Combustion Turbine 2	27	33	49
	Combustion Turbine 3	27	33	49
	Combustion Turbine 6	28	35	52
	Combustion Turbine 7	27	33	49
	Combustion Turbine 8	27	33	49
	Combustion Turbine 4	34	43	63
	Combustion Turbine 5	35	43	63
Cogentrix-Rocky Mount, Edgecombe Co.	Boiler ST- unt	319	398	351
Cogentrix- Elizabethtown, Bladen	Coal boiler ST-OWN	115	143	126
Cogentrix- Kenansville, Duplin Co.	Stoker boiler ST-LLE	103	128	113
Cogentrix- Lumberton,	Coal boiler ST-TON	114	142	125

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSIONS ALLOCA- TIONS (tons/ozone season) 2006 and later
Robeson Co.				
Cogentrix- Roxboro, Person Co.	ST-ORO	175	218	192
Cogentrix- Southport, Brunswick Co.	ST-ORT	356	444	392
Duke Power, Lincoln	Combustion Turbine 1	18	23	26
	Combustion Turbine 2	18	23	26
	Combustion Turbine 3	18	23	26
	Combustion Turbine 4	18	23	26
	Combustion Turbine 5	18	23	26
	Combustion Turbine 6	18	23	26
	Combustion Turbine 7	18	23	26
	Combustion Turbine 8	18	23	26
	Combustion Turbine 9	18	23	26
	Combustion Turbine 10	18	23	26
	Combustion Turbine 11	18	23	26
	Combustion Turbine 12	18	23	26
	Combustion Turbine 13	18	23	26
	Combustion Turbine 14	18	23	26

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSIONS ALLOCA- TIONS (tons/ozone season) 2006 and later
	Combustion Turbine 15	18	23	26
	Combustion Turbine 16	19	24	27
Panda-Rosemary, Halifax Co.	CT-ary	35	43	32
	CW-ary	25	31	23
Roanoke Valley, Halifax Co.	1	447	558	493
	2	142	178	167
RJ Reynolds Tobbaccoville Facility, Forsyth Co.	Boiler 1	194	243	64
	Boiler 2	218	273	64
	Boiler 3	178	223	64
	Boiler 4	190	238	64
UNC-CH, Orange Co.	Boiler no. 5, 6, and 7	116	145	128
	Boiler no. 8	120	150	113
CP&L, Lee Plant, Wayne County	Combustion Turbine 10	25	31	31
	Combustion Turbine 11	25	31	31
	Combustion Turbine 12	92	115	115
	Combustion Turbine 13	92	115	115
Dyneyg, Rockingham County	Combustion Turbine 1	34	42	42
	Combustion Turbine 2	33	42	42
	Combustion Turbine 3	33	42	42
	Combustion Turbine 4	33	41	41
	Combustion Turbine 5	33	41	41
CP&L, Woodleaf, Rowan County	Combustion Turbine 1	22	27	27
	Combustion Turbine 2	22	27	27

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSIONS ALLOCA- TIONS (tons/ozone season) 2006 and later
	Combustion Turbine 3	22	27	27
	Combustion Turbine 4	21	27	27
	Combustion Turbine 5	22	28	28
CP&L, Mark's Creek, Richmond County	Combustion Turbine 1	22	27	27
	Combustion Turbine 2	22	27	27
	Combustion Turbine 3	22	27	27
	Combustion Turbine 4	22	27	27
	Combustion Turbine 5	21	27	27
	Combustion Turbine 6	21	27	27
	Combustion Turbine 7	22	28	28
CP&L, Asheville, Buncombe County	Combustion Turbine	60	75	75
	Combustion Turbine	60	75	75

NON-ELECTRIC GENERATING UNITS

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozon e season) 2006 and later
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FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozon e season) 2006 and later
Weyerhaeuser Paper Company, Martin Co.	Riley boiler	566	708	379
	Package boiler	20	25	25
Blue Ridge Paper Products, Haywood Co.	Pulverized coal dry bottom boiler – Big Bill	212	265	141
	Pulverized coal dry bottom boiler – Peter G	187	234	125
	Pulverized coal dry bottom boiler – Riley Coal	358	447	239
	Pulverized coal, wet bottom boiler – No. 4	365	456	244
	boiler–Riley Bark	135	169	90
International Paper Corp., Halifax Co.	Wood/bark, no. 6 oil, pulverized coal dry bottom boiler	518	648	346
Weyerhaeuser Co. New Bern Mill, Craven Co.	#1 power boiler	181	226	121
	#2 power boiler	58	72	72
International. Paper, Columbus Co.	No. 3 Power Boiler	126	158	84
	No. 4 Power Boiler	334	418	223
Fieldcrest- Cannon, Plant 1,	Boiler	174	217	116

FACILITY	SOURCE	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2004	NO _x EMISSION ALLOCA- TIONS (tons/ozone season) 2005	NO _x EMISSION ALLOCA- TIONS (tons/ozon e season) 2006 and later
Cabarrus Co.				

- (3) Any source covered under this Rule but not listed in Subparagraph (b)(1) or (2) of this Paragraph shall have a nitrogen oxide emission allocation of zero tons per season during the ozone season.
- (c) Posting of emission allocations. The Director shall post the emission allocations for sources covered under this Rule on the Division's web page.
- (d) Trading. Sources shall comply with the requirements of this Rule using the nitrogen oxide budget trading program set out in Rule .1419 of this Section.
- (e) Monitoring. The owner or operator of a source subject to this Rule shall show compliance using a continuous emission monitor that meets the requirements of Rule .1404(d) of this Section.
- (f) Operation of control devices. All emission control devices and techniques installed to comply with this Rule shall be operated beginning May 1 through September 30 in the manner in which they are designed and permitted to be operated.
- (g) Days of violations. For the purposes of this Rule, the number of days of violation for a source shall be determined after the end of the ozone season as follows:
- (1) To the source's allocation in this Rule, the allocations acquired before December 1 of that year under Rule .1419 of this Section are added and the allocations transferred before December 1 of that year under Rule .1419 of this Section are subtracted.
 - (2) The value calculated under Subparagraph (1) of this Paragraph is compared to the actual emissions from the source for the ozone season. If the value calculated under Subparagraph (1) of this Paragraph is greater than or equal to the actual emissions from the source for the ozone season, the source is in compliance. If the value calculated under Subparagraph (1) of this Paragraph is less than the actual emissions from the source for the ozone season, the source is not in compliance.
 - (3) If the source is not in compliance, beginning with September 30, the actual emissions for that day and each preceding day are subtracted from the actual emissions for the ozone season until the value calculated under Subparagraph (1) of this Paragraph is

greater than or equal to the actual emissions. Each day that the source operated after this day to September 30 is a day of violation.

(h) Modification and reconstruction, replacement, retirement, or change of ownership. The modification or reconstruction of a source covered under this Rule shall not make that source a “new” source under this Rule. A source that is modified or reconstructed shall retain its emission allocation under Paragraph (b) of this Rule. If one or more sources covered under this Rule is replaced, the new source shall receive the allocation of the source, or sources, that it replaced instead of an allocation under Rule .1421 of this Section. If the owner of a source changes, the emission allocations under this Rule and revised emission allocations made under Rule .1420 of this Section shall remain with the source. If a source is retired, the owner or operator of the source shall follow the procedures in 40 CFR 96.5. The allocations of a retired source shall remain with the owner or operator of the retired source until a reallocation occurs under Rule .1420 of this Section when the allocation shall be removed and given to other sources if the retired source is still retired.

(i) Additional controls. The Environmental Management Commission may specify through rulemaking a specific emission limit lower than that established under this Rule for a specific source if compliance with the lower emission limit is required as part of the State Implementation Plan to attain or maintain the ambient air quality standard for ozone.

History Note: Authority G.S. 143-215.3(a)(1);143-215.107(a)(5), (7), (10);
Temporary Adoption Eff. November 1, 2000;
Temporary Amendment Eff. August 1, 2001;
Eff. July 15, 2002;
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