

3745-103-55 **NO_x applicability.**

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-103-01 of the Administrative Code titled "Referenced materials."]

- (A) Except as provided in paragraphs (B) to (D) of this rule, the provisions apply to each coal-fired utility unit that is subject to an acid rain emissions limitation or reduction requirement for SO₂ under phase I or phase II pursuant to Sections 404, 405, or 409 of the Clean Air Act.
- (B) The emission limitations for NO_x under rules 3745-103-55 to 3745-103-~~6766~~ of the Administrative Code apply to each affected coal-fired utility unit subject to Section 404(d) or 409(b) of the Clean Air Act on the date the unit is required to meet the acid rain emissions reduction requirement for SO₂.
- (C) The provisions of rules 3745-103-55 to 3745-103-~~6766~~ of the Administrative Code apply to each coal-fired substitution unit or compensating unit, designated and approved by USEPA as a phase I unit pursuant to 40 CFR 72.41 or 40 CFR 72.43 as follows:
- (1) A coal-fired substitution unit that is designated in a substitution plan that is approved by USEPA and active as of January 1, 1995 shall be treated as a phase I coal-fired utility unit for purposes of this rule. In the event the designation of such unit as a substitution unit is terminated after December 31, 1995, pursuant to 40 CFR 72.41 and the unit is no longer required to meet phase I SO₂ emissions limitations, the provisions of this part ~~will~~shall continue to apply.
 - (2) A coal-fired substitution unit that is designated in a substitution plan that is not approved by USEPA or not active as of January 1, 1995, or a coal-fired compensating unit, shall be treated as a phase II coal-fired utility unit for purposes of this rule.
- (D) The provisions of rules 3745-103-55 to 3745-103-~~6766~~ of the Administrative Code for phase I units apply to each coal-fired transfer unit governed by a phase I extension plan, approved pursuant to 40 CFR 72.42, on January 1, 1997. Notwithstanding the preceding sentence, a coal-fired transfer unit shall be subject to the acid rain emissions limitations for nitrogen oxides beginning on January 1, 1996 if, for that year, a transfer unit is allocated fewer phase I extension reserve allowances than the maximum amount that the designated representative could have requested in accordance with 40 CFR 72.42(c)(5) (as adjusted under 40 CFR 72.42(d)) unless the transfer unit is the last unit allocated phase I extension reserve allowances under the plan.

Effective:

Five Year Review (FYR) Dates: 07/31/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3704.03(E)
Rule Amplifies: 3704.03(A), 3704.03(E)
Prior Effective Dates: 6/27/02, 1/12/07, 11/10/11