

3745-14-04

Compliance certification.

(A) The compliance certification report.

For each control period in which one or more NOx budget units at a source are subject to the NOx budget program, the designated representative of the source shall submit to the director, by November thirtieth of that year, in a format prescribed by the director, a compliance certification report for each unit at the source. The compliance certification report shall include all of the following:

~~(1) For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions limitation, the NOx authorized account representative of the source shall submit to the director and the administrator, by November thirtieth of that year, a compliance certification report for each source covering all such units.~~Identification of each NOx budget unit.

~~(2) The NOx authorized account representative shall include in the compliance certification report under paragraph (A)(1) of this rule the following elements, in a format prescribed by the administrator, concerning each unit at the source and subject to the NOx budget emissions limitation for the control period covered by the report:~~

~~(a) Identification of each NOx budget unit;~~

~~(b) At the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under paragraph (E) of rule 3745-14-06 of the Administrative Code for the control period;~~

~~(c) At the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with rule 3745-14-08 of the Administrative Code, the percentage of allowances that is to be deducted from each unit's compliance account under paragraph (E)(5) of rule 3745-14-06 of the Administrative Code; and~~

~~(d) The compliance certification under paragraph (A)(3) of this rule.~~

~~(3)(2) In the compliance certification report under paragraph (A)(1) of this rule,~~Certification by the NOx authorized account~~designated~~ representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the NOx budget trading program, whether each NOx budget unit for which the compliance certification is submitted was operated during the

calendar year covered by the report in compliance with the requirements of the NOx budget ~~trading~~ program applicable to the unit, including all the following:

~~(a)~~ Whether the unit was operated in compliance with the NOx budget emissions limitation;

~~(b)~~(a) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with rule 3745-14-08 of the Administrative Code;

~~(c)~~(b) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with rule 3745-14-08 of the Administrative Code, and if conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

~~(d)~~(c) Whether the facts that form the basis for certification under rule 3745-14-08 of the Administrative Code of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under rule 3745-14-08 of the Administrative Code, if any, have changed.

~~(e)~~(d) If a change is required to be reported under paragraph ~~(A)(3)(d)~~(A)(2)(c) of this rule, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

(B) Director's ~~or administrator's~~ action on compliance certifications.

The director may review and conduct independent audits concerning any compliance certification or any other submission under the NOx budget program and make appropriate adjustments of the information in the compliance certifications or other submissions.

~~(1) The director or administrator may review and conduct independent audits concerning any compliance certification or any other submission under the NOx~~

~~budget trading program and make appropriate adjustments of the information in the compliance certifications or other submissions.~~

- ~~(2) The administrator may deduct NO_x allowances from or transfer NO_x allowances to a unit's compliance account or a source's overdraft account based on the information in the compliance certifications or other submissions, as adjusted under paragraph (B)(1) of this rule.~~

Effective:

Five Year Review (FYR) Dates: 11/17/2019

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3704.03(E)
Rule Amplifies: 3704.03(A), 3704.03(E), 3704.03(D)
Prior Effective Dates: 6/21/94, 7/18/02