

3745-103-51 **Deducting opt-in source allowances from allowance tracking system accounts.**

[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) Deduction of allowances.

- (1) The USEPA may deduct any allowances that were allocated to an opt-in source under rule 3745-103-41 of the Administrative Code by removing, from any allowance tracking system accounts in which they are held, the allowances in an amount specified in paragraph (D) of this rule, under any of the following circumstances:
 - (a) When the opt-in source has permanently shut down;~~or,~~
 - (b) When the opt-in source has been reconstructed;~~or,~~
 - (c) When the opt-in source becomes an affected unit under rule 3745-103-02 of the Administrative Code;~~or,~~
 - (d) When the opt-in source fails to renew its opt-in permit.
- (2) An opt-in allowance may not be deducted under paragraph (A)(1) of this rule from any allowance tracking system account other than the account of the source that includes the opt-in source allocated such allowance if either of the following applies:
 - (a) After the USEPA has completed the process of recordation as set forth in paragraph (a) of 40 CFR 73.34 following the deduction of allowances from the compliance account of the source that includes the opt-in source for the year for which such allowance may first be used;~~or,~~
 - (b) If the opt-in source includes in the annual compliance certification report estimates of any reduction in heat input resulting from improved efficiency under paragraph (A)(1)(a) of rule 3745-103-45 of the Administrative Code, after the USEPA has completed action on the confirmation report concerning such estimated reduction pursuant to paragraphs (C)(2)(c)(v)(c), (C)(2)(c)(v)(d), and (C)(2)(c)(v)(e) of rule 3745-103-45 of the Administrative Code for the year for which such allowance may first be used.

- (B) Method of deduction. The USEPA ~~will~~shall deduct allowances beginning with those allowances with the latest recorded date of transfer out of the compliance account of the source that includes the opt-in source.
- (C) Notification of deduction. When allowances are deducted, the USEPA ~~will~~shall send a written notification to the authorized account representative of each allowance tracking system account from which allowances were deducted. The notification ~~will~~shall state all of the following:
- (1) The serial numbers of all allowances deducted from the account~~;~~
 - (2) The reason for deducting the allowances~~, and~~
 - (3) The date of deduction of the allowances.
- (D) Amount of deduction. The USEPA may deduct allowances in accordance with paragraph (A) of this rule in an amount required to offset any excess emissions in accordance with 40 CFR Part 77 and when the source that includes the opt-in source does not hold allowances equal in number to and with the same or earlier compliance use date for the calendar years specified under paragraphs (B)(1)(a) to (B)(1)(d) of rule 3745-103-47 of the Administrative Code in an amount required to be deducted under paragraphs (B)(1)(a) to (B)(1)(d) of rule 3745-103-47 of the Administrative Code.

Effective:

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Certification

Date

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