

**10 CSR 10-6.372 Cross-State Air Pollution Rule NO<sub>x</sub> Annual Trading Program**

(1) Applicability.

(A) Unless otherwise noted in subsection (1)(B) of this rule, the provisions of 40 CFR 97.402 through 40 CFR 97.435 promulgated as of July 1, 2018 are hereby incorporated by reference as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. The following provisions are not adopted by reference in subsection (1)(A) of this rule, and instead are replaced by section (3) of this rule:

- A. 40 CFR 97.411(a);
- B. 40 CFR 97.411(b)(1); and
- C. 40 CFR 97.412(a).

2. The following provisions are not adopted by reference in subsection (1)(A) of this rule, nor are they replaced by any provisions in this rule:

A. Any of the requirements imposed on any unit in Indian country within the borders of any state in the provisions of 40 CFR 97.402 through 40 CFR 97.435;

- B. 40 CFR 97.411(b)(2);
- C. 40 CFR 97.411(c)(5)(iii);
- D. 40 CFR 97.412(b);
- E. 40 CFR 97.421(h); and
- F. 40 CFR 97.421(j).

(2) Definitions.

(A) Definitions for key words and phrases used in this rule may be found in 40 CFR 97.402 and 40 CFR 97.403, as incorporated by reference in subsection (1)(A) of this rule.

(B) Notification—Any action by the director to convey information to affected sources and interested parties. This includes, but is not limited to, public web postings with email alerts.

(C) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions. The general provisions for the Cross-State Air Pollution Rule (CSAPR) Nitrogen Oxide (NO<sub>x</sub>) Annual Trading Program may be found in 40 CFR 97.404 through 40 CFR 97.428, which, unless listed in subsection (1)(B) of this rule, are incorporated by reference in subsection (1)(A) of this rule. Subsections (3)(A) and (3)(B) of this rule replace the provisions of 40 CFR 97.411(a), 40 CFR 97.411(b)(1) and 40 CFR 97.412(a) as incorporated by reference in subsection (1)(A) of this rule.

(A) Existing Units.

1. Annual Submittal. The director must submit to the U.S. Environmental Protection Agency (EPA), in a format prescribed by the administrator, the CSAPR NO<sub>x</sub> Annual allowances listed in Table I taking into account any modifications necessary in accordance with paragraph (3)(A)2. of this rule. This submittal must meet the following schedule:

A. By June 1, 2016, the director will submit to EPA allowances for CSAPR NO<sub>x</sub> Annual units for the control periods in 2017 and 2018;

B. By June 1, 2017, the director will submit to EPA allowances for CSAPR NO<sub>x</sub> Annual units for the control periods in 2019 and 2020;

C. By June 1, 2018, the director will submit to EPA allowances for CSAPR NO<sub>x</sub> Annual units for the control periods in 2021 and 2022; and

D. By June 1, 2019, and June 1 of each year thereafter, the director will submit to EPA allowances for CSAPR NO<sub>x</sub> Annual units for the control periods in the fourth year after the year in which the submission is made.

2. Non-Operating Units. If a unit in Table I of this rule does not operate during two (2) consecutive control periods after 2014, the submittal made under paragraph (3)(A)1. of this rule will show zero (0) CSAPR NO<sub>x</sub> Annual allowances for such unit for the control period in the fifth year after these two (2) such years and in each year after that fifth year. All CSAPR NO<sub>x</sub> Annual allowances that would otherwise have been allocated to such unit will be allocated to the

new unit set-aside for the state for the respective years involved. If this subsection is applicable, any resulting changes to the submittal under paragraph (3) (A)1. of this rule will be determined in accordance with the following:

A. Every year, the director will review the operation of each unit listed in Table I and issue a notification that lists any unit in Table I that has not operated during two (2) consecutive control periods after 2014. Any notification made under this subparagraph will specify the first year in which allowances listed in Table I will be terminated for the applicable unit(s) under paragraph (3) (A)2. of this rule;

B. For each notification in subparagraph (3) (A)2.A. of this rule, the director will provide an opportunity for submission of objections to the units referenced in such notice that must be submitted by the deadline specified in such notification in order to be considered; and

C. If there are objections, the director will review them and issue a notification responding to objections received along with any adjustments made to the list.

**Table I**

<b>Source Name</b>	<b>Source ID</b>	<b>Unit ID</b>	<b>CSAPR NO<sub>x</sub> Annual unit allowances (tons) for 2017 and thereafter</b>
Asbury	2076	1	884
Audrain Power Plant	55234	CT1	2
Audrain Power Plant	55234	CT2	2
Audrain Power Plant	55234	CT3	2
Audrain Power Plant	55234	CT4	2
Audrain Power Plant	55234	CT5	1
Audrain Power Plant	55234	CT6	1
Audrain Power Plant	55234	CT7	1
Audrain Power Plant	55234	CT8	1
Blue Valley	2132	3	126
Chamois Power Plant	2169	2	248
Chillicothe	2122	GT1A	2
Chillicothe	2122	GT1B	0
Chillicothe	2122	GT2A	0
Chillicothe	2122	GT2B	0
Columbia	2123	6	22
Columbia	2123	7	60
Columbia	2123	8	0
Columbia Energy Center (MO)	55447	CT01	1
Columbia Energy Center (MO)	55447	CT02	2
Columbia Energy Center (MO)	55447	CT03	1

Columbia Energy Center (MO)	55447	CT04	1
Dogwood Energy Facility	55178	CT-1	33
Dogwood Energy Facility	55178	CT-2	30
Empire District Elec Co Energy Ctr	6223	1	1
Empire District Elec Co Energy Ctr	6223	2	2
Empire District Elec Co Energy Ctr	6223	3A	11
Empire District Elec Co Energy Ctr	6223	3B	11
Empire District Elec Co Energy Ctr	6223	4A	12
Empire District Elec Co Energy Ctr	6223	4B	12
Essex Power Plant	7749	1	8
Fairgrounds	2082	CT01	0
Greenwood Energy Center	6074	1	6
Greenwood Energy Center	6074	2	4
Greenwood Energy Center	6074	3	6
Greenwood Energy Center	6074	4	8
Hawthorn	2079	5A	2,445
Hawthorn	2079	6	1
Hawthorn	2079	7	7
Hawthorn	2079	8	8
Hawthorn	2079	9	21
Higginsville Municipal Power Plant	2131	4A	2
Higginsville Municipal Power Plant	2131	4B	0
Holden Power Plant	7848	1	5
Holden Power Plant	7848	2	6
Holden Power Plant	7848	3	5
Howard Bend	2102	CT1A	0
Howard Bend	2102	CT1B	0
Iatan	6065	1	3,094
James River	2161	GT1	7
James River	2161	GT2	13
James River	2161	3	207
James River	2161	4	235
James River	2161	5	435
John Twitty Energy Center	6195	1	801
John Twitty Energy Center	6195	CT1A	1
John Twitty Energy Center	6195	CT1B	1
John Twitty Energy Center	6195	CT2A	1
John Twitty Energy Center	6195	CT2B	1
Labadie	2103	1	2,321
Labadie	2103	2	2,495
Labadie	2103	3	2,677
Labadie	2103	4	2,613
Lake Road	2098	6	414
Lake Road	2098	GT5	2
McCartney Generating Station	7903	MGS1A	10
McCartney Generating Station	7903	MGS1B	10
McCartney Generating Station	7903	MGS2A	10

McCartney Generating Station	7903	MGS2B	10
Meramec	2104	1	646
Meramec	2104	2	609
Meramec	2104	3	1,075
Meramec	2104	4	1,499
Meramec	2104	CT01	0
Meramec	2104	CT2A	0
Meramec	2104	CT2B	0
Mexico	6650	CT01	0
Moberly	6651	CT01	0
Montrose	2080	1	725
Montrose	2080	2	710
Montrose	2080	3	746
Moreau	6652	CT01	0
New Madrid Power Plant	2167	1	2,276
New Madrid Power Plant	2167	2	2,172
Nodaway Power Plant	7754	1	4
Nodaway Power Plant	7754	2	5
Northeast Generating Station	2081	11	0
Northeast Generating Station	2081	12	0
Northeast Generating Station	2081	13	0
Northeast Generating Station	2081	14	0
Northeast Generating Station	2081	15	0
Northeast Generating Station	2081	16	0
Northeast Generating Station	2081	17	1
Northeast Generating Station	2081	18	1
Peno Creek Energy Center	7964	CT1A	11
Peno Creek Energy Center	7964	CT1B	10
Peno Creek Energy Center	7964	CT2A	10
Peno Creek Energy Center	7964	CT2B	9
Peno Creek Energy Center	7964	CT3A	11
Peno Creek Energy Center	7964	CT3B	11
Peno Creek Energy Center	7964	CT4A	10
Peno Creek Energy Center	7964	CT4B	10
Ralph Green Station	2092	3	1
Rush Island	6155	1	2,086
Rush Island	6155	2	2,106
Sibley	2094	1	222
Sibley	2094	2	219
Sibley	2094	3	1,400
Sikeston	6768	1	1,268
Sioux	2107	1	1,874
Sioux	2107	2	1,690
South Harper Peaking Facility	56151	1	15
South Harper Peaking Facility	56151	2	19
South Harper Peaking Facility	56151	3	23
St. Francis Power Plant	7604	1	31

St. Francis Power Plant	7604	2	29
State Line (MO)	7296	1	8
State Line (MO)	7296	2-1	57
State Line (MO)	7296	2-2	59
Thomas Hill Energy Center	2168	MB1	829
Thomas Hill Energy Center	2168	MB2	1,296
Thomas Hill Energy Center	2168	MB3	2,674
Viaduct	2096	CT01	0
<b>Total</b>			<b>45,818</b>

Note: Being included or excluded on the list of sources in Table I does not constitute a determination that such source is or is not a CSAPR NO<sub>x</sub> Annual unit. The determination of applicability for CSAPR NO<sub>x</sub> Annual units is in 40 CFR 97.404 as incorporated by reference in subsection (1) (A) of this rule.

(B) New Units.

1. Annual Submittal. For the CSAPR NO<sub>x</sub> Annual control period in 2017 and each control period thereafter, the director must submit to EPA, in a format prescribed by the administrator, the CSAPR NO<sub>x</sub> Annual allowances as determined under this subsection by July 1 of the applicable control period.

2. New Unit Set-Asides.

A. Allowance Calculation. Every year, the director will calculate the CSAPR NO<sub>x</sub> Annual allowance allocation to each CSAPR NO<sub>x</sub> Annual unit in a state, in accordance with subparagraphs (3)(B)3.B. through (3)(B)3.G. and (3)(B)3.L. of this rule, for the control period in the year of the applicable submittal deadline under paragraph (3)(B)1. of this rule. Once the calculations are complete, the director will contact all facilities that will receive allocations under subparagraphs (3)(B)3.B. through (3)(B)3.G. and (3)(B)3.L. of this rule for the control period in the year of the applicable submittal deadline under paragraph (3)(B)1. of this rule to confirm that the calculations were performed in accordance with this rule, and make adjustments to the calculations, if necessary.

B. Excess Allowances. If the new unit set-aside for the control period has any CSAPR NO<sub>x</sub> Annual allowances remaining after the calculations performed under subparagraphs (3)(B)3.B. through (3)(B)3.G. and (3)(B)3.L. of this rule have been completed, then allowances will be calculated in accordance with subparagraph (3)(B)3.I. of this rule.

C. Industry Requests for Excess Allowances. If a facility owner, operator, or designated representative wishes to receive allowances in accordance with subparagraph (3)(B)3.I. of this rule, for any control period, then by April 5 of the applicable control period, the facility owner, operator, or designated representative must submit information to the director confirming that a CSAPR NO<sub>x</sub> Annual unit commenced commercial operation during the period starting January 1 of the year before the year of such control period and ending March 31 of the year of such control period. The submittal must also include the calculation of eligible allowances for use in subparagraph (3)(B)3.I. of this rule, for each CSAPR NO<sub>x</sub> Annual unit that commenced commercial operation during the period starting January 1 of the year before the year of such control period and ending March 31 of the year of such control period.

(I) The calculation of eligible allowances must be in accordance with part (3)(B)3.I.(III) of this rule in order for such units to be eligible to receive any allowances in accordance with subparagraph (3)(B)3.I. of this rule.

(II) Each year, the director will review any submissions made in accordance with this paragraph to confirm that units identified in the submissions are CSAPR NO<sub>x</sub> Annual units that commenced commercial operation during the period starting January 1 of the year before the year of such control period and ending March 31 of the year of such control period. The director will also confirm that the submission includes the correct calculations for eligible allowances in accordance with part (3)(B)3.I.(III) of this rule. If, during the review, the director identifies any discrepancies with the identified units or the calculations in a submission made in accordance with this paragraph, the director may request additional information from the facility owner, operator, or designated representative that made the submission. If additional information is requested, the facility owner, operator, or designated representative must provide the requested information by the deadline specified in the information request; otherwise, units identified in such submission will not be eligible for allowances in accordance with subparagraph (3)(B)3.I. of this rule for the applicable control period.

D. Public Notification. The director will determine the CSAPR NO<sub>x</sub> Annual allowance allocation to each CSAPR NO<sub>x</sub> Annual unit in accordance with subparagraphs (3)(B)3.I., (3)(B)3.J., and (3)(B)3.L. of this rule and 40 CFR 97.406(b)(2) and 40 CFR 97.430 through 40 CFR 97.435 as incorporated by reference in subsection (1)(A) of this rule. By June 1 of each year, the director will issue a notification making available the results of all allowance determinations from the new unit set-aside for the control period in which the notification is made.

(I) For each notification in part (3)(B)2.D. of this rule, the director will provide an opportunity for submission of objections to the calculations referenced in such notice.

(II) If there are objections, the director will review them and provide notification stating the outcome.

E. Allowance Changes. If any CSAPR NO<sub>x</sub> Annual allowances are added to the new unit set-aside after submittals per subparagraph (3)(B)2.C. of this rule, the director will issue additional notifications, as deemed appropriate, of the allocation of such CSAPR NO<sub>x</sub> Annual allowances in accordance with subparagraph (3)(B)3.J. of this rule.

3. New Unit Annual Allowance Allocation Methodology. For each control period in 2017 and thereafter and for the CSAPR NO<sub>x</sub> Annual units in Missouri, the director will allocate CSAPR NO<sub>x</sub> Annual allowances to the CSAPR NO<sub>x</sub> Annual units as follows:

A. Units Eligible to Receive Allowances. The CSAPR NO<sub>x</sub> Annual allowances will be allocated to the following CSAPR NO<sub>x</sub> Annual units, except as provided in subparagraph (3)(B)3.J. of this rule:

(I) CSAPR NO<sub>x</sub> Annual units that are not listed in Table I in paragraph (3)(A)2. of this rule;

(II) CSAPR NO<sub>x</sub> Annual units whose allocation of an amount of CSAPR NO<sub>x</sub> Annual allowances for such control period listed in Table I in paragraph (3)(A)2. of this rule is covered by 40 CFR 97.411(c)(2) or (3) as incorporated by reference in subsection (1)(A) of this rule;

(III) CSAPR NO<sub>x</sub> Annual units that are listed in Table I in paragraph (3)(A)2. of this rule and the allocation to such unit(s) is terminated for the applicable control period pursuant to paragraph (3)(A)2. of this rule, and that operate during the control period immediately preceding such control period; or

(IV) For purposes of subparagraph (3)(B)3.I. of this rule, CSAPR NO<sub>x</sub> Annual units under 40 CFR 97.411(c)(1)(ii) as incorporated by reference in subsection (1)(A) of this rule whose allocation of an amount of CSAPR NO<sub>x</sub> Annual allowances for such control period under paragraph (3)(B)2. of this rule is covered by 40 CFR 97.411(c)(2) or (3) as incorporated by reference in subsection (1)(A) of this rule;

B. Total Allowances Available. The director will establish a separate new unit set-aside for the state for each such control period. Each such new unit set-aside will be allocated CSAPR NO<sub>x</sub> Annual allowances in an amount equal to the difference between the Missouri CSAPR NO<sub>x</sub> Annual trading budget for 2017 and thereafter, as set forth in 40 CFR 97.410(a), as incorporated by reference in subsection (1)(A) of this rule and the total number of allowances allocated in accordance with paragraph (3)(A)1. of this rule for such control period. The new unit set-aside will be allocated additional CSAPR NO<sub>x</sub> Annual allowances (if any) in accordance with paragraph (3)(A)2. of this rule and 40 CFR 97.411(c)(5) as incorporated by reference in subsection (1)(A) of this rule;

C. Eligible Control Periods. The director will determine, for each CSAPR NO<sub>x</sub> Annual unit described in subparagraph (3)(B)3.A. of this rule, an allocation of CSAPR NO<sub>x</sub> Annual allowances for the later of the following control periods and for each subsequent control period:

(I) The control period in 2017;

(II) The first control period after the control period in which the CSAPR NO<sub>x</sub> Annual unit commences commercial operation;

(III) For a unit described in part (3)(B)3.A.(II) of this rule, the first control period in which the CSAPR NO<sub>x</sub> Annual unit operates in the state after operating in another jurisdiction and for which the unit is not already allocated one (1) or more CSAPR NO<sub>x</sub> Annual allowances; and

(IV) For a unit described in part (3)(B)3.A.(III) of this rule, the first control period after the control period in which the unit resumes operation, or the first control period in which the allocation for such unit listed in Table I in paragraph (3)(A)2. of this rule is terminated pursuant to paragraph (3)(A)2. of this rule, whichever is later;

D. Allocations. The allocation to each CSAPR NO<sub>x</sub> Annual unit described in parts (3)(B)3.A.(I) through (3)(B)3.A.(III) of this rule and for each control period described in subparagraph (3)(B)3.C. of this rule will be an amount equal to the unit's total tons of NO<sub>x</sub> emissions during the immediately preceding control period. The director will adjust the allocation amount in this subparagraph in accordance with subparagraphs (3)(B)3.E. through (3)(B)3.G. and (3)(B)3.L. of this rule;

E. Sum of Allowances. The director will calculate the sum of the CSAPR NO<sub>x</sub> Annual allowances determined for all such CSAPR NO<sub>x</sub> Annual units under subparagraph (3)(B)3.D. of this rule in the state for such control period;

F. Extra Allowance Allocation. If the amount of CSAPR NO<sub>x</sub> Annual allowances in the new unit set-aside for the state for such control period is greater than or equal to the sum under subparagraph (3)(B)3.E. of this rule, then the director will allocate the amount of CSAPR NO<sub>x</sub> Annual allowances determined for each such CSAPR NO<sub>x</sub> Annual unit under subparagraph (3)(B)3.D. of this rule;

G. Insufficient Allowance Allocation. If the amount of CSAPR NO<sub>x</sub> Annual allowances in the new unit set-aside for the state for such control period is less than the sum under subparagraph (3)(B)3.E. of this rule, then the director will allocate to each such CSAPR NO<sub>x</sub> Annual unit the amount of the CSAPR NO<sub>x</sub> Annual allowances determined under subparagraph (3)(B)3.D. of this rule for the unit, multiplied by the amount of CSAPR NO<sub>x</sub> Annual allowances in the new unit set-aside for such control period, divided by the sum under subparagraph (3)(B)3.E. of this rule, and rounded to the nearest allowance;

H. Confirmation of Allowances. The director will contact facilities as described in subparagraph (3)(B)2.A. of this rule to confirm the amount of CSAPR NO<sub>x</sub> Annual allowances allocated under subparagraphs (3)(B)3.B. through (3)(B)3.G. and (3)(B)3.L. of this rule for such control period to each CSAPR NO<sub>x</sub> Annual unit eligible for such allocation;

I. Allowance Calculation for Units That Recently Began Operation. If, after completion of the procedures under subparagraphs (3)(B)3.E. through (3)(B)3.H. of this rule for such control period, any unallocated CSAPR NO<sub>x</sub> Annual allowances remain in the new unit set-aside for the state for such control period, the director will allocate such CSAPR NO<sub>x</sub> Annual allowances as follows:

(I) For any submission made in accordance with subparagraph (3)(B)2.C. of this rule, the submitting facility owner, operator, or designated representative may include the calculation of eligible allowances for such control period as specified in part (3)(B)3.I.(III) of this rule. If such submission is not made or fails to include the calculation of eligible allowances under this part by the April 5 deadline, or if the facility owner, operator, or designated representative fails to provide additional information requested in accordance with part (3)(B)2.C.(II) of this rule by the applicable deadline, then no allowances will be awarded to such unit in accordance with this subparagraph for such control period;

(II) The director will review submissions made in accordance with subparagraph (3) (B)2.C. of this rule, as specified in part (3) (B)2.C.(II) of this rule and may adjust the units identified in such submission if they are not eligible for allowances under this subparagraph, and the director may also adjust the calculation of eligible allowances included in such submission to ensure they are in accordance with part (3) (B)3.I.(III) of this rule;

(III) The calculation of eligible CSAPR NO<sub>x</sub> Annual allowances for a specific control period for CSAPR NO<sub>x</sub> Annual units that commenced commercial operation during the period starting January 1 of the year before the year of such control period and ending March 31 of the year of such control period must be as follows;

$$EA = \frac{(ER)(HR)(NP_{Cap})(CP_{Tot})(CF)(24^{hours}/day)(1,000^{kW}/MWe)}{(2,000^{lb}/ton)(1,000,000^{BTU}/mmBTU)}$$

Where:

- EA = eligible CSAPR NO<sub>x</sub> Annual Allowances
- ER = the unit's permitted emission rate from the unit's construction permit approved under 10 CSR 10-6.060 (lb/mmBTU)
- HR = the heat rate efficiency for the generator that the unit serves (BTU/KW-hr)
- NP<sub>Cap</sub> = nameplate capacity of the generator that the unit serves (MWe)
- CP<sub>Tot</sub> = number of days in the control period
- CF = the unit's default capacity factor from Table II below

Table II - Default Capacity Factors for New Units

Unit Types	Annual SO <sub>2</sub> & NO <sub>x</sub> Programs	Ozone Season NO <sub>x</sub> Program
Coal-Fired Steam Boiler	0.85	0.92
IGCC (Coal Gasification)	0.74	0.73
Oil-Fired Steam Boiler	0.30	0.39
Natural Gas-Fired Steam Boiler	0.44	0.47
Simple Cycle Combustion Turbine	0.24	0.32
Combined Cycle Combustion Turbine	0.66	0.71

(IV) The director will determine, for each unit described in subparagraph (3) (B)3.A. of this rule that commenced commercial operation during the period starting January 1 of the year before the year of such control period and ending March 31 of the year of such control period, the positive difference (if any) between the unit's emissions during the previous control period and the amount of eligible CSAPR NO<sub>x</sub> Annual allowances as calculated under part (3) (B)3.I.(III) of this rule;

(V) The director will determine the sum of the positive differences determined under part (3) (B)3.I.(IV) of this rule;

(VI) If the amount of unallocated CSAPR NO<sub>x</sub> Annual allowances remaining in the new unit set-aside for the state for such control period is greater than or equal to the sum determined under part (3)(B)3.I.(V) of this rule, then the director will allocate the amount of CSAPR NO<sub>x</sub> Annual allowances determined for each such CSAPR NO<sub>x</sub> Annual unit under part (3)(B)3.I.(IV) of this rule; and

(VII) If the amount of unallocated CSAPR NO<sub>x</sub> Annual allowances remaining in the new unit set-aside for the state for such control period is less than the sum under part (3)(B)3.I.(V) of this rule, then the director will allocate to each such CSAPR NO<sub>x</sub> Annual unit the amount of the CSAPR NO<sub>x</sub> Annual allowances determined under part (3)(B)3.I.(IV) of this rule for the unit, multiplied by the amount of unallocated CSAPR NO<sub>x</sub> Annual allowances remaining in the new unit set-aside for such control period, divided by the sum under part (3)(B)3.I.(V) of this rule, and rounded to the nearest allowance;

J. Distribution of Remaining Allocations. If, after completion of the procedures under subparagraphs (3)(B)3.I. and (3)(B)3.L. of this rule for such control period, any unallocated CSAPR NO<sub>x</sub> Annual allowances remain in the new unit set-aside for the state for such control period, the director will allocate to each CSAPR NO<sub>x</sub> Annual unit that is in the state, is allocated an amount of CSAPR NO<sub>x</sub> Annual allowances listed in Table I in paragraph (3)(A)2. of this rule, and continues to be allocated CSAPR NO<sub>x</sub> Annual allowances for such control period in accordance with paragraph (3)(A)2. of this rule, an amount of CSAPR NO<sub>x</sub> Annual allowances equal to the following: the total amount of such remaining unallocated CSAPR NO<sub>x</sub> Annual allowances in such new unit set-aside, multiplied by the unit's allocation listed in Table I in paragraph (3)(A)2. of this rule for such control period, divided by the remainder of the amount of tons in the applicable state NO<sub>x</sub> Annual trading budget minus the amount of tons in such new unit set-aside for the state for such control period, and rounded to the nearest allowance;

K. Public Notification. The director will issue notifications as described in subparagraphs (3)(B)2.D. and (3)(B)2.E. of this rule, of the amount of CSAPR NO<sub>x</sub> Annual allowances allocated under subparagraphs (3)(B)3.B. through (3)(B)3.G., (3)(B)3.I., (3)(B)3.J., and (3)(B)3.L. of this rule for such control period to each CSAPR NO<sub>x</sub> Annual unit eligible for such allocation; and

L. Allocation Tabulations That Exceed or Are Less Than the New Unit Set-Aside.

(I) Notwithstanding the requirements of subparagraphs (3)(B)3.B. through (3)(B)3.K. of this rule, if the calculations of allocations of a new unit set-aside for a control period in a given year under subparagraph (3)(B)3.G. of this rule, subparagraph (3)(B)3.F. and part (3)(B)3.I.(VII) of this rule, or subparagraph (3)(B)3.F., part (3)(B)3.I.(VI), and subparagraph (3)(B)3.J. of this rule would otherwise result in total allocations of such new unit set-aside exceeding the total amount of such new unit set-aside, then the director will adjust the results of the calculations under subparagraph (3)(B)3.G., part (3)(B)3.I.(VII), or subparagraph (3)(B)3.J. of this rule, as applicable, as follows. The director will list the CSAPR NO<sub>x</sub> Annual units in descending order based on the amount of such units' allocations under subparagraph (3)(B)3.G., part (3)(B)3.I.(VII), or subparagraph (3)(B)3.J. of this rule, as applicable, and, in cases of equal allocation amounts, in alphabetical order of the relevant source's name and numerical order of the relevant unit's identification number, and will reduce each unit's allocation under subparagraph (3)(B)3.G., part (3)(B)3.I.(VII), or subparagraph (3)(B)3.J. of this rule, as applicable, by one (1) CSAPR NO<sub>x</sub> Annual allowance (but not below zero (0)) in the order in which the units are listed and will repeat this reduction process as necessary, until the total allocations of such new unit set-aside equal the total amount of such new unit set-aside.

(II) Notwithstanding the requirements of subparagraphs (3)(B)3.J. and (3)(B)3.K. of this rule, if the calculations of allocations of a new unit set-aside for a control period in a given year under subparagraph (3)(B)3.F., part (3)(B)3.I.(VI), and subparagraph (3)(B)3.J. of this rule would otherwise result in a total allocations of such new unit set-aside less than the total amount of such new unit set-aside, then the director will adjust the results of the calculations under subparagraph (3)(B)3.J. of this rule, as follows. The director will list the CSAPR NO<sub>x</sub> Annual units in descending order based on the amount of such units' allocations under subparagraph (3)(B)3.J. of this rule and, in cases of equal allocation amounts, in alphabetical order of the relevant source's name and numerical order of the relevant unit's identification number, and will increase each unit's allocation under subparagraph (3)(B)3.J. of this rule by one (1) CSAPR NO<sub>x</sub> Annual allowance in the order in which the units are listed and will repeat this increase process as necessary, until the total allocations of such new unit set-aside equal the total amount of such new unit set-aside.

(4) Reporting and Record Keeping.

(A) The monitoring, reporting, and record keeping provisions of the CSAPR NO<sub>x</sub> Annual Trading Program may be found in 40 CFR 97.430 through 40 CFR 97.435 as incorporated by reference in subsection (1)(A) of this rule.

(B) The director will maintain CSAPR NO<sub>x</sub> Annual unit allowance records submitted to EPA for each CSAPR NO<sub>x</sub> Annual control period for a minimum of five (5) years.

(5) Test Methods. *(Not Applicable)*.

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)  
 FRM: 84 FR 66316 (12/4/2019) effective 1/3/2020  
 PRM: 84 FR 36859 (07/30/2019)  
 State Submission: 01/15/2019  
 State Final: 10 C.S.R. 10-6 (12/31/2018) filed 4/10/18; effective 1/30/2019  
 APDB File: MO-416; EPA-R07-OAR-2019-0337  
 Description: This revision adopts the CSAPR NOx Annual Trading Program into Missouri's SIP, thereby removing the FIP. This rule makes no changes to the federal process to allocate allowances to affected units in Missouri for compliance with the [CSAPR NOx Ozone Season Group 2/CSAPR SO2 Group 1/CSAPR NOx Annual] Trading Program.

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CFR: 40 C.F.R. 52.1320(c)  
 FRM: 81 FR 41838 (6/28/2016)  
 PRM: 81 FR 41924 (6/28/2016)  
 State Submission: 11/20/2015  
 State Final: *Section 643.050, RSMo Supp. 2013.\** Original rule filed 5/15/15, eff. 12/30/15.  
 APDB File: MO-372; EPA-R07-OAR-2016-0302  
 Description: This new rule adopts state regulations establishing state-determined allowance allocations to replace EPA's default allocations to Missouri units of CSAPR NOx Annual allowances and CSAPR SO2.

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Difference Between the State and EPA-Approved Regulation

None.