TITLE 35: ENVIRONMENTAL PROTECTION SUBTITLE B: AIR POLLUTION CHAPTER I: POLLUTION CONTROL BOARD SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 225

CONTROL OF EMISSIONS FROM LARGE COMBUSTION SOURCES

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AUTHORITY: Implementing and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].

SOURCE: Adopted in R06-25 at 31 Ill. Reg. 129, effective December 21, 2006; amended in R06-26 at 31 Ill. Reg. 12864, effective August 31, 2007; amended in R09-10 at 33 Ill. Reg. 10427, effective June 26, 2009.

SUBPART A: GENERAL PROVISIONS

Section 225.120 Abbreviations and Acronyms

Unless otherwise specified within this Part, the abbreviations used in this Part must be the same as those found in 35 Ill. Adm. Code 211. The following abbreviations and acronyms are used in this Part:

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	Act	Environmental Protection Act [415 ILCS 5]	
	ACI	activated carbon injection	
	Agency	Illinois Environmental Protection Agency	
	Btu	British thermal unit	
	CAA	Clean Air Act (42 USC 7401 et seq.)	
	CAAPP	Clean Air Act Permit Program	
	CAIR	Clean Air Interstate Rule	
	CASA	Clean Air Set-Aside	
	CEMS	continuous emission monitoring system	
	CO2	carbon dioxide	
	CPS	Combined Pollutant Standard	
	CGO	converted gross electrical output	
	CUTE	converted useful thermal energy	
	EGU	electric generating unit	
	ESP	electrostatic precipitator	
	FGD	flue gas desulfurization	
	GO	gross electrical output	
	GWh	gigawatt hour	
	HI	heat input	
	hr	hour	
	kg	kilogram	
	lb	pound	
	MPS	Multi-Pollutant Standard	
	MW	megawatt	
	MWe	megawatt electrical	

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	MWh	megawatt hour	
	NAAQS	National Ambient Air Quality Standards	
	NOx	nitrogen oxides	
	NUSA	New Unit Set-Aside	
	ORIS	Office of Regulatory Information Systems	
	O2	oxygen	
	PM2.5	particles less than 2.5 micrometers in diameter	
	RATA	relative accuracy test audit	
	SO2	sulfur dioxide	
	SNCR	_selective noncatalytic reduction	
	TTBS	Temporary Technology Based Standard	
	TCGO	total converted useful thermal energy	
	UTE	useful thermal energy	
	USEPA	United States Environmental Protection Agency	
	yr	year	

(Source: Amended at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.130 Definitions

The following definitions apply for the purposes of this Part. Unless otherwise defined in this Section or a different meaning for a term is clear from its context, the terms used in this Part have the meanings specified in 35 Ill. Adm. Code 211.

"Agency " means the Illinois Environmental Protection Agency. [415 ILCS 5/3.105]

"Averaging demonstration" means, with regard to Subpart B of this Part, a demonstration of compliance that is based on the combined performance of EGUs at two or more sources.

"Base Emission Rate" means, for a group of EGUs subject to emission standards for NOx and SO₂ pursuant to Section 225.233, the average emission rate of NO_x or SO₂ from the EGUs, in pounds per million Btu heat input, for calendar years 2003 through 2005 (or, for seasonal NO_x, the 2003 through 2005 ozone seasons), as determined from the data

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collected and quality assured by the USEPA, pursuant to the 40 CFR 72 and 96 federal Acid Rain and NOx Budget Trading Programs, for the emissions and heat input of that group of EGUs

"Board" means the Illinois Pollution Control Board. [415 ILCS 5/3.130]

"Boiler" means an enclosed fossil or other fuel- fired combustion device used to produce heat and to transfer heat to recirculating water, steam, or other medium.

"Bottoming-cycle cogeneration unit" means a cogeneration unit in which the energy input to the unit is first used to produce useful thermal energy and at least some of the reject heat from the useful thermal energy application or process is then used for electricity production.

"CAIR authorized account representative " means, for the purpose of general accounts, a responsible natural person who is authorized, in accordance with 40

CFR 96, subparts BB, FF, BBB, FFF, BBBB, and FFFF to transfer and otherwise

dispose of CAIR NO_x, SO2, and NO_x Ozone Season allowances, as applicable, held in the CAIR NO_x, SO2, and NO_x Ozone Season general account, and for the purpose of a CAIR NO_x compliance account, a CAIR SO₂ compliance account, or a CAIR NO_x Ozone Season compliance account, the CAIR designated representative of the source.

"CAIR designated representative " means, for a CAIR NO_x source, a CAIR SO₂ source, and a CAIR NO_x Ozone Season source and each CAIR NO_x unit, CAIR SO₂ unit and CAIR NO_x Ozone Season unit at the source, the natural person who is authorized by the owners and operators of the source and all such units at the source, in accordance with 40 CFR 96, subparts BB, FF, BBB, FFF, BBBB, and FFFF as applicable, to represent and legally bind each owner and operator in matters pertaining to the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Programs: CAIR NO_x Annual Trading Program, or the federal Acid Rain Program, the designated representative for the unit must be the same natural person for all programs applicable to the unit.

"Coal" means any solid fuel classified as anthracite, bituminous, subbituminous, or lignite by the American Society for Testing and Materials (ASTM) Standard Specification for Classification of Coals by Rank D388-77, 90, 91, 95, 98a, or 99 (Reapproved 2004).

"Coal-derived fuel" means any fuel (whether in a solid, liquid or gaseous state) produced by the mechanical, thermal, or chemical processing of coal.

"Coal- fired" means :

For purposes of Subparts B and F, or for purposes of allocating allowances under Sections 225.435, 225.445, 225.535, and 225.545, combusting any amount of coal

SUBTITLE BCHAPTER ISUBCHAPTER cor coal-derived fuel, alone or in combination with any amount of any other fuel,during a specified year;.

Except as provided above, combusting any amount of coal or coal-derived fuel, alone or in combination with any amount of any other fuel.

"Cogenetion unit" means, for the purposes of Subparts C, D, and E, a stationary, fossil fuel- fired boiler or a stationary, fossil fuel- fired combustion turbine of which both of the following conditions are true :

It uses equipment to produce electricity and useful thermal energy for industrial, commercial, heating, or cooling purposes through the sequential use of energy; and

It produces either of the following during the 12-month period beginning on the date the unit first produces electricity and during any subsequent calendar year after that in which the unit first produces electricity:

For a topping-cycle cogeneration unit, both of the following: Useful thermal energy not less than five percent of total energy output; and

Useful power that, when added to one-half of useful thermal energy produced, is not less than 42.5 percent of total energy input, if useful thermal energy produced is 15 percent or more of total energy output, or not less than 45 percent of total energy input if useful thermal energy produced is less than 15 percent of total energy output; or

For a bottoming- cycle cogeneration unit, useful power not less than 45 percent of total energy input.

"Combined cycle system" means a system comprised of one or more combustion turbines, heat recovery steam generators, and steam turbines configured to improve overall efficiency of electricity generation or steam production.

"Combustion turbine" means:

An enclosed device comprising a compressor, a combustor, and a turbine and in which the flue gas resulting from the combustion of fuel in the combustor passes through the turbine, rotating the turbine; and

If the enclosed device described in the above paragraph of this definition is combined cycle, any associated duct burner, heat recovery steam generator and steam turbine.

"Commence commercial operation" means, for the purposes of Subparts B and F of this Part, with regard to an EGU that serves a generator, to have begun to produce steam, gas, or other heated medium used to generate electricity for sale or use, including test generation. Such date must remain the unit's date of commencement of operation even if

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SUBTITLE BCHAPTER ISUBCHAPTER cthe EGU is subsequently modified, reconstructed or repowered. For the purposes ofSubparts C, D and E, "commence commercial operation" is as defined in Section225.150.

"Commence construction" means, for the purposes of Section 225.460(f), 225.470, 225.560(f), and 225.570, that the owner or owner's designee has obtained all necessary preconstruction approvals (e.g., zoning) or permits and either has:

Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the sour ce to be completed within a reasonable time.

For purposes of this definition:

"Construction" shall be determined as any physical change or change in the method of operation, including but not limited to fabrication, erection, installation, demolition, or modification of projects eligible for CASA allowances, as set forth in Sections 225.460 and 225.560.

"A reasonable time " shall be determined considering but not limited to the following factors: the nature and size of the project, the extent of design engineering, the amount of off- site preparation, whether equipment can be fabricated or can be purchased, when the project begins (considering both the seasonal nature of the construction activity and the existence of other projects competing for construction labor at the same time, the place of the environmental permit in the sequence of corporate and overall governmental approval), and the nature of the project sponsor (e.g., private, public, regulated).

"Commence operation", for purposes of Subparts C, D and E, means:

To have begun any mechanical, chemical, or electronic process, including, for the purpose of a unit, start-up of a unit's combustion chamber, except as provided in 40 CFR 96.105, 96.205, or 96.305, as incorporated by reference in Section 225.140.

For a unit that undergoes a physical change (other than replacement of the unit by a unit at the same source) after the date the unit commences operation as set forth in the first paragraph of this definition, such date will remain the date of commencement of operation of the unit, which will continue to be treated as the same unit.

For a unit that is replaced by a unit at the same source (e.g., repowered), after the date the unit commences operation as set forth in the first paragraph of this definition, such date will remain the replaced unit's date of commencement of

SUBTITLE BCHAPTER ISUBCHAPTER coperation, and the replacement unit will be treated as a separate unit with aseparate date for commencement of operation as set forth in this definition asappropriate.

"Common stack " means a single flue through which emissions from two or more units are exhausted.

"Compliance account " means :

For the purposes of Subparts D and E, a CAIR NO_x Allowance Tracking System account, established by the USEPA for a CAIR NO_x source or CAIR NO_x Ozone Season source pursuant to 40 CFR 96, subparts FF and FFFF in which any CAIR NO_x allowance or CAIR NO_x Ozone Season allowance allocations for the CAIR NO_x units or CAIR NO_x Ozone Season units at the source are initially recorded and in which are held any CAIR NO_x or CAIR NO_x Ozone Season allowances available for use for a control period in order to meet the source's CAIR NO_x or CAIR NO_x Ozone Season emissions limitations in accordance with Sections 225.410 and 225.510, and 40 CFR 96.154 and 96.354, as incorporated by reference in Section 225.140. CAIR NO_x allowances may not be used for compliance with the CAIR NO_x Ozone Season Trading Program and CAIR NO_x Ozone Season allowances may not be used for compliance may not be used for compliance with the CAIR NO_x or compliance with the CAIR NO_x or compliance with the CAIR NO_x or compliance may not be used for compliance with the CAIR NO_x ozone Season Trading Program and CAIR NO_x Annual Trading Program; or

For the purposes of Subpart C, a "compliance account" means a CAIR SO₂ compliance account, established by the USEPA for a CAIR SO₂ source pursuant to 40 CFR 96, subpart FFF, in which any SO₂ units at the source are initially recorded and in which are held any SO₂ allowances available for use for a control period in order to meet the source's CAIR SO₂ emissions limitations in accordance with Section 225.310 and 40 CFR 96.254, as incorporated by reference in Section 225.140.

"Control period " means:

For the CAIR SO₂ and NO_x Annual Trading Programs in Subparts C and D, the period beginning January 1 of a calendar year, except as provided in Sections 225.310(d)(3) and 225.410(d)(3), and ending on December 31 of the same year, inclusive; or

For the CAIR NO_x Ozone Season Trading Program in Subpart E, the period beginning May 1 of a calendar year, except as provided in Section 225.510(d)(3), and ending on September 30 of the same year, inclusive.

"Designated representative" means, for the purposes of Subpart B of this Part, the natural person same as defined in 40 CFR 60.4102, and is the same natural person as the person who is the designated representative for the CAIR trading and Acid Rain programs.

"Electric generating unit" or "EGU " means a fossil fuel- fired stationary boiler, combustion turbine or combined cycle system that serves a generator that has a nameplate capacity greater than 25 MWe and produces electricity for sale.

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"Flue" means a conduit or duct through which gases or other matter is exhausted to the atmosphere.

"Fossil fuel" means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from such material.

"Fossil fuel- fired" means the combusting of any amount of fossil fuel, alone or in combination with any other fuel in any calendar year.

"Generator" means a device that produces electricity.

"Gross electrical output" means the total electrical output from an EGU before making any deductions for energy output used in any way related to the production of energy. For an EGU generating only electricity, the gross electrical output is the output from the turbine/generator set.

"Heat input " means, for the purposes of Subparts C, D, and E, a specified period of time, the product (in mmBtu/hr) of the gross calorific value of the fuel (in Btu/lb) divided by 1,000,000 Btu/mmBtu and multiplied by the fuel feed rate into a combustion device (in lb of fuel/time), as measured, recorded and reported to USEPA by the CAIR designated representative and determined by USEPA in accordance with 40 CFR 96, subpart HH, HHH, or HHHH, if applicable, and excluding the heat derived from preheated combustion air, recirculated flue gases, or exhaust from other sources.

"Higher heating value" or "HHV" means the total heat liberated per mass of fuel burned (Btu/lb), when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to their standard states at standard conditions.

"Input mercury" means the mass of mercury that is contained in the coal combusted within an EGU.

"Integrated gasification combined cycle" or "IGCC " means a coal- fired electric utility steam generating unit that burns a synthetic gas derived from coal in a combined-cycle gas turbine. No coal is directly burned in t he unit during operation.

"Nameplate capacity" means, starting from the initial installation of a generator, the maximum electrical generating output (in MWe) that the generator is capable of producing on a steady-state basis and during continuous operation (when not restricted by seasonal or other deratings) as of such installation as specified by the manufacturer of the generator or, starting from the completion of any subsequent physical change in the generator resulting in an increase in the maximum electrical generating output (in MWe) that the generator is capable of producing on a steady-state basis and during continuous operation (when not restricted by seasonal or other deratings), such increased maximum amount as of completion as specified by the person conducting the physical change.

"Oil- fired unit " means a unit combusting fuel oil for more than 15.0 percent of the annual heat input in a specified year and not qualifying as coal- fired.

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SUBTITLE BCHAPTER ISUBCHAPTER c"Output-based emission standard" means, for the purposes of Subpart B of this Part, a
maximum allowable rate of emissions of mercury per unit of gross electrical output from
an EGU.

"Potential electrical output capacity" means 33 percent of a unit's maximum design heat input, expressed in mmBtu/hr divided by 3.413 mmBtu/MWh, and multiplied by 8,760 hr/yr.

"Project sponsor" means a person or an entity, including but not limited to the owner or operator of an EGU or a not- for-profit group, that provides the majority of funding for an energy efficiency and conservation, renewable energy, or clean technology project as listed in Sections 225.460 and 225.560, unless another person or entity is designated by a written agreement as the project sponsor for the purpose of applying for NO_x allowances or NO_x Ozone Season allowances from the CASA.

"Rated-energy efficiency" means the percentage of thermal energy input that is recovered as useable energy in the form of gross electrical output, useful thermal energy, or both that is used for heating, cooling, industrial processes, or other beneficial uses as follows:

For electric generators, rated-energy efficiency is calculated as one kilowatt hour (3,413 Btu) of electricity divided by the unit's design heat rate using the higher heating value of the fuel, and expressed as a percentage.

For combined heat and power projects, rated-energy efficiency is calculated using the following formula:

$$REE = ((GO + UTE)/HI) \quad 100$$

Where:

DEE		Dated anonary officiances annuared as noncontage
KEE	=	Rated-energy efficiency, expressed as percentage.
GO	=	Gross electrical output of the system expressed in Btu/hr.
UTE	=	Useful thermal output from the system that is used for
		heating, cooling, industrial processes or other beneficial
		uses, expressed in Btu/hr.
HI	=	Heat input, based upon the higher heating value of fuel, in
		Btu/hr.

"Repowered" means, for the purposes of an EGU, replacement of a coal fired boiler with one of the following coal fired technologies at the same source as the coal-fired boiler:

Atmospheric or pressurized fluidized bed combustion;

Integrated gasification combined cycle;

Magnetohydrodynamics;

Direct and indirect coal-fired turbines;

CHAPTER I Integrated gasification fuel cells; or

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As determined by the USEPA in consultation with the United States Department of Energy, a derivative of one or more of the technologies under this definition and any other coal-fired technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of January 1, 2005.

"Rolling 12-month basis" means, for the purposes of Subparts B and F of this Part, a determination made on a monthly basis from the relevant data for a particular calendar month and the preceding 11 calendar months (total of 12 months of data), with two exceptions. For determinations involving one EGU, calendar months in which the EGU does not operate (zero EGU operating hours) must not be included in the determination, and must be replaced by a preceding month or months in which the EGU does operate, so that the determination is still based on 12 months of data. For determinations involving two or more EGUs, calendar months in which none of the EGUs covered by the determination operates (zero EGU operating hours) must not be included in the determination, and must be replaced by preceding months in which at least one of the EGUs covered by the determination does operate, so that the determination is still based on 12 months of data.

"Total energy output" means, with respect to a cogeneration unit, the sum of useful power and useful thermal energy produced by the cogeneration unit.

"Useful thermal energy" means, for the purpose of a cogeneration unit, the thermal energy that is made available to an industrial or commercial process, excluding any heat contained in condensate return or makeup water:

Used in a heating application (e.g., space heating or domestic hot water heating); or

Used in a space cooling application (e.g., thermal energy used by an absorption chiller).

(Source: Amended at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.140 **Incorporations by Reference**

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

- 40 CFR 60, 60.17, 60.45a, 60.49a(k)(1) and (p), 60.50a(h), and 60.4170 through a) 60.4176 (2005).
- 40 CFR 75 (2006). b)
- 40 CFR 78 (2006). c)

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	d)	SUBTIT 40 CFI	CLE B CHAPTER I SUBCHAPTER c R 96, CAIR SO2Trading Program, subparts AAA (excluding 40 CFR		
		96.204 and 96.206), BBB, FFF, GGG, and HHH (2006).			
	e)	40 CFI CFR 9	R 96, CAIR NO _X Annual Trading Program, subparts AA (excluding 40 6.104, 96.105(b)(2), and 96.106), BB, FF, GG, and HH (2006).		
	f)	40 CFI 40 CFI	R 96, CAIR NO _X Ozone Season Trading Program, subparts AAAA (excluding R 96.304, 96.305(b)(2), and 96.306), BBBB, FFFF, GGGG, and HHHH (2006)		
	g)	ASTM Materia 19428-	. The following methods from the American Society for Testing and als, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken PA 2959, (610) 832-9585:		
		1)	ASTM D388-77 (approved February 25, 1977), D388-90 (approved March 30, 1990), D388-91a (approved April 15, 1991), D388-95 (approved January 15, 1995), D388-98a (approved September 10, 1998), or D388-99 (approved September 10, 1999, reapproved in 2004), Classification of Coals by Rank.		
		2)	ASTM D3173-03, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke (Approved April 10, 2003).		
		3)	ASTM D3684-01, Standard Test Method for Total Mercury in Coal by the Oxygen Bomb Combustion/Atomic Absorption Method (Approved October 10, 2001).		
		4)	ASTM D5865-04, Standard Test Method for Gross Calorific Value of Coal and Coke (Approved April 1, 2004).		
		5)	ASTM D6414-01, Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Acid Extraction or Wet Oxidation/Cold Vapor Atomic Absorption (Approved October 10, 2001).		
		6)	ASTM D6784-02, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method) (Approved April 10, 2002).		
	h)	Federa Verific Energy (Septer	l Energy Management Program, M&V Guidelines: Measurement and ation for Federal Energy Projects, US Department of Energy, Office of Efficiency and Renewable Energy, Version 2.2, DOE/GO-102000-0960 nber 2000).		
	(Source	e: Ame	nded at 31 Ill. Reg. 12864, effective August 31, 2007)		
Section 225.150		50	Commence Commercial Operation		

Commence commercial operation means, for the purposes of Subparts C, D and E, with regard to a unit:

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- a) To have begun to produce steam, gas, or other heated medium used to generate electricity for sale or use, including test generation, except as provided in 40 CFR 96.105, 96.205, or 96.305, as incorporated by reference in Section 225.140.
 - 1) For a unit that is a CAIR SO₂ unit, CAIR NO_x unit, or a CAIR NO_x Ozone Season unit pursuant to Sections 225.305, 225.405, and 225.505, respectively, on the date the unit commences commercial operation on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date will remain the unit's date of commencement of commercial operation, which will continue to be treated as the same unit.
 - 2) For a unit that is a CAIR SO2 unit, CAIR NOx unit, or a CAIR NOx Ozone Season unit pursuant to Sections 225.305, 225.405, and 225.505, respectively, on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section and that is subsequently replaced by a unit at the same source (e.g., repowered), such date will remain the replaced unit's date of commencement of commercial operation, and the replacement unit will be treated as a separate unit with a separate date for commencement of commercial operation as defined in subsection (a) or (b) of this Section as appropriate.
- b) Notwithstanding subsection (a) of this Section and except as provided in 40 CFR 96.105, 96.205, or 96.305 for a unit that is not a CAIR SO₂ unit, CAIR NO_x unit, or a CAIR NO_x Ozone Season unit pursuant to Section 225.305, 225.405, or 225.505, respectively, on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section, the unit's date for commencement of commercial operation will be the date on which the unit becomes a CAIR SO₂ unit, CAIR NO_x unit, or CAIR NO_x Ozone Season unit pursuant to Section 225.305, respectively.
 - For a unit with a date for commencement of commercial operation as defined in subsection (b) of this Section and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date will remain the unit's date of commencement of commercial operation, which shall continue to be treated as the same unit.
 - 2) For a unit with a date for commencement of commercial operation as defined in subsection (b) of this Section and that is subsequently replaced by a unit at the same source (e.g., repowered), such date will remain the replaced unit's date of commencement of commercial operation, and the replacement unit will be treated as a separate unit with a separate date for commencement of commercial operation as defined in subsection (a) or (b) of this Section as appropriate.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

SUBPART B: CONTROL OF MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC GENERATING UNITS

Section 225.233 Multi-Pollutant Standards (MPS)

a) General.

SUBTITLE B

- As an alternative to compliance with the emissions standards of Section 225.230 (a), the owner of eligible EGUs may elect for those EGUs to demonstrate compliance pursuant to this Section, which establishes control requirements and standards for emissions of NO_x and SO₂, as well as for emissions of mercury.
- 2) For the purpose of this Section, the following requirements apply:
 - A) An eligible EGU is an EGU that is located in Illinois and which commenced commercial operation on or before December 31, 2004; and
 - B) Ownership of an eligible EGU is determined based on direct ownership, by the holding of a majority interest in a company that owns the EGU or EGUs, or by the common ownership of the company that owns the EGU, whether through a parent-subsidiary relationship, as a sister corporation, or as an affiliated corporation with the same parent corporation, provided that the owner has the right or authority to submit a CAAPP application on behalf of the EGU.
- 3) The owner of one or more EGUs electing to demonstrate compliance with this Subpart B pursuant to this Section must submit an application for a CAAPP permit modification to the Agency, as provided in Section 225.220, that includes the information specified in subsection (b) of this Section and which clearly states the owner's election to demonstrate compliance pursuant to this Section 225.233.
 - A) If the owner of one or more EGUs elects to demonstrate compliance with this Subpart pursuant to this Section, then all EGUs it owns in Illinois as of July 1, 2006, as defined in subsection (a)(2)(B) of this Section, must be thereafter subject to the standards and control requirements of this Section, except as provided in subsection (a)(3)(B). Such EGUs must be referred to as a Multi-Pollutant Standard (MPS) Group.
 - B) Notwithstanding the foregoing, the owner may exclude from an MPS Group any EGU scheduled for permanent shutdown that the owner so designates in its CAAPP application required to be submitted pursuant to subsection (a)(3) of this Section, with

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		compliance for such units to be achieved b	y means of Section
		225.235.	

- 4) When an EGU is subject to the requirements of this Section, the requirements apply to all owners or operators of the EGU.
- b) Notice of Intent.

The owner of one or more EGUs that intends to comply with this Subpart B by means of this Section must notify the Agency of its intention by December 31, 2007. The following information must accompany the notification:

- 1) The identification of each EGU that will be complying with this Subpart B by means of the multi-pollutant standards contained in this Section, with evidence that the owner has identified all EGUs that it owned in Illinois as of July 1, 2006 and which commenced commercial operation on or before December 31, 2004;
- 2) If an EGU identified in subsection (b)(1) of this Section is also owned or operated by a person different than the owner submitting the notice of intent, a demonstration that the submitter has the right to commit the EGU or authorization from the responsible official for the EGU accepting the application;
- 3) The Base Emission Rates for the EGUs, with copies of supporting data and calculations;
- 4) A summary of the current control devices installed and operating on each EGU and identification of the additional control devices that will likely be needed for the each EGU to comply with emission control requirements of this Section, including identification of each EGU in the MPS group that will be addressed by subsection (c)(1)(B) of this Section, with information showing that the eligibility criteria for this subsection (b) are satisfied; and
- 5) Identification of each EGU that is scheduled for permanent shut down, as provided by Section 225.235, which will not be part of the MPS Group and which will not be demonstrating compliance with this Subpart B pursuant to this Section.

- e) Emission Standards for NO_x and SO₂.
 - 1) NO_x Emission Standards.

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		A)	Begi there opera emis rate e emis	nning in calendar year 2012 and continu- eafter, for the EGUs in each MPS Group ator of the EGUs must comply with an o sion rate of no more than 0.11 lb/million equivalent to 52 percent of the Base An- sions, whichever is more stringent.	uing in each calendar o, the owner and overall NOx annual n Btu or an emission nual Rate of NO _x
		B)	Begi seasc opera emis rate e emis	nning in the 2012 ozone season and com on thereafter, for the EGUs in each MPS ator of the EGUs must comply with an o sion rate of no more than 0.11 lb/million equivalent to 80 percent of the Base Sea sions, whichever is more stringent.	ntinuing in each ozone S Group, the owner and overall NO_x seasonal n Btu or an emission asonal Rate of NO_x
	2)	SO ₂ E	Emissio	on Standards.	
		A)	Begi 2014 the E of 0. Rate	nning in calendar year 2013 and continue, for the EGUs in each MPS Group, the EGUs must comply with an overall SO ₂ 33 lb/million Btu or a rate equivalent to of SO ₂ emissions, whichever is more st	uing in calendar year owner and operator of annual emission rate 44 percent of the Base tringent.
		B)	Begi year opera rate f	nning in calendar year 2015 and continu thereafter, for the EGUs in each MPS C ator of the EGUs must comply with an o for SO ₂ of 0.25 lbs/million Btu or a rate e Base Rate of SO ₂ emissions, whicheve	uing in each calendar Grouping, the owner and overall annual emission equivalent to 35 percent er is more stringent.
	3)	Amer	en MP	S Group Multi-Pollutant Standard	
		A)	Notv Secti desci Reso	withstanding the provisions of subsection ion, this subsection (e)(3) applies to the ribed in the notice of intent submittee purces in accordance with subsection (b)	ns (e)(1) and (2) of this Ameren MPS Group as ed by Ameren Energy of this Section.
		B)	NO _x	Emission Standards-	
			i)	Beginning in the 2010 ozone season each ozone season thereafter, for the MPS Group, the owner and operator comply with an overall NO _x seasona more than 0.11 lb/million Btu.	and continuing in EGUs in the Ameren of the EGUs must al emission rate of no
			ii)	Beginning in calendar year 2010 and	continuing in calendar

11) Beginning in calendar year 2010 and continuing in calendar year 2011, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall NO_x annual emission rate of no more than 0.14 lb/million Btu.

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		iii)	Beginning in calendar year 2012 and calendar year thereafter, for the EGUs Group, the owner and operator of the with an overall NO _x annual emission 0.11 lb/million Btu.	continuing in each s in the Ameren MPS EGUs must comply rate of no more than
	C)	SO ₂	Emission Standards	
		i)	Beginning in calendar year 2010 and c calendar year through 2013, for the E0 MPS Group, the owner and operator of comply with an overall SO ₂ annual en lb/million Btu.	continuing in each GUs in the Ameren of the EGUs must nission rate of 0.50
		ii)	In calendar year 2014, for the EGUs in Group, the owner and operator of the an overall SO ₂ annual emission rate o	n the Ameren MPS EGUs must comply with f 0.43 lb/million Btu.
		iii)	Beginning in calendar year 2015 and o year 2016, for the EGUs in the Amere owner and operator of the EGUs must overall SO ₂ annual emission rate of 0.	continuing in calendar en MPS Group, the t comply with an .25 lb/million Btu.
		iv)	Beginning in calendar year 2017 and c calendar year thereafter, for the EGUs Group, the owner and operator of the an overall SO ₂ annual emission rate of	continuing in each s in the Ameren MPS EGUs must comply with f 0.23 lb /million Btu.
	4) Con dem The	npliance onstrate owner o	with the NO _x and SO ₂ emission standard d in accordance with Sections 225.310, 2 or operator of EGUs must complete the d	ds must be 225.410, and 225.510. emonstration of

g) Notwithstanding 35 Ill. Adm. Code 201.146(hhh), until an EGU has complied with the applicable emission standards of subsections (d) and (e) of this Section for 12 months, the owner or operator of the EGU must obtain a construction permit for any new or modified air pollution control equipment that it proposes to construct for control of emissions of mercury, NO_x, or SO₂.

compliance before March 1 of the following year for annual standards and before November 1 for seasonal standards, by which date a compliance

(Source: Amended at 33 Ill. Reg. 10427, effective June 26, 2009)

report must be submitted to the Agency.

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Section 225.291 Combined Pollutant Standard: Purpose

The purpose of Sections 225.291 through 225.299 (hereinafter referred to as the Combined Pollutant Standard ("CPS")) is to allow an alternate means of compliance with the emissions standards for mercury in Section 225.230(a) for specified EGUs through permanent shut-down, installation of ACI, and the application of pollution control technology for NO_x , PM, and SO_2 emissions that also reduce mercury emissions as a co-benefit and to establish permanent emissions standards for those specified EGUs. Unless otherwise provided for in the CPS, owners and operators of those specified EGUs are not excused from compliance with other applicable requirements of Subparts B, C, D, and E.

(Source: Added at 33 Ill. Reg. 10427, effective June 26, 2009)

Section 225.292 Applicability of the Combined Pollutant Standard

- a) As an alternative to compliance with the emissions standards of Section 225.230(a), the owner or operator of specified EGUs in the CPS located at Fisk, Crawford, Joliet, Powerton, Waukegan, and Will County power plants may elect for all of those EGUs as a group to demonstrate compliance pursuant to the CPS, which establishes control requirements and emissions standards for NO_x , PM, SO₂, and mercury. For this purpose, ownership of a specified EGU is determined based on direct ownership, by holding a majority interest in a company that owns the EGU or EGUs, or by the common ownership of the company that owns the EGU, whether through a parent-subsidiary relationship, as a sister corporation, or as an affiliated corporation with the same parent corporation, provided that the owner or operator has the right or authority to submit a CAAPP application on behalf of the EGU.
- b) A specified EGU is a coal-fired EGU listed in Appendix A, irrespective of any subsequent changes in ownership of the EGU or power plant, the operator, unit designation, or name of unit.
- c) The owner or operator of each of the specified EGUs electing to demonstrate compliance with Section 225.230(a) pursuant to the CPS must submit an application for a CAAPP permit modification to the Agency, as provided for in Section 225.220, that includes the information specified in Section 225.293 that clearly states the owner's or operator's election to demonstrate compliance with Section 225.230(a) pursuant to the CPS.
- d) If an owner or operator of one or more specified EGUs elects to demonstrate compliance with Section 225.230(a) pursuant to the CPS, then all specified EGUs owned or operated in Illinois by the owner or operator as of December 31, 2006, as defined in subsection (a) of this Section, are thereafter subject to the standards and control requirements of the CPS. Such EGUs are referred to as a Combined Pollutant Standard (CPS) group.
- e) If an EGU is subject to the requirements of this Section, then the requirements apply to all owners and operators of the EGU.

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	(Source: Added at 33 Ill. H	Reg. 10427, effective June 26, 2009)	

Section 225.293 Combined Pollutant Standard: Notice of Intent

The owner or operator of one or more specified EGUs that intends to comply with Section 225.230(a) by means of the CPS must notify the Agency of its intention on or before December 31, 2007. The following information must accompany the notification:

- a) The identification of each EGU that will be complying with Section 225.230(a) pursuant to the CPS, with evidence that the owner or operator has identified all specified EGUs that it owned or operated in Illinois as of December 31, 2006, and which commenced commercial operation on or before December 31, 2004;
- b) If an EGU identified in subsection (a) of this Section is also owned or operated by a person different than the owner or operator submitting the notice of intent, a demonstration that the submitter has the right to commit the EGU or authorization from the responsible official for the EGU submitting the application; and
- c) A summary of the current control devices installed and operating on each EGU and identification of the additional control devices that will likely be needed for each EGU to comply with emission control requirements of the CPS.

(Source: Added at 33 Ill. Reg. 10427, effective June 26, 2009)

Section 225.295 Combined Pollutant Standard: Emissions Standards for NO_x and SO₂

- a) Emissions Standards for NO_x and Reporting Requirements.
 - Beginning with calendar year 2012 and continuing in each calendar year thereafter, the CPS group, which includes all specified EGUs that have not been permanently shut down by December 31 before the applicable calendar year, must comply with a CPS group average annual NO_x emissions rate of no more than 0.11 lbs/mmBtu.
 - 2) Beginning with ozone season control period 2012 and continuing in each ozone season control period (May 1 through September 30) thereafter, the CPS group, which includes all specified EGUs that have not been permanently shut down by December 31 before the applicable ozone season, must comply with a CPS group average ozone season NO_x emissions rate of no more than 0.11 lbs/mmBtu.
 - 3) The owner or operator of the specified EGUs in the CPS group must file, not later than one year after startup of any selective SNCR on such EGU, a report with the Agency describing the NO_x emissions reductions that the SNCR has been able to achieve.
- b) Emissions Standards for SO₂. Beginning in calendar year 2013 and continuing in each calendar year thereafter, the CPS group must comply with the applicable

year	lbs/mmBtu
2013	0.44
2014	0.41
2015	0.28
2016	0.195
2017	0.15
2018	0.13
2019	0.11

- c) Compliance with the NO_x and SO₂ emissions standards must be demonstrated in accordance with Sections 225.310, 225.410, and 225.510. The owner or operator of the specified EGUs must complete the demonstration of compliance pursuant to Section 225.298(c) before March 1 of the following year for annual standards and before November 30 of the particular year for ozone season control periods (May 1 through September 30) standards, by which date a compliance report must be submitted to the Agency.
- d) The CPS group average annual SO₂ emission rate, annual NO_x emission rate and ozone season NO_x emission rates shall be determined as follows:

$$ER_{\text{avg}} = \sum_{i=1}^{n} (SO_{2i} \text{ or } NO_{xi}) l \sum_{i=1}^{n} (HI_i)$$

Where:

ER _{avg} =	average annual or ozone season emission rate in lbs/mmBbtu of all EGUs in the CPS group.
HI _i =	heat input for the annual or ozone control period of each EGU, in mmBtu.
SO _{2i} =	actual annual SO ₂ tons of each EGU in the CPS
NO _{xi} =	group. actual annual or ozone season NOx tons of each EGU in the CPS group.
n =	number of EGUs that are in the CPS group.
i =	each EGU in the CPS group.

(Source: Amended at 33 Ill. Reg. 10427, effective June 26, 2009)

Section 225.296 Combined Pollutant Standard: Control Technology Requirements for NO_x, SO₂, and PM Emissions

- a) Control Technology Requirements for NO_x and SO₂.
 - 1) On or before December 31, 2013, the owner or operator must either permanently shut down or install and have operational FGD equipment on Waukegan 7;

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	2)	On o perm Wau	r before December 31, 2014, the owner or opera anently shut down or install and have operationa kegan 8;	tor must either al FGD equipment on
	3)	On o perm Fisk	r before December 31, 2015, the owner or opera anently shut down or install and have operationa 19;	tor must either al FGD equipment on
	4)	If Cr perm	awford 7 will be operated after December 31, 20 anently shut down by this date, the owner or operated after the owner of the owner owner of the owner of the owner of the owner of the owner)18, and not erator must:
		A)	On or before December 31, 2015, install and SNCR or equipment capable of delivering ess NO _x reductions on Crawford 7; and	have operational sentially equivalent
		B)	On or before December 31, 2018, install and equipment on Crawford 7;	have operational FGD
	5)	If Cr perm	awford 8 will be operated after December 31, 20 anently shut down by this date, the owner or ope)17 and not erator must:
		A)	On or before December 31, 2015, install and SNCR or equipment capable of delivering ess NO _x emissions reductions on Crawford 8; and	have operational sentially equivalent d
		B)	On or before December 31, 2017, install and equipment on Crawford 8.	have operational FGD
b)	Other specifie each s earlie	Contro fied EC specific r date i	ol Technology Requirements for SO ₂ . Owners of GUs must either permanently shut down or installed EGU (except Joliet 5), on or before Decembers specified in subsection (a) of this Section.	or operators of 1 FGD equipment on r 31, 2018, unless an
c)	Cont speci must desig Hot-s boile as dis wher	rol Tec fied E0 replace gned fal side ES r's air-j stinguis re the o	chnology Requirements for PM. The owner or of GUs listed in this subsection that are equipped w e the hot-side ESP with a cold-side ESP, install a bric filter, or permanently shut down the EGU by SP means an ESP on a coal-fired boiler that is inspreheater where the operating temperature is typ shed from a cold-side ESP that is installed after to perating temperature is typically no more than 3	perator of the two vith a hot-side ESP an appropriately y the dates specified. stalled before the vically at least 550° F, the air pre-heater 50° F.

- 1) Waukegan 7 on or before December 31, 2013; and
- 2) Will County 3 on or before December 31, 2015.
- e) Notwithstanding 35 Ill. Adm. Code 201.146(hhh), until an EGU has complied

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(Source: Added at 33 Ill. Reg. 10427, effective June 26, 2009)

SUBPART C: CLEAN AIR ACT INTERSTATE RULE (CAIR) SO₂ TRADING PROGRAM

Section 225.300 Purpose

The purpose of this Subpart C is to control the emissions of sulfur dioxide (SO₂) from EGUs annually by implementing the CAIR SO₂ Trading Program pursuant to 40 CFR 96, as incorporated by reference in Section 225.140.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.305Applicability

- a) Except as provided in subsections (b)(1), (b)(3), and (b)(4) of this Section:
 - The following units are CAIR SO₂ units, and any source that includes one or more such units is a CAIR SO₂ source subject to the requirements of this Subpart C: any stationary, fossil-fuel-fired boiler or stationary, fossilfuel-fired combustion turbine serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale.
 - 2) If a stationary boiler or stationary combustion turbine that, pursuant to subsection (a)(1) of this Section, is not a CAIR SO₂ unit begins to combust fossil fuel or to serve a generator with nameplate capacity of more than 25 MWe producing electricity for sale, the unit will become a CAIR SO₂ unit as provided in subsection (a)(1) of this Section on the first date on which it both combusts fossil fuel and serves such generator.
- b) The units that meet the requirements set forth in subsections (b)(1), (b)(3), and (b)(4) of this Section will not be CAIR SO₂ units and units that meet the requirements of subsections (b)(2) and (b)(5) of this Section are CAIR SO₂ units:
 - 1) Any unit that would otherwise be classified as a CAIR SO₂ unit pursuant to subsection (a)(1) or (a)(2) of this Section and:
 - A) Qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and continues to qualify as a cogeneration unit; and

CLIDT	35 ILLINOIS ADMINISTRATIVE CODE PART 225
SUBI	 B) Does not serve at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe supplying any calendar year more than one-third of the unit's potential electric output capacity or 219,000 MWh, whichever is greater, to any utility power distribution for sale.
2)	If a unit qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and meets the requirements of subsection (b)(1) of this Section for at least one calendar year, but subsequently no longer meets all such requirements, the unit shall become a CAIR SO ₂ unit starting on the earlier of January 1 after the first calendar year during which the unit no longer qualifies as a cogeneration unit or January 1 after the first calendar year during which the requirements of subsection (b)(1)(B) of this Section.
3)	Any unit that would otherwise be classified as a CAIR SO ₂ unit pursuant to subsection (a)(1) or (a)(2) of this Section commencing operation before January 1, 1985 and:
	A) Qualifies as a solid waste incineration unit; and
	B) Has an average annual fuel consumption of non-fossil fuel for 1985-1987 exceeding 80 percent (on a Btu basis) and an average annual fuel consumption of non-fossil fuel for any three consecutive calendar years after 1990 exceeding 80 percent (on a Btu basis).
4)	Any unit that would otherwise be classified as a CAIR SO ₂ unit under subsection (a)(1) or (a)(2) of this Section commencing operation on or after January 1, 1985 and:
	A) Qualifies as a solid waste incineration unit; and
	B) Has an average annual fuel consumption of non-fossil fuel the first three years of operation exceeding 80 percent (on a Btu basis) and an average annual fuel consumption of non-fossil fuel for any three consecutive calendar years after 1990 exceeding 80 percent (on a Btu basis).
5)	If a unit qualifies as a solid waste incineration unit and meets the requirements of subsection (b)(3) or (b)(4) of this Section for at least three consecutive years, but subsequently no longer meets all such requirements, the unit shall become a CAIR SO2 unit starting on the earlier of January 1 after the first three consecutive calendar years after 1990 for which the unit has an average annual fuel consumption of 20 percent or more.

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	(Source: Added at 31 Ill. Reg. 12	2864, effective August 31, 2007)	

Section 225.310 Compliance Requirements

- a) The designated representative of a CAIR SO₂ unit must comply with the requirements of the CAIR SO₂ Trading Program for Illinois as set forth in this Subpart C and 40 CFR 96, subpart AAA (CAIR SO₂ Trading Program General Provisions, excluding 40 CFR 96.204, and 96.206); 40 CFR 96, subpart BBB (CAIR Designated Representative for CAIR SO₂ Sources); 40 CFR 96, subpart FFF (CAIR SO₂ Allowance Tracking System); 40 CFR 96, subpart GGG (CAIR SO₂ Allowance Transfers); and 40 CFR 96, subpart HHH (Monitoring and Reporting); as incorporated by reference in Section 225.140.
- b) Permit requirements:
 - 1) The owner or operator of each source with one or more CAIR SO₂ units at the source must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR SO₂ Trading Program ("CAIR permit") that complies with the requirements of Section 225.320 (Permit Requirements).
 - 2) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must operate the CAIR SO₂ unit in compliance with its CAIR permit.
- c) Monitoring requirements:
 - 1) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, subpart HHH. The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the CAIR SO₂ source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, subpart HHH, applicable to the CAIR designated representative.
 - 2) The compliance of each CAIR SO₂ source with the emissions limitation pursuant to subsection (d) of this Section will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHH and 40 CFR 75.
- d) Emission requirements:
 - 1) By the allowance transfer deadline, midnight of March 1, 2011, and by midnight of March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must hold a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions pursuant to 40 CFR 96.254(a) and (b) in the CAIR SO₂ source's CAIR SO₂ compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of

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		SUBTI	TLE B CHAPTER I the first business day thereafter. The number of allowances	SUBCHAPTER c held on the			
			allowance transfer deadline may not be less than the total to equivalent of the tons of SO ₂ emissions for the control peri CAIR SO ₂ units at the CAIR SO ₂ source, as determined in with 40 CFR 96, subpart HHH.	onnage od from all accordance			
		2)	Each ton of excess emissions of SO_2 emitted by a CAIR SC each day of a control period, starting in 2010 will constitut violation of this Subpart C, the Clean Air Act, and the Act.	D ₂ source for e a separate			
		3)	Each CAIR SO ₂ unit will be subject to the requirements of $(d)(1)$ of this Section for the control period starting on the 1, 2010 or the deadline for meeting the unit's monitoring c requirements pursuant to 40 CFR 96.270(b)(1) or (2) and for period thereafter.	subsection ater of January ertification or each control			
		4)	CAIR SO ₂ allowances must be held in, deducted from, or t or among allowance accounts in accordance with this Subp 96, subparts FFF and GGG.	ransferred into part and 40 CFR			
		5)	In order to comply with the requirements of subsection (d) Section, a CAIR SO ₂ allowance may not be deducted for co according to subsection (d)(1) of this Section for a control calendar year before the year for which the allowance is all	(1) of this ompliance period in a located.			
		6)	A CAIR SO ₂ allowance is a limited authorization to emit S accordance with the CAIR SO ₂ Trading Program. No prov CAIR SO ₂ Trading Program, the CAIR permit application, permit, or a retired unit exemption pursuant to 40 CFR 96.2 provision of law, will be construed to limit the authority of States or the State to terminate or limit this authorization.	O ₂ in vision of the the CAIR 205, and no the United			
		7)	A CAIR SO ₂ allowance does not constitute a property right	t.			
		8)	Upon recordation by USEPA pursuant to 40 CFR 96 subpart subpart GGG, every allocation, transfer, or deduction of a callowance to or from a CAIR SO ₂ source's compliance acc to amend automatically, and become a part of, any CAIR p CAIR SO ₂ source. This automatic amendment of the CAIR deemed an operation of law and will not require any further	art FFF or CAIR SO ₂ ount is deemed ermit of the R permit will be r review.			
	e)	Record	lkeeping and reporting requirements:				
		1)	Unless otherwise provided, the owner or operator of the CA and each CAIR SO ₂ unit at the source must keep on site at of the documents listed in subsections (e)(1)(A) through (e Section for a period of five years from the date the docume This period may be extended for cause, at any time prior to years, in writing by the Agency or USEPA.	AIR SO ₂ source the source each)(1)(D) of this ent is created. the end of five			

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		A	A)	The certificate of representation for the CAIR d representative for the source and each CAIR SC all documents that demonstrate the truth of the s certificate of representation, provided that the co documents must be retained on site at the source year period until the documents are superseded submission of a new certificate of representation CFR 96.213, changing the CAIR designated rep	esignated) ₂ unit at the source, statements in the ertificate and e beyond such five- because of the n, pursuant to 40 presentative.
		E	B)	All emissions monitoring information, in accord 96, subpart HHH.	lance with 40 CFR
		C	C)	Copies of all reports, compliance certifications, submissions and all records made or required pu SO ₂ Trading Program or documents necessary t compliance with the requirements of the CAIR Program or with the requirements of this Subpa	and other irsuant to the CAIR o demonstrate SO ₂ Trading rt C.
		Γ))	Copies of all documents used to complete a CA application and any other submission or docume demonstrate compliance pursuant to the CAIR S Program.	IR permit ents used to SO ₂ Trading
		2) T C re T	The CA CAIR S eports Trading	AIR designated representative of a CAIR SO ₂ so SO ₂ unit at the source must submit to the Agency and compliance certifications required pursuant g Program, including those pursuant to 40 CFR 9	urce and each y and USEPA the to the CAIR SO ₂ 96, subpart HHH.
	f)	Liability	:		
		1) N	In more	ation of a normit for a CAID SO, whit may avou	a any violation of

- No revision of a permit for a CAIR SO₂ unit may excuse any violation of the requirements of this Subpart C or the requirements of the CAIR SO₂ Trading Program.
- 2) Each CAIR SO₂ source and each CAIR SO₂ unit must meet the requirements of the CAIR SO₂ Trading Program.
- 3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source (including any provision applicable to the CAIR designated representative of a CAIR SO₂ source) will also apply to the owner and operator of the CAIR SO₂ source and to the owner and operator of each CAIR SO₂ unit at the source.
- 4) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit (including any provision applicable to the CAIR designated representative of a CAIR SO₂ unit) will also apply to the owner and operator of the CAIR SO₂ unit.

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		5)	The CAIR designated representative of a CAIR SO ₂ ur	nit that has excess
			SO ₂ emissions in any control period must surrender the	e allowances as
			required for deduction pursuant to 40 CFR 96.254(d)(1	.).
		6)	The owner or operator of a CAIR SO ₂ unit that has exc in any control period must pay any fine, penalty, or ass with any other remedy imposed pursuant to the Act and 96.254(d)(2).	cess SO ₂ emissions sessment or comply d 40 CFR
	g)	Effect CAIR 40 CFI operate CAIR promu federal	on other authorities: No provision of the CAIR SO ₂ Trapermit application, a CAIR permit, or a retired unit exer R 96.205 will be construed as exempting or excluding the or and, to the extent applicable, the CAIR designated rep SO ₂ source or a CAIR SO ₂ unit from compliance with a lgated pursuant to the CAA, the Act, any State regulation Ily enforceable permit.	ading Program, a mption pursuant to the owner and presentative of a uny other regulation on or permit, or a
	(Sour	ce: Adde	ed at 31 Ill. Reg. 12864, effective August 31, 2007)	

Section 225.315 Appeal Procedures

The appeal procedures for decisions of USEPA pursuant to the CAIR SO₂ Trading Program are set forth in 40 CFR 78, as incorporated by reference in Section 225.140.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.320 Permit Requirements

- a) Permit requirements:
 - 1) The owner or operator of each source with a CAIR SO₂ unit is required to submit:
 - A) A complete permit application addressing all applicable CAIR SO₂ Trading Program requirements for a permit meeting the requirements of this Section, applicable to each CAIR SO₂ unit at the source. Each CAIR permit must contain elements required for a complete CAIR permit application pursuant to subsection (b)(2) of this Section.
 - B) Any supplemental information that the Agency determines is necessary in order to review a CAIR permit application and issue a CAIR permit.
 - 2) Each CAIR permit will be issued pursuant to Section 39 or 39.5 of the Act, must contain federally enforceable conditions addressing all applicable CAIR SO₂ Trading Program requirements, and will be a complete and segregable portion of the source's entire permit pursuant to subsection (a)(1) of this Section.

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		3)	No CA receive represe 96, sul	AIR permit may be issued until the Agency and USI ed a complete certificate of representation for a CA entative or alternate designated representative pursu opart BBB, for a source and the CAIR SO ₂ unit at the	EPA have IR designated ant to 40 CFR he source.			
		4)	For all owner meetin	CAIR SO ₂ units that commenced operation before or operator of the unit must submit a CAIR permit g the requirements of this Section on or before July	July 1, 2008, the application (1, 2008.			
5)			For CA that are operate the Ac must s CAIR	r CAIR SO ₂ units that commence operation on or after July 1, 2008 at are and are not subject to Section 39.5 of the Act, the owner or erator of such units must submit applications for construction and erating permits pursuant to the requirements of Sections 39 and 39 e Act, as applicable, and 35 Ill. Adm. Code 201 and the application ast specify that they are applying for CAIR permits and must addre AIR permit application requirements of this Section.				
	b)	Permit	t applica	applications:				
		1)	Duty to CAIR the southis See Section units no Subpar of the	o apply: The owner or operator of any source with SO ₂ units must submit to the Agency a CAIR permurce covering each CAIR SO ₂ unit pursuant to substitution by the applicable deadline in subsection (a)(4 n. The owner or operator of any source with one of nust reapply for a CAIR permit for the source as react, 35 III. Adm. Code 201, and, as applicable, Section Act.	one or more it application for ection (b)(2) of) or (a)(5) of this more CAIR SO ₂ quired by this ons 39 and 39.5			
		2)	Inform CAIR the sou	nation requirements for CAIR permit applications: permit application must include the following elem arce for which the application is submitted:	A complete ents concerning			
			A)	Identification of the source, including plant name. (Office of Regulatory Information Systems) or fact assigned to the source by the Energy Information must also be included, if applicable;	The ORIS cility code Administration			
			B)	Identification of each CAIR SO ₂ unit at the source	; and			
			C)	The compliance requirements applicable to each C set forth in Section 225.310.	CAIR SO ₂ unit as			

3) An application for a CAIR permit will be treated as a modification of the CAIR SO₂ source's existing federally enforceable permit, if such a permit has been issued for that CAIR SO₂ source, and will be subject to the same procedural requirements. When the Agency issues a CAIR permit pursuant to the requirements of this Section, it will be incorporated into and become part of that CAIR SO₂ source's existing federally enforceable permit.

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c) Permit content: Each CAIR permit is deemed to incorporate automatically the definitions and terms specified in 225.130 and 40 CFR 96.202, as incorporated by reference in Section 225.140 and, upon recordation of USEPA under 40 CFR 96, subparts FFF and GGG, as incorporated by reference in Section 225.140, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from the compliance account of the CAIR SO₂ source covered by the permit.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.325 Trading Program

- a) The CAIR SO₂ Trading Program is administered by USEPA. CAIR SO₂
 allowances are issued as described by the definition for allocate in 40 CFR 96.
 202, as incorporated by reference in Section 225.140. The amount of CAIR SO₂
 allowances to be credited to a CAIR SO₂ source's CAIR SO₂ Allowance Tracking
 System account for a CAIR SO₂ unit will be determined in accordance with 40
 CFR 96.253, as incorporated by reference in Section 225.140.
- b) A CAIR SO₂ allowance is a limited authorization to emit SO₂ during the calendar year for which the allowance is allocated or any calendar year thereafter pursuant to the CAIR SO₂ Trading Program as follows:
 - 1) For one CAIR SO₂ allowance allocated for a control period in a year before 2010, one ton of SO₂, except as provided for in the compliance deductions pursuant to 40 CFR 96.254(b);
 - 2) For one CAIR SO₂ allowance allocated for a control period in 2010 through 2014, 0.50 ton of SO₂, except as provided for in the compliance deductions pursuant to 40 CFR 96.254(b); and
 - 3) For one CAIR SO₂ allowance allocated for a control period in 2015 or later, 0.35 ton of SO₂, except as provided for in the compliance deductions pursuant to 40 CFR 96.254(b).

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

SUBPART D: CAIR NO_x ANNUAL TRADING PROGRAM

Section 225.400 Purpose

The purpose of this Subpart D is to control the annual emissions of nitrogen oxides (NO_x) from EGUs by determining allocations and implementing the CAIR NO_x Annual Trading Program.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.405 Applicability

PCB				35 ILLINOIS ADMINISTRATIVE CODE	PART 225		
	SUBTITLE B		TLE B	CHAPTER I wided in subsections $(b)(1)$ $(b)(2)$ and $(b)(4)$ of this	SUBCHAPTER c		
	a)	Ехсер	t as pro	where in subsections $(0)(1)$, $(0)(3)$, and $(0)(4)$ of the	s Section.		
		 The following units are CAIR NO_x units, and any source that includes one or more such units is a CAIR NO_x source subject to the requirements of this Subpart D: any stationary, fossil-fuel-fired boiler or stationary, fossil- fuel-fired combustion turbine serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale. 					
		2)	2) If a stationary boiler or stationary combustion turbine that, pursuant to subsection (a)(1) of this Section, is not a CAIR NO_x unit begins to combust fossil fuel or to serve a generator with nameplate capacity of more than 25 MWe producing electricity for sale, the unit will become a CAIR NO_x unit as provided in subsection (a)(1) of this Section on the first date on which it both combusts fossil fuel and serves such generator.				
b)		The units that meet the requirements set forth in subsections (b)(1), (b)(3), and (b)(4) of this Section will not be CAIR NO _x units and units that meet the requirements of subsections (b)(2) and (b)(5) of this Section are CAIR NO _x units:					
		1)	Any u to sub	which that would otherwise be classified as a CAIR No section $(a)(1)$ or $(a)(2)$ of this Section and:	O _x unit pursuant		
			A)	Qualifies as a cogeneration unit during the 12-mon starting on the date the unit first produces electric to qualify as a cogeneration unit; and	nth period ity and continues		
			B)	Does not serve at any time, since the later of Nove or the start-up of the unit's combustion chamber, a nameplate capacity of more than 25 MWe supply year more than one-third of the unit's potential ele capacity or 219,000 MWh, whichever is greater, to power distribution for sale.	ember 15, 1990 a generator with ing any calendar ectric output o any utility		
		2) If a unit qualifies as a cogeneration unit du starting on the date the unit first produces requirements of subsection (b)(1) of this S year, but subsequently no longer meets all shall become a CAIR NO _x unit starting on first calendar year during which the unit no cogeneration unit or January 1 after the fir the unit no longer meets the requirements Section.		hit qualifies as a cogeneration unit during the 12-mong on the date the unit first produces electricity and rements of subsection (b)(1) of this Section for at leaded but subsequently no longer meets all such requirements become a CAIR NO _x unit starting on the earlier of J alendar year during which the unit no longer qualifieration unit or January 1 after the first calendar year during the requirements of subsection (b).	onth period meets the ast one calendar ents, the unit anuary 1 after the es as a r during which b)(1)(B) of this		

3) Any unit that would otherwise be classified as a CAIR NO_x unit pursuant to subsection (a)(1) or (a)(2) of this Section commencing operation before January 1, 1985 and:

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		A)	Qualifies as a solid waste incineration unit; and	
		B)	Has an average annual fuel consumption of non-fo 1985-1987 exceeding 80 percent (on a Btu basis) a annual fuel consumption of non-fossil fuel for any consecutive calendar years after 1990 exceeding 8 Btu basis).	ossil fuel for and an average three 0 percent (on a
	 Any unit that would otherwise be classified as a CAl subsection (a)(1) or (a)(2) of this Section commencinafter January 1, 1985 and: 		unit that would otherwise be classified as a CAIR NO ction $(a)(1)$ or $(a)(2)$ of this Section commencing op January 1, 1985 and:	D _x unit under eration on or
		A)	Qualifies as a solid waste incineration unit; and	
		B)	Has an average annual fuel consumption of non-for three years of operation exceeding 80 percent (on an average annual fuel consumption of non-fossil consecutive calendar years after 1990 exceeding 8 Btu basis).	ossil fuel the first a Btu basis) and fuel for any three 0 percent (on a
	5)	If a un requir conse the un after t	nit qualifies as a solid waste incineration unit and me rements of subsection (b)(3) or (b)(4) of this Section cutive years, but subsequently no longer meets all su nit shall become a CAIR NO _x unit starting on the ear the first three consecutive calendar years after 1990 to	eets the for at least three uch requirements, lier of January 1 for which the unit

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.410 Compliance Requirements

a) The designated representative of a CAIR NO_x unit must comply with the requirements of the CAIR NO_x Annual Trading Program for Illinois as set forth in this Subpart D and 40 CFR 96, subpart AA (NO_x Annual Trading Program General Provisions, excluding 40 CFR 96.104, 96.105(b)(2), and 96.106); 40 CFR 96, subpart BB (CAIR Designated Representative for CAIR NO_x Sources); 40 CFR 96, subpart FF (CAIR NO_x Allowance Tracking System); 40 CFR 96, subpart GG (CAIR NO_x Allowance Transfers); and 40 CFR 96, subpart HH (Monitoring and Reporting); as incorporated by reference in Section 225.140.

has an average annual fuel consumption of 20 percent or more.

- b) Permit requirements:
 - 1) The designated representative of each source with one or more CAIR NO_x units at the source must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Annual Trading Program ("CAIR permit") that complies with the requirements of Section 225.420 (Permit Requirements).
 - 2) The owner or operator of each CAIR NO_x source and each CAIR NO_x unit

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	at the source must operate the CAIR NO _x unit in compliance with its				
	CAIR permit	- -			

- c) Monitoring requirements:
 - The owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 96, subpart HH and Section 225.450. The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the CAIR NO_x source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, subpart HH, applicable to a CAIR designated representative.
 - 2) The compliance of each CAIR NO_x source with the NO_x emissions limitation pursuant to subsection (d) of this Section will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HH.
- d) Emission requirements:
 - By the allowance transfer deadline, midnight of March 1, 2010, and by midnight March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must hold CAIR NO_x allowances available for compliance deductions pursuant to 40 CFR 96.154(a) in the CAIR NO_x source's CAIR NO_x compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held on the allowance transfer deadline may not be less than the tons of NO_x emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with 40 CFR 96, subpart HH.
 - Each ton of excess emissions of a CAIR NO_x source for each day in a control period, starting in 2009, will constitute a separate violation of this Subpart D, the Act, and the CAA.
 - 3) Each CAIR NO_x unit will be subject to the requirements of subsection (d)(1) of this Section for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.170(b)(1) or (b)(2) and for each control period thereafter.
 - CAIR NO_x allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with this Subpart and 40 CFR 96, subparts FF and GG.
 - 5) In order to comply with the requirements of subsection (d)(1) of this Section, a CAIR NO_x allowance may not be deducted for compliance according to subsection (d)(1) of this Section for a control period in a year

PCB			35 ILLINOIS ADMINISTRATIVE CODE	PART 225
SUBTIT		ITLE B befor	CHAPTER I e the calendar year for which the allowance is all	SUBCHAPTER c
6) A CAI in acco CAIR permit provisi States			IR NO _x allowance is a limited authorization to exordance with the CAIR NO _x Trading Program. A NO _x Trading Program, the CAIR NO _x permit a fit, or a retired unit exemption pursuant to 40 CFI sion of law, will be construed to limit the authorization of the State to terminate or limit this authorization.	whit one ton of NO_x No provision of the pplication, the CAIR R 96.105, and no ity of the United ion.
	7)	A CA	IR NO _x allowance does not constitute a property	y right.
	8)	Upon GG, e from auton NO _x s deem	recordation by USEPA pursuant to 40 CFR 96, every allocation, transfer, or deduction of a CAIF a CAIR NO _x source compliance account is deen natically, and become a part of, any CAIR NO _x p source. This automatic amendment of the CAIR ed an operation of law and will not require any f	subpart FF or subpart R NO _x allowance to or red to amend permit of the CAIR permit will be further review.
e)	Recor	rdkeeping and reporting requirements:		
	1)	Unles and e of the Section This p years	is otherwise provided, the owner or operator of t ach CAIR NO _x unit at the source must keep on s documents listed in subsections (e)(1)(A) throu on for a period of five years from the date the do period may be extended for cause, at any time pr , in writing by the Agency or USEPA.	he CAIR NO _x source ite at the source each gh (e)(1)(E) of this cument is created. for to the end of five
		A)	The certificate of representation for the CAIR representative for the source and each CAIR N source, all documents that demonstrate the true in the certificate of representation, provided th documents must be retained on site at the sour year period until the documents are superseded submission of a new certificate of representation (CFR 96.113, changing the CAIR designated recomplete the term).	designated IO_x unit at the the of the statements that the certificate and the certificate such five- d because of the on, pursuant to 40 epresentative.
		B)	All emissions monitoring information, in acco 96, subpart HH.	rdance with 40 CFR
		C)	Copies of all reports, compliance certifications submissions and all records made or required p NO _x Annual Trading Program or documents n demonstrate compliance with the requirements Annual Trading Program or with the requirements	s, and other pursuant to the CAIR eccessary to s of the CAIR NO _x ents of this Subpart D.

D) Copies of all documents used to complete a CAIR NO_x permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR NO_x Annual Trading Program.

PCB			35 ILLINOIS ADMINISTRATIVE CODE PART 225
		SUBTI	FLE BCHAPTER ISUBCHAPTER cE)Copies of all records and logs for gross electrical output and useful thermal energy required by Section 225 450
		2)	The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR NO_x Annual Trading Program, including those pursuant to 40 CFR 96, subpart HH.
	f)	Liabili	ty:
		1)	No revision of a permit for a CAIR NO_x unit may excuse any violation of the requirements of this Subpart D or the requirements of the CAIR NO_x Annual Trading Program.
		2)	Each CAIR NO _x source and each CAIR NO _x unit must meet the requirements of the CAIR NO _x Annual Trading Program.
		3)	Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source (including any provision applicable to the CAIR designated representative of a CAIR NO_x source) will also apply to the owner and operator of the CAIR NO_x source and to the owner and operator of each CAIR NO_x unit at the source.
		4)	Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x unit (including any provision applicable to the CAIR designated representative of a CAIR NO_x unit) will also apply to the owner and operator of the CAIR NO_x unit.
		5)	The CAIR designated representative of a CAIR NO_x unit that has excess emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.154(d)(1).
		6)	The owner or operator of a CAIR NO _x unit that has excess NO _x emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.154(d)(2).
	g)	Effect Progra pursua owner represe any otl regular	on other authorities: No provision of the CAIR NO _x Annual Trading am, a CAIR permit application, a CAIR permit, or a retired unit exemption ant to 40 CFR 96.105 will be construed as exempting or excluding the and operator and, to the extent applicable, the CAIR designated entative of a CAIR NO _x source or a CAIR NO _x unit from compliance with her regulation promulgated pursuant to the CAA, the Act, any State tion or permit, or a federally enforceable permit.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.415 Appeal Procedures

The appeal procedures for decisions of USEPA pursuant to the CAIR NO_x Annual Trading Program are set forth in 40 CFR 78, as incorporated by reference in Section 225.140.

PCB		35 ILLINOIS ADMINISTRATIVE CODE	PART 225
	SUBTITLE B	CHAPTER I	SUBCHAPTER c

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007) Section 225.420 Permit Requirements

- a) Permit requirements:
 - 1) The owner or operator of each source with a CAIR NO_x unit is required to submit:
 - A complete permit application addressing all applicable CAIR NO_x Annual Trading Program requirements for a permit meeting the requirements of this Section, applicable to each CAIR NO_x unit at the source. Each CAIR permit must contain elements required for a complete CAIR permit application pursuant to subsection (b)(2) of this Section.
 - B) Any supplemental information that the Agency determines necessary in order to review a CAIR permit application and issue any CAIR permit.
 - 2) Each CAIR permit will be issued pursuant to Sections 39 and 39.5 of the Act, must contain federally enforceable conditions addressing all applicable CAIR NO_x Annual Trading Program requirements, and will be a complete and segregable portion of the source's entire permit pursuant to subsection (a)(1) of this Section.
 - 3) No CAIR permit may be issued until the Agency and USEPA have received a complete certificate of representation for a CAIR designated representative pursuant to 40 CFR 96, subpart BB, for the CAIR NO_x source and the CAIR NO_x unit at the source.
 - For all CAIR NO_x units that commenced operation before December 31, 2007, the owner or operator of the unit must submit a CAIR permit application meeting the requirements of this Section on or before December 31, 2007.
 - 5) For all CAIR NO_x units that commence operation on or after December 31, 2007, the owner or operator of these units must submit applications for construction and operating permits pursuant to the requirements of Sections 39 and 39.5 of the Act, as applicable, and 35 Ill. Adm. Code 201 and the applications must specify that they are applying for CAIR permits and must address the CAIR permit application requirements of this Section.
- b) Permit applications:
 - 1) Duty to apply: The owner or operator of any source with one or more CAIR NO_x units must submit to the Agency a CAIR permit application for the source covering each CAIR NO_x unit pursuant to subsection (b)(2) of this Section by the applicable deadline in subsection (a)(4) or (a)(5) of this

PCB			35 ILLINOIS ADMINISTRATIVE CODE	PART 225
	SUBTI	TLE B	CHAPTER I	SUBCHAPTER c
		Sectio	on. The owner or operator of any source with one o	r more CAIR
		NO _x t	inits must reapply for a CAIR permit for the source	as required by
		this S 39.5 c	of the Act.	sections 39 and
	2)	Inforr CAIR the so	nation requirements for CAIR permit applications: permit application must include the following elen urce for which the application is submitted:	A complete nents concerning
		A)	Identification of the source, including plant name. (Office of Regulatory Information Systems) or fac assigned to the source by the Energy Information must also be included, if applicable;	. The ORIS cility code Administration
		B)	Identification of each CAIR NO _x unit at the source	e; and
		C)	The compliance requirements applicable to each of set forth in Section 225.410.	CAIR NO _x unit as
	3)	An ap CAIR has be requir requir of tha	plication for a CAIR permit will be treated as a mo- NO _x source's existing federally enforceable permit een issued for that source, and will be subject to the mements. When the Agency issues a CAIR permit prements of this Section, it will be incorporated into a t source's existing federally enforceable permit.	dification of the t, if such a permit same procedural ursuant to the and become part
c)	Permit definit incorp under	t contentions ar orated 40 CFF	nt: Each CAIR permit is deemed to incorporate auto ad terms specified in Section 225.130 and 40 CFR 9 by reference in Section 225.140 and, upon recordat R 96, subparts FF and GG, as incorporated by refere	omatically the 6.102, as ion of USEPA ence in Section

225.140, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from the compliance account of the CAIR NO_x source covered by the permit.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.425 Annual Trading Budget

The CAIR NO_x Annual Trading budget available for allowance allocations for each control period will be determined as follows:

a) The total base CAIR NO_x Annual Trading budget is 76,230 tons per control period for the years 2009 through 2014, subject to a reduction for two set-asides, the New Unit Set-Aside (NUSA) and the Clean Air Set-Aside (CASA). Five percent of the budget will be allocated to the NUSA and 25 percent will be allocated to the CASA, resulting in a CAIR NO_x Annual Trading budget of 53,361 tons available for allocation per control period pursuant to Section 225.440. The requirements of the NUSA are set forth in Section 225.445, and the requirements of the CASA are set forth in Section 225.470.
DCB		35 ILLINOIS ADMINISTRATIVE CODE	PART 225				
ICD		SUBTITLE B CHAPTER I	SUBCHAPTER c				
b)	The total base CAIR NO _x Annual Trading budget is 63.525 tons p	er control				
	/	period for the year 2015 and thereafter, subject to a reduction for t	wo set-asides.				
	the NUSA and the CASA. Five percent of the budget will be allocated to the						
	NUSA and 25 percent will be allocated to the CASA, resulting in a CAIR NO _x						
		Annual Trading budget of 44,468 tons available for allocation per	control period				
		pursuant to Section 225.440.	1				
		•					
с)	If USEPA adjusts the total base CAIR NOx Annual Trading budge	t for any				
reason, the Agency will adjust the base CAIR NOx Annual Trading bu							
	the CAIR NO _x Annual Trading budget available for allocation, accordingly.						
(:	Source	e: Added at 31 Ill. Reg. 12864, effective August 31, 2007)					
~							
Section 2	225.43	30 Timing for Annual Allocations					
0)	On or before September 25, 2007, the Agency will submit to USE	$\mathbf{D}\mathbf{A}$ the $\mathbf{C}\mathbf{A}\mathbf{I}\mathbf{D}$				
a)	NO allowance allocations in accordance with Sections 225 425 a	r A life CAIK				
		100_x anowance anocations, in accordance with Sections 223.453 a the 2000, 2010, and 2011 control periods	110 223.440, 101				
		uie 2009, 2010, and 2011 control periods.					

- b) By October 31, 2008, and October 31 of each year thereafter, the Agency will submit to USEPA the CAIR NO_x allowance allocations in accordance with Sections 225.435 and 225.440, for the control period four years after the year of the applicable deadline for submission pursuant to this Section. For example, on October 31, 2008, the Agency will submit to USEPA the allocations for the 2012 control period.
- c) For CAIR NO_x units that commence commercial operation on or after January 1, 2006, that have not been allocated allowances under Section 225.440 for the applicable or any preceding control period, the Agency will allocate allowances from the NUSA in accordance with Section 255.445. The Agency will report these allocations to USEPA by October 31 of the applicable control period. For example, on October 31, 2009, the Agency will submit to USEPA the allocations from the NUSA for the 2009 control period.
- d) The Agency will allocate allowances from the CASA to energy efficiency, renewable energy, and clean technology projects pursuant to the criteria in Sections 225.455 through 225.470. The Agency will report these allocations to USEPA by October 1 of each year. For example, on October 1, 2009, the Agency will submit to USEPA the allocations from the CASA for the 2009 control period, based on reductions made in the 2008 control period.

Section 225.435 Methodology for Calculating Annual Allocations

The Agency will calculate converted gross electrical (CGO) output, in MWh, for each CAIR NO_x unit that has operated during at least one calendar year prior to the calendar year in which the Agency reports the allocations to USEPA as follows:

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		SUBTI	TLE B	CHAPTER I	SUBCHAPTER c
	a)	For co	ntrol periods	2009, 2010, and 2011, the owner or operator	of the unit must
		submit	in writing to	the Agency, by September 15, 2007, a state	ment that either
		gross e	electrical out	but data or heat input data is to be used to cal	culate the unit's
		conver	ted gross ele	ctrical output. The data shall be used to calculate the sittle subscription $(a)(1)$ or $(a)(1)$	ulate converted
		gross e		but pursuant to either subsection $(a)(1)$ or $(a)(1)$	(2) of this Section:
		1)	Gross electr then the gro	ical output: If the unit has four or five controls ss electrical output (GO) will be the average ss electrical outputs from the 2001, 2002, 200	ol periods of data, of the unit's three 3, 2004, or 2005
			control peri	ods. If the unit has three or fewer control per	iods of gross
			electrical ou	itput data, the gross electrical output will be t	he average of
			by two or m	or periods for which data is available. If a gen ore units, the gross electrical output of the generation to the unit's share of	enerator is served enerator will be
			neriod heat	input of these units for the control period. The	ne unit's
			converted g	ross electrical output will be calculated as fol	lows:
			۸)	If the unit is coal fired.	
			A)	CGO (in MWh) = GO (in MWh) (10)	
			B)	If the unit is oil-fired:	
				CGO (in MWh) = GO (in MWh) ' 0.6; or	Ĉ
			C)	If the unit is neither coal-fired nor oil-fire	d:
				CGO (in MWh) = GO (in MWh) $$ 0.4	
		2)	Heat input (average of t 2004 or 200 control perio those control gross electric	HI): If the unit has four or five control perio he unit's three highest heat inputs from the 2 5 control period will be used. If the unit has ods of heat input data, the heat input will be t ol periods for which data is available. The un cal output will be calculated as follows:	ds of data, the 001, 2002, 2003, three or fewer he average of it's converted
			A)	If the unit is coal-fired:	
				CGO (in MWh) = HI (in mmBtu) 10.096	7;
			B)	If the unit is oil-fired:	
				CGO (in MWh) = HI (in mmBtu) $\checkmark 0.058$	0; or
			C)	If the unit is neither coal-fired nor oil-fire	d:
				CGO (in MWh) = HI (in mmBtu) 10.038	7.
	b)	For continue output	ntrol periods ing to the Ag	2012 and 2013, the owner or operator of the gency, by June 1, 2008, a statement that either	unit must submit r gross electrical
		electric	cal output. T nt to either s	The unit's converted gross electrical output sh ubsection (b)(1) or (b)(2) of this Section:	all be calculated

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1)	Gross electri	cal output: The average of the unit's ty	wo most recent years of
	control perio	d gross electrical output, if available.	If a unit commences
	commercial	operation in the 2007 control period an	d does not have gross
	electrical out	put for the 2006 control period, then the	ne gross electrical
	output from	2007 will be used. If a generator is ser	ved by two or more
	units, the gro	oss electrical output of the generator sha	all be attributed to each
	unit in propo	ortion to the unit's share of the total con	itrol period heat input
	or such units	for the control period. The unit's con-	verted gross electrical
	output shall	be calculated as follows:	
	A)	If the unit is coal-fired:	
		CGO (in MWh) = GO (in MWh) ' 1	.0;
	B)	If the unit is oil-fired:	
		CGO (in MWh) = GO (in MWh) ' O).6;
	C)	If the unit is neither coal-fired nor oi	l-fired:
		CGO (in MWh) = GO (in MWh) ' 0).4.
2)	Heat input: '	The average of the unit's two most rece	ent years of control
	period heat in	nputs, e.g., for the 2012 control period,	, the average of the
	unit's heat in	put from the 2006 and 2007 control pe	riods. The unit's
	converted gr	oss electrical output shall be calculated	l as follows:
	A)	If the unit is coal-fired:	
		CGO (in MWh) = HI (in mmBtu)	0.0967;
	B)	If the unit is oil-fired:	
		CGO (in MWh) = HI (in mmBtu)	0.0580; or
	C)	If the unit is neither coal-fired nor o	il-fired:
		CGO (in MWh) = HI (in mmBtu)	0.0387.
	SUBTI 1) 2)	SUBTITLE B 1) Gross electri control perio commercial of electrical out output from 1 units, the gro unit in propo of such units output shall b A) B) C) 2) Heat input: ' period heat is unit's heat im converted gro A) B) C)	 SUBTITLE B CHAPTER I 1) Gross electrical output: The average of the unit's trest control period gross electrical output, if available. Commercial operation in the 2007 control period and electrical output for the 2006 control period, then the output from 2007 will be used. If a generator is serunits, the gross electrical output of the generator shunit in proportion to the unit's share of the total corof such units for the control period. The unit's comoutput shall be calculated as follows: A) If the unit is coal-fired: CGO (in MWh) = GO (in MWh) ' 1 B) If the unit is neither coal-fired nor oi CGO (in MWh) = GO (in MWh) ' 0 2) Heat input: The average of the unit's two most reception heat inputs, e.g., for the 2012 control period, unit's heat input from the 2006 and 2007 control period, unit's heat input from the 2006 and 2007 control period, unit's heat input from the 2006 (in MWh) = HI (in mmBtu) ' B) If the unit is neither coal-fired: CGO (in MWh) = HI (in mmBtu) '

- c) For control period 2014 and thereafter, the unit's gross electrical output will be the average of the unit's two most recent control period's gross electrical output, if available. If a unit commences commercial operation in the most recent control period and does not have gross electrical output for two control periods, the gross electrical output from the most recent period, e.g., if the unit commences commercial operation in 2009 and does not have gross electrical output from 2008, gross electrical output from 2009 will be used. If a generator is served by two or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the unit's share of the total control period heat input of these units for the control period. The unit's converted gross electrical output will be calculated as follows:
 - 1) If the unit is coal-fired: CGO (in MWh) = GO (in MWh) ´ 1.0;

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	2) If the unit is oil-fired:	
	$CGO (in MWh) = GO (in MWh)^{2} 0.6; or$	
	3) If the unit is neither coal-fired nor oil-fired:	
	CGO (in MWh) = GO (in MWh) ' 0.4.	
d)	For a unit that is a combustion turbine or boiler and has equipm produce electricity and useful thermal energy for industrial, co- or cooling purposes through the sequential use of energy, the A converted gross electrical output calculated for electricity purse (a), (b), or (c) of this Section to the converted useful thermal en- determine the total converted gross electrical output for the unit Agency will determine the converted useful thermal energy by of the unit's control period useful thermal energy for the prior periods, if available. In the first year for which a unit is conside existing unit rather than a new unit, the unit's control period use for the prior year will be used. The converted useful thermal en- determined using the following equations:	nent used to mmercial, heating, Agency will add the uant to subsection nergy (CUTE) to it (TCGO). The using the average two control ered to be an seful thermal output energy will be
	determined using the fortowing equations.	
	1) If the unit is coal-fired:	(D_{4})
	COTE (In MWh) = OTE (In mm)	(Btu) = 0.2930;
	2) If the unit is oil-fired:	
	CUTE (in MWh) = UTE (in mm	Btu) ' 0.1758; or
	3) If the unit is neither coal-fired nor oil-fired: CUTE (in MWh) = UTE (in mm	ıBtu) ´ 0.1172.
e)	The CAIR NO _x unit's converted gross electrical output and con- thermal energy in subsections (a)(1), (b)(1), (c), and (d) of this control period will be based on the best available data reported Agency for the CAIR NO _x unit pursuant to the provisions of Se	nverted useful Section for each or available to the ection 225.450.
f)	The CAIR NO _x unit's heat input in subsections (a)(2) and (b)(2) for each control period will be determined in accordance with a incorporated by reference in Section 225.140.	2) of this Section 40 CFR 75, as
(Sourc	ce: Added at 31 Ill. Reg. 12864, effective August 31, 2007)	
Section 225	40 Annual Allocations	
Section 223.4	Annual Anocations	
a)	For the 2009 control period, and each control period thereafter, allocate to all CAIR NO _x units in Illinois for which the Agency converted gross electrical output pursuant to Section 225.435(a total converted gross electrical output pursuant to Section 225. applicable, a total amount of CAIR NO _x allowances equal to to emissions in the CAIR NO _x Annual Trading budget available f determined in Section 225.425 and as adjusted to add allowance	, the Agency will y has calculated the a), (b), or (c) or 435(d), as ons of NO _x for allocation as ces not allocated

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	pursuant to subsec	ction (b) of this Section in the previou	us year's allocation.
b)	The Agency will a rata basis using th 225.435(a), (b), or pursuant to Section be allocated. The allocation of whole Section in the next	allocate CAIR NO _x allowances to each e unit's converted gross electrical out (c) or total converted gross electrica n 225.435(d), as applicable, to the ex Agency will retain any additional all e allowances for allocation pursuant t control period.	ch CAIR NO _x unit on a pro- tput pursuant to Section al output calculated atent whole allowances may lowances beyond this to subsection (a) of this

Section 225.445 New Unit Set-Aside (NUSA)

For the 2009 control period and each control period thereafter, the Agency will allocate CAIR NO_x allowances from the NUSA to CAIR NO_x units that commenced commercial operation on or after January 1, 2006, and do not yet have an allocation for the particular control period or any preceding control period pursuant to Section 225.440, in accordance with the following procedures:

- a) Beginning with the 2009 control period and each control period thereafter, the Agency will establish a separate NUSA for each control period. Each NUSA will be allocated CAIR NO_x allowances equal to five percent of the amount of tons of NO_x emissions in the base CAIR NO_x Annual Trading budget in Section 225.425.
- b) The CAIR designated representative of a new CAIR NO_x unit may submit to the Agency a request, in a format specified by the Agency, to be allocated CAIR NO_x allowances from the NUSA, starting with the first control period after the control period in which the new unit commences commercial operation and until the fifth control period after the control period in which the unit commenced commercial operation. The NUSA allowance allocation request may only be submitted after a new unit has operated during one control period, and no later than March 1 of the control period for which allowances from the NUSA are being requested.
- c) In a NUSA allowance allocation request pursuant to subsection (b) of this Section, the CAIR designated representative must provide in its request information for gross electrical output and useful thermal energy, if any, for the new CAIR NO_x unit for that control period.
- d) The Agency will allocate allowances from the NUSA to a new CAIR NO_x unit using the following procedures:
 - 1) For each new CAIR NO_x unit, the unit's gross electrical output for the most recent control period will be used to calculate the unit's gross electrical output. If a generator is served by two or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the unit's share of the total control period heat input of these units for the control period. The new unit's converted gross electrical output will be calculated as follows:

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	1	A)	If the unit is c	oal-fired:	
		,	CGO (in MW	f(h) = GO (in MWh) ' 1.0;	
]	B)	If the unit is c	il-fired:	
			CGO (in MW	f(h) = GO (in MWh) ' 0.6; c)r
	(C)	If the unit is n	where $coal$ -fired nor oil-fired	ed:
				$\Psi(\mathbf{I}) = \mathbf{OO}\left(\mathbf{III} \ \mathbf{W} \mathbf{I} \mathbf{W} \mathbf{I}\right) 0.4.$	
		If the uproduct heating Agence electric useful putput therma contro using t	unit is a comb ce electricity a g, or cooling p y will add the city pursuant t thermal energ for the unit. ' al energy using l period. The the following of	ustion turbine or boiler and nd useful thermal energy for purposes through the sequer converted gross electrical of to subsection (d)(1) of this s ty to determine the total cor The Agency will determine g the unit's useful thermal en- converted useful thermal en- equations:	has equipment used to or industrial, commercial, ntial use of energy, the output calculated for Section to the converted nverted gross electrical the converted useful energy for the most recent nergy will be determined
	1	A)	If the unit is CUTE (in M	coal-fired: Wh) = UTE (in mmBtu) ´	0.2930;
	1	B)	If the unit is CUTE (in M	oil-fired: Wh) = UTE (in mmBtu) ´	0.1758; or
	(C)	If the unit is CUTE (in M	neither coal-fired nor oil-fir Wh) = UTE (in mmBtu) ´	red: 0.1172.
	3) 7 2 2	The gr and (d availat oursua	oss electrical (2) of this Se ble data report ant to the prove	output and useful thermal e ction for each control perio ed or available to the Agen isions of Section 225.450.	energy in subsections (d)(1) d will be based on the best cy for the CAIR NO _x unit
	4) 1 t s	The A unit's herma Section	gency will det converted gro al energy, if ar n, converted to tion), as follow	termine a unit's unprorated ss electrical output plus the ny, calculated in subsections o approximate NO _x tons (th vs:	allocation (UA_y) using the e unit's converted useful s (d)(1) and (d)(2) of this he unit's unprorated
	i	$UA_y =$	$=\frac{NCGO_{y}*(1.1)}{2000lh}$	0lbs/MWh)	
			200010	5 - 1011	
			Where:		
			$UA_y = NCGO_y =$	unprorated allocation to a converted gross electrica	a new CAIR NO _x unit. l output or total converted

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		gross electrical output, as	applicable, for a new
		CAIR NO _x unit.	

- 5) The Agency will allocate CAIR NO_x allowances from the NUSA to new CAIR NO_x units as follows:
 - A) If the NUSA for the control period for which CAIR NO_x allowances are requested has a number of allowances greater than or equal to the total unprorated allocations for all new units requesting allowances, the Agency will allocate the number of allowances using the unprorated allocation determined for that unit pursuant to subsection (d)(4) of this Section, to the extent that whole allowances may be allocated. For any additional allowances beyond this allocation of whole allowances, the Agency will retain the additional allowances in the NUSA for allocation pursuant to this Section in later control periods.
 - B) If the NUSA for the control period for which the allowances are requested has a number of CAIR NO_x allowances less than the total unprorated allocation to all new CAIR NO_x units requesting allocations, the Agency will allocate the available allowances for new CAIR NO_x units on a pro-rata basis, using the unprorated allocation determined for that unit pursuant to subsection (d)(4) of this Section, to the extent that whole allowances may be allocated. For any additional allowances beyond this allocation of whole allowances, the Agency will retain the additional allowances in the NUSA for allocation pursuant to this Section in later control periods.
- e) The Agency will review each NUSA allowance allocation request pursuant to subsection (b) of this Section. The Agency will accept a NUSA allowance allocation request only if the request meets, or is adjusted by the Agency as necessary to meet, the requirements of this Section.
- f) By June 1 of the applicable control period, the Agency will notify each CAIR designated representative that submitted a NUSA allowance request of the amount of CAIR NO_x allowances from the NUSA, if any, allocated for the control period to the new unit covered by the request.
- g) The Agency will allocate CAIR NO_x allowances to new units from the NUSA no later than October 31 of the applicable control period.
- h) After a new CAIR NO_x unit has operated in one control period, it becomes an existing unit for the purposes of calculating future allocations in Section 225.440 only, and the Agency will allocate CAIR NO_x allowances for that unit, for the control period commencing five control periods after the control period in which the unit commences commercial operation, pursuant to Section 225.440. For example, if a unit commences commercial operation in 2009, in 2010, the Agency will allocate to that unit allowances pursuant to Section 225.440 for the 2014 control period. The new CAIR NO_x unit will continue to receive CAIR NO_x

SUBTITLE B CHAPTER I allowances from the NUSA according to this Section unti- use the CAIR NO _x allowances allocated to the unit pursua	SUBCHAPTER c I the unit is eligible to out to Section 225 440
allowances from the NUSA according to this Section unti- use the CAIR NO _x allowances allocated to the unit pursua	the unit is eligible to
use the CAIR NO _x allowances allocated to the unit pursua	nt to Section 225 440
	int to beetion 223.440.
 i) If, after the completion of the procedures in subsection (c) control period, any unallocated CAIR NO_x allowances remonstrol period, the Agency will, at a minimum, accrue the for future control period allocations to new CAIR NO_x un from time to time elect to retire CAIR NO_x allowances in excess of 15,881 for the purposes of continued progress to the purpose of continued progress to the purpose of continued progress to the purpose of continued progress to the purpose. 	o of this Section for a nain in the NUSA for the sec CAIR NO_x allowances its. The Agency may the NUSA that are in oward attainment and
maintenance of National Ambient Air Quality Standards p	bursuant to the CAA.

Section 225.450 Monitoring, Recordkeeping and Reporting Requirements for Gross Electrical Output and Useful Thermal Energy

- a) By January 1, 2008, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NO_x unit must operate a system for accurately measuring gross electrical output that is consistent with the requirements of either 40 CFR 60 or 75; must measure gross electrical output in MWh using such a system; and must record the output of the measurement system at all times. If a generator is served by two or more units, the information to determine each unit's heat input for that control period must also be recorded, so as to allow each unit's share of the gross electrical output to be determined. If heat input data is used, the owner or operator must comply with the applicable provisions of 40 CFR 75, as incorporated by reference in Section 225.140.
- b) For a CAIR NO_x unit that is a cogeneration unit, by January 1, 2008, or by the date the CAIR NO_x unit commences to produce useful thermal energy, whichever is later, the owner or operator of the unit with cogeneration capabilities must install, calibrate, maintain, and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit, and pressure in PSI, to measure and record the useful thermal energy that is produced, in mmBtu/hr, on a continuous basis. Owners and operators of a CAIR NO_x unit that produces useful thermal energy but uses an energy transfer medium other than steam, e.g., hot water or glycol, must install, calibrate, maintain, and operate the necessary meters to measure and record the necessary data to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the CAIR NO_x unit ceases to produce useful thermal energy, the owner or operator may cease operation of the meters, provided that operation of these meters must be resumed if the CAIR NO_x unit resumes production of useful thermal energy.
- c) The owner or operator of a CAIR NO_x unit must either report gross electrical output data to the Agency or comply with the applicable provisions for providing heat input data to USEPA as follows:
 - By September 15, 2007, the gross electrical output for control periods 2001, 2002, 2003, 2004 and 2005, if available, and the unit's useful thermal energy data, if applicable. If a generator is served by two or more

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		SUBTITLE un inj inj pre	The documentation ne s, the documentation ne at of such units for that of the data is used, the owne visions of 40 CFR 75, as	TER I eded to determine each un control period must also b r or operator must comply incorporated by reference	SUBCHAPTER c nit's share of the heat be submitted. If heat y with the applicable be in Section 225.140.
		2) By 20 If de pe op ind	June 1, 2008, the gross e 7, if available, and the u generator is served by tw ermine each unit's share od must also be submitted rator must comply with proporated by reference in	electrical output for control nit's useful thermal energy wo or more units, the doc of the heat input of such ed. If heat input data is u the applicable provisions a Section 225.140.	ol periods 2006 and gy data, if applicable. umentation needed to units for that control sed, the owner or of 40 CFR 75, as
Ċ	1)	Beginning must subr 31, and Ja electrical unit's uses	with 2008, the CAIR dea t to the Agency quarterl uary 31 of each year, ind utput, on a monthly basi Il thermal energy for eac	signated representative of y, by no later than April 3 formation for the CAIR N s for the prior quarter, and h month.	The CAIR NO _x unit 30, July 31, October NO_x unit's gross d, if applicable, the
e	2)	The owne plan detai including or 75, as a gross elec new units	or operator of a CAIR N ng the monitoring system uality assurance activition plicable, including the a ical output for the CAIR The monitoring plan mu	O_x unit must maintain or n, maintenance of the mo es pursuant to the required ppropriate provisions for P_x NO _x Trading Program a ust include, but is not limit	n-site the monitoring onitoring system, ments of 40 CFR 60 the measurement of nd, if applicable, for ited to:
		1) A ele da ele tra vo tra ter me	escription of the system trical output pursuant to a logging devices, solid- tromechanical kW mete sformers, pressure taps, ex meters, turbine meter smitters, temperature tra perature detectors, and a usure gross electrical out	to be used for the measure Section 225.450(a), inclu- state kW meters, rotating rs, current transformers, to flow venturi, orifice plate rs, pressure transmitters, or insmitters, thermocouples any equipment or methods put.	rement of gross uding a list of any kW meters, transducers, potential es, flow nozzles, differential pressure s, resistance s used to accurately
		2) A co acu acu	ertification statement by ponents of the gross ele arate within three percer arate to within ten perce	the CAIR designated rep ctrical output system hav and that the gross electr nt.	bresentative that all e been tested to be frical output system is
f	f)	The owne vears from	or operator of a CAIR N the date the record is cre	O_x unit must retain record cated or the data is collect	ds for at least five ted under subsections

years from the date the record is created or the data is collected under subsections (a) and (b) of this Section, and the reports are submitted to the Agency and USEPA in accordance with subsections (c) and (d) of this Section. The owner or operator of a CAIR NO_x unit must retain the monitoring plan required in subsection (e) of this Section for at least five years from the date that it is replaced by a new or revised monitoring plan.

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	(Source: Added at 31 Ill. R	eg. 12864, effective August 31, 2007)	1

Section 225.455 Clean Air Set-Aside (CASA)

- a) A project sponsor may apply for allowances from the CASA for sponsoring an energy efficiency and conservation, renewable energy, or clean technology project as set forth in Section 225.460 by submitting the application required by Section 225.470.
- b) Notwithstanding subsection (a) of this Section, a project sponsor with a CAIR NO_x source that is out of compliance with this Subpart for a given control period may not apply for allowances from the CASA for that control period. If a source receives CAIR NO_x allowances from the CASA and then is subsequently found to have been out of compliance with this Subpart for the applicable control period or periods, the project sponsor must restore the CAIR NO_x allowances that it received pursuant to its CASA request or an equivalent number of CAIR NO_x allowances to the CASA within six months after receipt of an Agency notice that NO_x allowances must be restored. These allowances will be assigned to the fund from which they were distributed.
- c) CAIR NO_x allowances from the CASA will be allocated in accordance with the procedures in Section 225.475.
- d) The project sponsor may submit an application that aggregates two or more projects under a CASA project category that would individually result in less than one allowance, but that equal at a minimum one whole allowance when aggregated.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.460 **Energy Efficiency and Conservation, Renewable Energy, and Clean Technology Projects**

- Energy efficiency and conservation project means any of the following projects a) implemented and located in Illinois:
 - 1) Demand side management projects that reduce overall power demand by using less energy include:
 - A) Smart building management software that more efficiently regulates power flows.
 - B) The use of or replacement to high efficiency motors, pumps, compressors, or steam systems.
 - C) Lighting retrofits.
 - 2) Energy efficient new building construction projects include:
 - A) ENERGY STAR-qualified new home projects.

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		B)	Measures to reduce or conserve energy consum requirements of the Illinois Energy Conservation Commercial Buildings [20 ILCS 687/6-3].	ption beyond the on Code for	
		C)	New residential construction projects that quali Efficient Tax Incentives pursuant to the Energy 2005, (42 USC 15801 (2005)).	fy for Energy Policy Act of	
	3)	Suppl impro and th	y-side energy efficiency projects include projects ove the efficiency in electricity generation by coal ne efficiency of electrical transmission and distrib	implemented to -fired power plants, oution systems.	
	4)	Highl comb To be this su thresh	y efficient power generation projects, such as, bu ined cycle projects, combined heat and power, an considered a highly efficient power generation p ubsection (a)(4), a project must meet the followin holds and criteria:	t not limited to, d microturbines. roject pursuant to g applicable	
		A)	For combined heat and power projects generating and useful thermal energy for space, water, or in heat, a rated-energy efficiency of at least 60 per CAIR NO _x unit.	ng both electricity ndustrial process rcent and is not a	
		B)	For combined cycle projects rated at greater that rated-energy efficiency of at least 50 percent.	un 0.50 MW, a	
		C)	For microturbine projects rated at or below 0.50 projects, a rated-energy efficiency of at least 40) MW and all other) percent.	
b)	Renew located	able ei 1 in Illi	nergy project means any of the following projects nois:	s implemented and	
	1)	Zero- or pho restric gener do no constr	emission electric generating projects, including we be	vind, solar (thermal vdropower plants are of existing ary 1, 2006, and that dam or the	
	2)	Renew than 5 grown landfi waste Renew	wable energy units are those units that generate el 50 percent of the heat input, on an annual basis, fr n for energy production or the capture systems for 11s, water treatment plants or sewage treatment pl biomass, and other similar sources of non-fossil wable energy projects do not include energy from	ectricity using more rom dedicated crops r methane gas from lants, and organic fuel energy.	

Renewable energy projects do not include energy from incineration by burning or heating of waste wood, tires, garbage, general household waste, institutional lunchroom waste, office waste, landscape waste, or construction or demolition debris.

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- c) Clean technology project for reducing emissions from producing electricity and useful thermal energy means any of the following projects implemented and located in Illinois:
 - 1) Air pollution control equipment upgrades at existing coal-fired EGUs, as follows: installation of flue gas desulfurization (FGD) for control of SO_2 emissions; installation of a baghouse for control of particulate matter emissions; and installation of selective catalytic reduction (SCR), selective non-catalytic reduction (SNCR), or other add-on control devices for control of NO_x emissions. For this purpose, a unit will be considered "existing" after it has been in commercial operation for at least eight years. Air pollution control upgrade projects do not include the addition of low NO_x burners, overfired air techniques or gas reburning techniques for control of NO_x emissions; projects involving flue gas conditioning techniques or upgrades, or replacement of electrostatic precipitators; or addition of an activated carbon injection or other sorbent injection system for control of mercury.
 - 2) Clean coal technologies projects include:
 - A) Integrated gasification combined cycle (IGCC) plants.
 - B) Fluidized bed coal combustion that commenced operation prior to December 31, 2006.
- d) In addition to those projects excluded in subsections (a) through (c) of this Section, the following projects are also not energy efficiency and conservation, renewable energy, or clean technology projects:
 - 1) Nuclear power projects.
 - 2) Projects required to meet emission standards or technology requirements under State or federal law or regulation, except that allowances may be allocated for:
 - A) The installation of a baghouse.
 - B) Projects undertaken pursuant to Section 225.233 or Subpart F.
 - 3) Projects used to meet the requirements of a court order or consent decree, except that allowances may be allocated for:
 - A) Emission rates or limits achieved that are lower than what is required to meet the emission rates or limits for SO_2 or NO_x , or for installing a baghouse as provided for in a court order or consent decree entered into before May 30, 2006.
 - B) Projects used to meet the requirements of a court order or consent decree entered into on or after May 30, 2006, if the court order or

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		consent decree does not specifically preclud	le such allocations.

- 4) A Supplemental Environmental Project (SEP).
- e) Applications for projects implemented and located in Illinois that are not specifically listed in subsections (a) through (c) of this Section, and that are not specifically excluded by definition in subsections (a) through (c) of this Section or by specific exclusion in subsection (d) of this Section, may be submitted to the Agency. The application must designate which category or categories from those listed in subsections (a)(1) through (c)(2)(B) of this Section best fit the proposed project and the applicable formula pursuant to Section 225.465(b) to calculate the number of allowances that it is requesting. The Agency will determine whether the application is approvable based on a sufficient demonstration by the project sponsor that the project is a new type of energy efficiency, renewable energy, or clean technology project, similar in its effects as the projects specifically listed in subsections (a) through (c)(2)(B) of this Section.
- f) Early adopter projects include projects that meet the criteria for any energy efficiency and conservation, renewable energy, or clean technology projects listed in subsections (a), (b), (c), and (e) of this Section and commence construction between July 1, 2006 and December 31, 2012.

Section 225.465 Clean Air Set-Aside (CASA) Allowances

a) The CAIR NO_x allowances for the CASA for each control period will be assigned to the following categories of projects:

		Phase I	Phase II
		(2009-2014)	(2015 and thereafter)
1)	Energy Efficiency and Conservation/ Renewable Energy	9149	7625
2)	Air Pollution Control Equipment Upgrades	3811	3175
3)	Clean Coal Technology	4573	3810
4)	Early Adopters	1525	1271

- b) The following formulas must be used to determine the number of CASA allowances that may be allocated to a project per control period:
 - For an energy efficiency and conservation project pursuant to Section 225.460(a)(1) through (a)(4)(A), the number of allowances must be calculated using the number of megawatt hours of electricity that was not consumed during a control period and the following formula:

 $A = (MWh_c) (1.5 lb/MWh) / 2000 lb$

Where:

A = The number of allowances for a particular project.

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	$MWh_c =$ The number of megawatt hours of electricity conserved or generated					
	during a co	ontrol period by a project.				

2) For a zero emission electric generating project pursuant to Section 225.460(b)(1), the number of allowances must be calculated using the number of megawatt hours of electricity generated during a control period and the following formula:

$$A = (MWh_g)' (2.0 \text{ lb/MWh}) / 2000 \text{ lb}$$

Where:

- A = The number of allowances for a particular project
- MWh_g = The number of megawatt hours of electricity generated during a control period by a project.
- 3) For a renewable energy emission unit pursuant to Section 225.460(b)(2), the number of allowances must be calculated using the number of MWhs of electricity generated during a control period and the following formula:

 $A = (MWh_g)' (0.5 lb/MWh) / 2000 lb$

Where:

A = The number of allowances for a particular project.

MWh_g = The number of MW hours of electricity generated during a control period by a project.

- 4) For an air pollution control equipment upgrade project pursuant to Section 225.460(c)(1), the number of allowances will be calculated as follows:
 - A) For NO_x or SO₂ control projects, by determining the difference in emitted NO_x or SO₂ per control period using the emission rate before and after replacement or improvement, and the following formula:

 $A= (MWh_g) ' K ' (ER_B lb/MWh - ER_A lb/MWh) / 2000 lb$

Where:

- A = The number of allowances for a particular project.
- MWh_g = The number of megawatt hours of electricity generated during a control period by a project.
 - K = The pollutant factor: for NO_x, K= 0.1; and for SO₂, K = 0.05.
 - $ER_B = Average NO_x$ or SO_2 emission rate based on CEMS data from the most recent two control periods prior to the replacement or improvement of the control equipment in lb/MWh, unless subject to a court order or consent decree. For units subject to a court order or consent decree entered into before May 30, 2006, ER_B is limited to emission rates that

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	are	lower than the emission rate required in the cons	ent decree or court
	ord	er. For a court order or consent decree entered in	nto after May 30,
	200	6, ER_B is limited to the lesser of the emission rat	e specified in the
	cou the mu	rt order or consent decree or the actual average e control period. If such limit is not expressed in l st be converted into lb/MWh using a heat rate of	mission rate during b/MWh, the limit 10 mmBtu/1 MW.
	$ER_A = An$ per	nual NO _x or SO ₂ average emission rate for the ap od data based on CEMS data in lb/MWh.	oplicable control
		•	

B) For a baghouse project:

 $A = (MWh_g) ' (Q lb/MWh) / 2000 lb$

Where:

A = The number of allowances for a particular project.

 MWh_g = The number of MWh of electricity generated during a control period or the portion of a control period that the units were controlled by the baghouse.

Q =

- 1) If a baghouse was not installed pursuant to a consent decree or court order, Q shall equal 0.2.
- 2) If a baghouse was installed pursuant to a consent decree or court order that assigns a Q factor, then Q equals the factor established in the consent decree or court order but must not exceed a factor of 0.2.
- 3) If a baghouse was installed pursuant to a consent decree or court order that does not assign a Q factor then Q shall equal:

 $Q = 0.25 - (P \times ER_q)$

Where:

- P = If the most recent control period's average PM emission rate was based on PM CEMS data, P equals 1.0; otherwise P = 1.1.
- $ER_q = The magnitude of most recent control period's average PM emission$ rate in lb/MWh exiting the baghouse, subject to the following limits:

If P = 1.0, then $1/10 \le ER_q \le 2/10$

If P = 1.1, then $1/11 \le ER_q \le 2/11$

If the ER_q is less than the lower limit, the lower limit shall be used.

If ER_q is greater than the upper limit, the upper limit shall be used.

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If ER_q is not expressed in lb/MWh, the number must be converted to lb/MWh using a heat rate of 10 mmBtu/1 MW.

- 5) For highly efficient power generation and clean coal technology projects:
 - A) For projects other than fluidized coal combustion pursuant to Section 225.460(a)(4)(B), (a)(4)(C), and (c)(2), the number of allowances must be calculated using the number of MWh of electricity the project generates during a control period and the following formula:

 $A = (MWh_g)' (1.0 \text{ lb/MWh} - \text{ER lb/MWh}) / 2000 \text{ lb}$

Where:

A = The number of allowances for a particular project.

- MWh_g = The number of megawatt hours of electricity generated during a control period by a project.
 - $ER = Annual average NO_x$ emission rate based on CEMS data in 1b/MWh.
- B) For fluidized bed coal combustion projects pursuant to Section 225.460 (c)(2), the number of allowances shall be calculated using the number of gross MWh of electricity the project generates during a control period and the following formula:

 $A = (MWh_g) x (1.4 lb/MWh - ER lb/MWh) / 2000 lb$

Where:

- A = The number of allowances for a particular project.
- MWh_g = The number of gross MWh of electricity generated during a control period by a project.
 - $ER = Annual NO_x$ emission rate for the control period based on CEMS data in lb/MWh.
- 6) For a CASA project that commences construction before December 31, 2012, in addition to the allowances allocated pursuant to subsections (b)(1) through (b)(5) of this Section, a project sponsor may also request additional allowances pursuant to the early adopter project category pursuant to Section 225.460(e) based on the following formula:

$$A = 1.0 + 0.10 \text{ '} \Sigma A_{i}$$

Where:

- A = The number of allowances for a particular project as determined in subsections (b)(1) through (b)(5) of this Section.
- A_i = The number of allowances as determined in subsection (b)(1), (b)(2), (b)(3), (b)(4) or (b)(5) of this Section for a given project.

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	(Source: Added at 31 Ill. R	eg. 12864, effective August 31, 2007	7)

Section 225.470 Clean Air Set-Aside (CASA) Applications

- a) A project sponsor may request allowances if the project commenced construction on or after the dates listed in this subsection. The project sponsor may request and be allocated allowances from more than one CASA category for a project, if applicable.
 - 1) Demand side management, energy efficient new construction, and supply side energy efficiency and conservation projects that commenced construction on or after January 1, 2003;
 - 2) Fluidized bed coal combustion projects, highly efficient power generation operations projects, or renewable energy emission units, that commenced construction on or after January 1, 2001; and
 - 3) All other projects on or after July 1, 2006.
- b) Beginning with the 2009 control period and each control period thereafter, a project sponsor may request allowances from the CASA. The application must be submitted to the Agency by May 1 of the control period for which the allowances are being requested.
- c) The allocation will be based on the electricity conserved or generated in the control period preceding the calendar year in which the application is submitted. To apply for a CAIR NO_x allocation from the CASA, project sponsors must provide the Agency with the following information:
 - 1) Identification of the project sponsor, including name, address, type of organization, certification that the project sponsor has met the definition of "project sponsor" as set forth in Section 225.130,and names of the principals or corporate officials.
 - 2) The number of the CAIR NO_x general or compliance account for the project and the name of the associated CAIR account representative.
 - 3) A description of the project or projects, location, the role of the project sponsor in the projects, and a general explanation of how the amount of energy conserved or generated was measured, verified, and calculated, and the number of allowances requested with the supporting calculations. The number of allowances requested will be calculated using the applicable formula from Section 225.470(b).
 - 4) Detailed information to support the request for allowances, including the following types of documentation for the measurement and verification of the NO_x emissions reductions, electricity generated, or electricity conserved using established measurement verification procedures, as applicable. The measurement and verification required will depend on the

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		type of	rojec	a proposed.	
		A)	As app period data, u <i>Guide</i> <i>Projec</i> metho	plicable, documentation of the project's base conditions and resultant base and control pe- using the procedures and methods included in <i>lines: Measurement and Verification for Fea</i> <i>cts</i> , incorporated by reference in Section 225 d approved by the Agency. Examples include	e and control eriod energy n <i>M&V</i> <i>deral Energy</i> .140, or other de:
			i)	Energy consumption and demand profiles;	
			ii)	Occupancy type;	
			iii)	Density and periods;	
			iv)	Space conditions or plant throughput for ea period and season. (for example, in a build include the light level and color, space tem humidity and ventilation);	ach operating ling this would perature,
			v)	Equipment inventory, nameplate data, loca condition; and	tion, and
			vi)	Equipment operating practices (schedules a actual temperatures/pressures);	and set points,
		B)	Emiss	ions data, including, if applicable, CEMS da	ıta;
		C)	Inforn docun	nation for rated-energy efficiency, including nentation and calculations; and	supporting
]	D)	Electr contro	icity, in MWh generated or conserved for the l period.	e applicable
	5)	Notwi applic: applic:	thstand ations f able me	ing the requirements of subsection $(c)(4)$ of or fewer than five allowances may propose of thods of quantification acceptable to the Ag	this Section, other reliable and ency.
	6)	Any ac correct inform proced	ditionation thess of ation, junes, an	al information requested by the Agency to de the requested number of allowances, include project specifications, supporting calculation and maintenance procedures.	etermine the ling site as, operating
	7)	The fo	llowing or and t	g certification by the responsible official for he applicable CAIR account representative f	the project or the project:

"I am authorized to make this submission on behalf of the project sponsor and the holder of the CAIR NO_x general account or compliance account for which the submission is made. I certify under penalty of law that I

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			have p	ersonally examined, and am familiar with, the state	ments and
			my inc	ation submitted in this application and all its attach	ments. Dased on
			the inf	armation. Learning that the statements and information	y for obtaining
			best of	my knowledge and belief true accurate and comp	lete I am aware
			that the	my knowledge and belief true, accurate, and comp	compares and
			inform	ation or omitting required statements and informati	on "
			mom	ation of offitting required statements and mormati	011.
	d)	A proj total m in this subseq inform a descr inform the Ag	ect spor umber of subsect juent requation re ription of action sp gency.	asor may request allowances from the CASA for ea of control periods not to exceed the number of contri- ion. After a project has been allocated allowances quests for the project from the project sponsor must quired by subsections (c)(1), (c)(2), (c)(3) and (c)(7) of any changes, or further improvements made to the pecified in subsections (c)(5) and (c)(6) as specifical	ch project for a ol periods listed from the CASA, include the 7) of this Section, e project, and lly requested by
			1)		
			1)	eight control periods.	, for a total of
			2)	For early adopter projects, for a total of ten contro	l periods.
			3)	For air pollution control equipment upgrades, for a control periods.	a total of 15
			4)	For renewable energy projects, clean coal technolo efficient power generation projects, for each year to in operation.	ogy, and highly hat the project is
	2)	1 proj	aat anar	over must keep equips of all CASA applications and	ltha
	6)	docum	ect spor	used to support the application for at least five ver	
		uocum	lentation	rused to support the application for at least rive yea	us.
	(Sourc	e: Adde	ed at 31	Ill. Reg. 12864, effective August 31, 2007)	
Sectio	n 225.4	75	Agenc	y Action on Clean Air Set-Aside (CASA) Applic	ations
	a)	By Sep determ project 225.47	ptember nine the t sponso 70.	1, 2009 and each September 1 thereafter, the Agen total number of allowances that are approvable for ors based upon the applications submitted pursuant	cy will allocation to to Section
		1)	The Ag approv Agenc applica reques Agenc	gency will determine the number of CAIR NO _x allowed based on the formulas and the criteria for these y will notify a project sponsor within 90 days after ation if the project is not approvable, the number of ted is not approvable, or additional information is not y to complete its review of the application.	wances that are e projects. The receipt of an allowances eeded by the

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	SUBT 2)	ITLE B CHAPTER I SUBCHAPTER c If the total number of CAIR NO _x allowances requested for approved projects is less than or equal to the number of CAIR NO _x allowances in the CASA project category, the number of allowances that are approved will be allocated to each CAIR NO _x compliance or general account.
	3)	If more CAIR NO_x allowances are requested than the number of CAIR NO_x allowances in a given CASA project category, allowances will be allocated on a pro-rata basis based on the number of allowances available, subject to further adjustment as provided for by subsection (b) of this Section. CAIR NO_x allowances will be allocated, transferred, or used as whole allowances. The number of whole allowances will be determined by rounding down for decimals less than 0.5 and rounding up for decimals of 0.5 or greater.
b)	For co	ontrol periods 2011 and thereafter:
	1)	If there are, after the completion of the procedures in subsection (a) of this Section for a control period, any CAIR NO_x allowances not allocated to a CASA project for the control period the remaining allowances will accrue in each CASA project category up to twice the number of allowances that are assigned to the project category each control period as set forth in Section 225.465.
	2)	If any allowances remain after allocations pursuant to subsection (b)(1) of this Section, the Agency will allocate these allowances pro rata to projects that received fewer allowances than requested, based on the number of allowances not allocated but approved by the Agency for the project under CASA. No project may be allocated more allowances than approved by the Agency for the applicable control period.
	3)	If any allowances remain after the allocation of allowances pursuant to subsection (b)(2) of this Section, the Agency will then distribute pro-rata the remaining allowances to project categories that have fewer than twice the number of allowances assigned to that project category. The pro-rata distribution will be based on the difference between two times the project category and the number of allowances that remain in the project category.
	4)	If allowances still remain undistributed after the allocations and distributions in the subsections (b)(1) through (b)(3) are completed, the Agency may elect to retire the CAIR NO _x allowances that have not been distributed to any CASA category to continue progress toward attainment or maintenance of the National Ambient Air Quality Standards pursuant to the CAA.

Section 225.480 Compliance Supplement Pool

In addition to the CAIR NO_x allowances allocated pursuant to Section 225.425, the USEPA has

SUBTITLE BCHAPTER ISUBCHAPTER callowed allocation of an additional 11,299 CAIR NOx allowances in Illinois as a compliancesupplement pool to Illinois for the control period in 2009. However, for the purposes of publichealth and air quality improvements, none of these allowances will be allocated.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

SUBPART E: CAIR NO_x OZONE SEASON TRADING PROGRAM

Section 225.500 Purpose

The purpose of this Subpart E is to control the seasonal emissions of nitrogen oxides (NO_x) from EGUs by determining allocations and implementing the CAIR NO_x Ozone Season Trading Program.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.505 Applicability

- a) Except as provided in subsections (b)(1), (b)(3), and (b)(4) of this Section:
 - 1) The following units are CAIR NO_x Ozone Season units, and any source that includes one or more such units is a CAIR NO_x source subject to the requirements of this Subpart E: any stationary, fossil-fuel-fired boiler or stationary, fossil-fuel-fired combustion turbine serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale.
 - 2) If a stationary boiler or stationary combustion turbine that, pursuant to subsection (a)(1) of this Section, is not a CAIR NO_x Ozone Season unit begins to combust fossil fuel or to serve a generator with nameplate capacity of more than 25 MWe producing electricity for sale, the unit will become a CAIR NO_x Ozone Season unit as provided in subsection (a)(1) of this Section on the first date on which it both combusts fossil fuel and serves such generator.
- b) The units that meet the requirements set forth in subsections (b)(1), (b)(3), and (b)(4) of this Section will not be CAIR NO_x Ozone Season units and units that meet the requirements of subsections (b)(2) and (b)(5) of this Section are CAIR NO_x Ozone Season units:
 - 1) Any unit that would otherwise be classified as a CAIR NO_x Ozone Season unit pursuant to subsection (a)(1) or (a)(2) of this Section and:
 - A) Qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and continues to qualify as a cogeneration unit; and
 - B) Does not serve at any time, since the later of November 15, 1990

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	SUBTI	TLE B	CHAPTER I S or the start-up of the unit's combustion chamber, a ge nameplate capacity of more than 25 MWe supplying year more than one-third of the unit's potential electr capacity or 219,000 MWh, whichever is greater, to an power distribution for sale.	UBCHAPTER c enerator with any calendar ic output ny utility
	2)	If a un startin requir year, l shall b Janua qualif during (b)(1)	hit qualifies as a cogeneration unit during the 12-monthing on the date the unit first produces electricity and mean ements of subsection (b)(1) of this Section for at least of put subsequently no longer meets all such requirements become a CAIR NO _x Ozone Season unit starting on the try 1 after the first calendar year during which the unit relies as a cogeneration unit or January 1 after the first calendar which the unit no longer meets the requirements of subsection.	period ets the one calendar s, the unit earlier of no longer lendar year ibsection
	3)	Any u unit p operat	nit that would otherwise be classified as a CAIR NO _x (ursuant to subsection $(a)(1)$ or $(a)(2)$ of this Section con- ion before January 1, 1985 and:	Ozone Season mmencing
		A)	Qualifies as a solid waste incineration unit; and	
		B)	Has an average annual fuel consumption of non-fossi 1985-1987 exceeding 80 percent (on a Btu basis) and annual fuel consumption of non-fossil fuel for any the consecutive calendar years after 1990 exceeding 80 p Btu basis).	l fuel for an average ree ercent (on a
	4)	Any u unit u operat	nit that would otherwise be classified as a CAIR NO _x (nder subsection (a)(1) or (a)(2) of this Section commen- ion on or after January 1, 1985 and:	Ozone Season Icing
		A)	Qualifies as a solid waste incineration unit; and	
		B)	Has an average annual fuel consumption of non-fossi three years of operation exceeding 80 percent (on a B an average annual fuel consumption of non-fossil fue consecutive calendar years after 1990 exceeding 80 p Btu basis).	l fuel the first atu basis) and l for any three percent (on a

5) If a unit qualifies as a solid waste incineration unit and meets the requirements of subsection (b)(3) or (b)(4) of this Section for at least three consecutive years, but subsequently no longer meets all such requirements, the unit shall become a CAIR NO_x Ozone Season unit starting on the earlier of January 1 after the first three consecutive calendar years after 1990 for which the unit has an average annual fuel consumption of 20 percent or more.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.510 Compliance Requirements

- a) The designated representative of a CAIR NO_x Ozone Season unit must comply with the requirements of the CAIR NO_x Ozone Season Trading Program for Illinois as set forth in this Subpart E and 40 CFR 96, subpart AAAA (CAIR NO_x Ozone Season Trading Program General Provisions) (excluding 40 CFR 96.304, 96.305(b)(2), and 96.306); 40 CFR 96, subpart BBBB (CAIR Designated Representative for CAIR NO_x Ozone Season Sources); 40 CFR 96, subpart FFFF (CAIR NO_x Ozone Season Allowance Tracking System); 40 CFR 96, subpart GGGG (CAIR NO_x Ozone Season Allowance Transfers); and 40 CFR 96, subpart HHHH (Monitoring and Reporting); as incorporated by reference in Section 225.140.
- b) Permit requirements:
 - The designated representative of each source with one or more CAIR NO_x Ozone Season units at the source must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Ozone Season Trading Program ("CAIR permit") that complies with the requirements of Section 225.520 (Permit Requirements).
 - 2) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must operate the CAIR NO_x Ozone Season unit in compliance with its CAIR permit.
- c) Monitoring requirements:
 - 1) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, subpart HHHH; 40 CFR 75; and Section 225.550. The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, subpart HHHH, applicable to a CAIR designated representative.
 - 2) The compliance of each CAIR NO_x Ozone Season source with the CAIR NO_x Ozone Season emissions limitation pursuant to subsection (d) of this Section will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHHH.
- d) Emission requirements:
 - By the allowance transfer deadline, midnight of November 30, 2009, and by midnight of November 30 of each subsequent year if November 30 is a business day, the owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must hold allowances available for compliance deductions pursuant to 40 CFR

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	SUBT	TTLE BCHAPTER ISUBCHAPTER96.354(a) in the CAIR NOx Ozone Season source's compliance account.If November 30 is not a business day, the allowance transfer deadlinemeans by midnight of the first business day thereafter. The number ofallowances held may not be less than the tons of NOx emissions for thecontrol period from all CAIR NOx Ozone Season units at the CAIR NOxOzone Season source, as determined in accordance with 40 CFR 96,subpart HHHH.	ιc
	2)	Each ton of excess emissions of a CAIR NO_x Ozone Season source for each day in a control period, starting in 2009 will constitute a separate violation of this Subpart E, the Act, and the CAA.	
	3)	Each CAIR NO _x Ozone Season unit will be subject to the requirements of subsection (d)(1) of this Section for the control period starting on the late of May 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.370(b)(1), (b)(2) or (b)(3) and for each control period thereafter.	of er
	4)	CAIR NO _x Ozone Season allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with this Subpart and 40 CFR 96, subparts FFFF and GGGG.	
	5)	In order to comply with the requirements of subsection $(d)(1)$ of this Section, a CAIR NO _x Ozone Season allowance may not be deducted for compliance according to subsection $(d)(1)$ of this Section, for a control period in a calendar year before the year for which the CAIR NO _x Ozone Season allowance is allocated.	>
	6)	A CAIR NO _x Ozone Season allowance is a limited authorization to emit one ton of NO _x in accordance with the CAIR NO _x Ozone Season Trading Program. No provision of the CAIR NO _x Ozone Season Trading Program the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.305, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.	g m,
	7)	A CAIR NO _x Ozone Season allowance does not constitute a property right.	
	8)	Upon recordation by USEPA pursuant to 40 CFR 96, subpart FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO _x Ozone Season allowance to or from a CAIR NO _x Ozone Season source compliance account is deemed to amend automatically, and become a pa of, any CAIR permit of the CAIR NO _x Ozone Season source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.	rt of

e) Recordkeeping and reporting requirements:

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	SUBT 1)	TTLE B Unle Seaso keep (e)(1 the d at an USE	CHAPTER I ss otherwise provided, the owner or operator of the on source and each CAIR NO _x Ozone Season unit a on site at the source each of the documents listed in)(A) through (e)(1)(E) of this Section for a period o ate the document is created. This period may be ex y time prior to the end of five years, in writing by th PA.	SUBCHAPTER c CAIR NO _x Ozone at the source must in subsections f five years from tended for cause, the Agency or
		A)	The certificate of representation for the CAIR de representative for the source and each CAIR NO unit at the source, all documents that demonstrate statements in the certificate of representation, procertificate and documents must be retained on site beyond such five-year period until the document because of the submission of a new certificate of pursuant to 40 CFR 96.313, changing the CAIR or representative.	signated x Ozone Season e the truth of the povided that the e at the source s are superseded representation, designated
		B)	All emissions monitoring information, in accorda 96, subpart HHHH.	ance with 40 CFR
		C)	Copies of all reports, compliance certifications, a submissions and all records made or required pur NO_x Ozone Season Trading Program or document demonstrate compliance with the requirements of Ozone Season Trading Program or with the requirements Subpart E.	and other rsuant to the CAIR nts necessary to f the CAIR NO _x irements of this
		D)	Copies of all documents used to complete a CAI application and any other submission or docume demonstrate compliance pursuant to the CAIR N Trading Program.	R permit nts used to O _x Ozone Season
		E)	Copies of all records and logs for gross electrical thermal energy required by Section 225.550.	output and useful
	2)	The C and e Ager pursu those	CAIR designated representative of a CAIR NO _x Oz each CAIR NO _x Ozone Season unit at the source much acy and USEPA the reports and compliance certifica- tant to the CAIR NO _x Ozone Season Trading Progre- pursuant to 40 CFR 96, subpart HHHH and Section	one Season source ast submit to the ations required am, including n 225.550.
f)	Liabi	lity:		
	1)	No re any v the C	evision of a permit for a CAIR NO _x Ozone Season with violation of the requirements of this Subpart E or the CAIR NO _x Ozone Season Trading Program.	unit may excuse e requirements of

2) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season

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			Program.	ason Trading
		3)	Any provision of the CAIR NO_x Ozone Season Trading Pro- applies to a CAIR NO_x Ozone Season source (including any applicable to the CAIR designated representative of a CAIR Season source) will also apply to the owner and operator of Ozone Season source and to the owner and operator of each Ozone Season unit at the source.	gram that provision NO _x Ozone the CAIR NO _x CAIR NO _x
		4)	Any provision of the CAIR NO_x Ozone Season Trading Pro- applies to a CAIR NO_x Ozone Season unit (including any pr- applicable to the CAIR designated representative of a CAIR Season unit) will also apply to the owner and operator of the Ozone Season unit.	gram that ovision NO _x Ozone CAIR NO _x
		5)	The CAIR designated representative of a CAIR NO _x Ozone that has excess emissions in any control period must surrend allowances as required for deduction pursuant to 40 CFR 96	Season unit ler the .354(d)(1).
		6)	The owner or operator of a CAIR NO_x Ozone Season unit the NO_x emissions in any control period must pay any fine, period assessment or comply with any other remedy imposed pursuand 40 CFR 96.354(d)(2).	at has excess alty, or ant to the Act
	g)	Effect Progra pursua and op CAIR compli	on other authorities: No provision of the CAIR NO _x Ozone S m, a CAIR permit application, a CAIR permit, or a retired un nt to 40 CFR 96.305 will be construed as exempting or exclu erator and, to the extent applicable, the CAIR designated repr NO _x Ozone Season source or a CAIR NO _x Ozone Season uni fance with any other regulation promulgated pursuant to the C ate regulation or permit, or a federally enforceable permit.	Season Trading it exemption ding the owner resentative of a t from CAA, the Act,
	(Sourc	e: Adde	ed at 31 Ill. Reg. 12864, effective August 31, 2007)	
Section	n 225.5	15	Appeal Procedures	

The appeal procedures for decisions of USEPA pursuant to the CAIR NO_x Ozone Season Trading Program are set forth in 40 CFR 78, as incorporated by reference in Section 225.140.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.520 Permit Requirements

- a) Permit requirements:
 - 1) The owner or operator of each source with a CAIR NO_x Ozone Season unit is required to submit:

РСВ			35 ILLINOIS ADMINISTRATIVE CODE	PART 225
	SUBT	ITLE B A)	CHAPTER I A complete permit application addressing all ap Ozone Season Trading Program requirements for the requirements of this Section, applicable to ea Ozone Season unit at the source. Each CAIR per elements required for a complete CAIR permit a pursuant to subsection (b)(2) of this Section.	SUBCHAPTER c plicable CAIR NO_x or a permit meeting ach CAIR NO_x ermit must contain application
		B)	Any supplemental information that the Agency on necessary in order to review a CAIR permit apprany CAIR permit.	determines lication and issue
	2)	Each Act ar applic will be pursua	CAIR permit will be issued pursuant to Sections 3 and will contain federally enforceable conditions act table CAIR NO _x Ozone Season Trading Program is e a complete and segregable portion of the source ant to subsection (a)(1) of this Section.	39 and 39.5 of the Idressing all requirements and 's entire permit
	3)	No CA receiv repres Ozone	AIR permit may be issued until the Agency and U red a complete certificate of representation for a C entative pursuant to 40 CFR 96, subpart BBBB, f e Season source and the CAIR NO _x Ozone Season	SEPA have AIR designated for the CAIR NO _x unit at the source.
	4)	For al Decer permi Decer	1 CAIR NO _x Ozone Season units that commenced nber 31, 2007, the owner or operator of the unit m t application meeting the requirements of this Sec nber 31, 2007.	operation before nust submit a CAIR tion on or before
	5)	For al owner and op of the must s CAIR	l units that commence operation on or after Decer or operator of these units must submit application perating permits pursuant to the requirements of S Act, as applicable, and 35 Ill. Adm. Code 201, an specify that they are applying for CAIR permits an permit application requirements of this Section 2	nber 31, 2007, the ns for construction ections 39 and 39.5 id the applications ind must address the 25.520.
b)	Perm	it applic	ations:	
	1)	Duty t CAIR applic pursua subsec source a CAI Code	to apply: The owner or operator of any source with NO_x Ozone Season units must submit to the Ager ation for the source covering each CAIR NO_x Ozone and to subsection (b)(2) of this Section by the application (a)(4) or (a)(5) of this Section. The owner of with one or more CAIR NO_x Ozone Season units R permit for the source as required by this Subpar 201, and, as applicable, Sections 39 and 39.5 of the	th one or more ncy a CAIR permit one Season unit icable deadline in r operator of any s must reapply for rt, 35 Ill. Adm. ne Act.
	2)	Inform	nation requirements for CAIR permit applications	. A complete

2) Information requirements for CAIR permit applications. A complete CAIR permit application must include the following elements concerning the source for which the application is submitted:

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	A)	Identification of the source, including plant name	. The ORIS
		(Office of Regulatory Information Systems) or fa	cility code
		assigned to the source by the Energy Information must also be included, if applicable;	Administration
	B)	Identification of each CAIR NO_x Ozone Season wand	init at the source;
	C)	The compliance requirements applicable to each Season unit as set forth in Section 225.510.	CAIR NO _x Ozone
	3) An ap CAIR if such same pursua and be	plication for a CAIR permit will be treated as a mo- NO _x Ozone Season source's existing federally enfo h a permit has been issued for that source, and will procedural requirements. When the Agency issues ant to the requirements of this Section, it will be increased ecome part of that source's existing federally enford	odification of the orceable permit, be subject to the a CAIR permit corporated into ceable permit.
c)	Permit conter definitions an incorporated under 40 CFF Section 225.1 Season allows	nt: Each CAIR permit is deemed to incorporate aut ad terms specified in Section 225.130 and 40 CFR 9 by reference in Section 225.140, and, upon recorda R 96, subparts FFFF and GGGG, as incorporated by 40, every allocation, transfer, or deduction of a CA ance to or from the compliance account of the CAI	omatically the 06.302, as tion of USEPA reference in JR NO _x Ozone R NO _x Ozone

Season source covered by the permit.

Section 225.525 Ozone Season Trading Budget

The CAIR NO_x Ozone Season Trading budget available for allowance allocations for each control period will be determined as follows:

- a) The total base CAIR NO_x Ozone Season Trading budget is 30,701 tons per control period for the years 2009 through 2014, subject to a reduction for two setasides, the NUSA and the CASA. Five percent of the budget will be allocated to the NUSA and 25 percent will be allocated to the CASA, resulting in a CAIR NO_x Ozone Season Trading budget available for allocation of 21,491 tons per control period pursuant to Section 225.540. The requirements of the NUSA are set forth in Section 225.545, and the requirements of the CASA are set forth in Sections 225.555 through 225.570.
- b) The total base CAIR NO_x Ozone Season Trading budget is 28,981 tons per control period for the year 2015 and thereafter, subject to a reduction for two setasides, the NUSA and the CASA. Five percent of the budget will be allocated to the NUSA and 25 percent will be allocated to the CASA, resulting in a CAIR NO_x Ozone Season Trading budget available for allocation of 20,287 tons per control period pursuant to Section 225.540.

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C	c)	If USEPA adjus	sts the total base CAIR NO _x Ozone Seas	son Trading budget for any
		reason, the Age	ncy will adjust the base CAIR NOx Ozo	one Season Trading budget
		and the CAIR N	NOx Ozone Season Trading budget avail	able for allocation,
		accordingly.		

Section 225.530 Timing for Ozone Season Allocations

- a) On or before September 25, 2007, the Agency will submit to USEPA the CAIR NOx Ozone Season allowance allocations, in accordance with Sections 225.535 and 225.540, for the 2009, 2010, and 2011 control periods.
- b) By July, 2008 and July 31 of each year thereafter, the Agency will submit to USEPA the CAIR NOx Ozone Season allowance allocations in accordance with Sections 225.535 and 225.540, for the control period four years after the year of the applicable deadline for submission pursuant to this Section. For example, on July 31, 2008, the Agency will submit to USEPA the allocation for the 2012 control period.
- c) For CAIR NOx Ozone Season units that commence commercial operation on or after May 1, 2006, that have not been allocated allowances under Section 225.440 for the applicable or any preceding control period, the Agency will allocate allowances from the NUSA in accordance with Section 225.545. The Agency will report these allocations to USEPA by July 31 of the applicable control period. For example, on July 31, 2009, the Agency will submit to USEPA the allocations from the NUSA for the 2009 control period.
- d) The Agency will allocate allowances from the CASA to energy efficiency, renewable energy, and clean technology projects pursuant to the criteria in Sections 225.555 through 225.570. The Agency will report these allocations to USEPA by October 1 of each year. For example, on October 1, 2009, the Agency will submit to USEPA the allocations from the CASA for the 2009 control period, based on reductions made in the 2008 control period.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.535 Methodology for Calculating Ozone Season Allocations

The Agency will calculate converted gross electrical output (CGO), in MWh, for each CAIR NO_x Ozone Season unit that has operated during at least one control period prior to the calendar year in which the Agency reports the allocations to USEPA as follows:

a) For control periods 2009, 2010, and 2011, the owner or operator of the unit must submit in writing to the Agency, by September 15, 2007, a statement that either gross electrical output data or heat input data is to be used to calculate converted gross electrical output. The data shall be used to calculate converted gross electrical output pursuant to either subsection (a)(1) or (a)(2) of this Section:

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	SUBTI 1)	TLE B Gross then thigher contr electr or mo attrib perio conve	CHAPTER I s electrical output: If the unit has four or five cont the gross electrical output (GO) will be the average est gross electrical outputs from the 2001, 2002, 20 of periods. If the unit has three or fewer control per rical outputs, the gross electrical output will be the of periods for which data is available. If a generat pre units, then the gross electrical output of the gen outed to each unit in proportion to the unit's share of d heat input of these units for the control period. The erted gross electrical output will be calculated as for	SUBCHAPTER c rol periods of data, e of the unit's three 03, 2004, or 2005 eriods of gross average of those or is served by two herator will be of the total control The unit's pollows:
		A)	If the unit is coal-fired: CGO (in MWh) = GO (in MWh) ' 1.0;	
		B)	If the unit is oil-fired: CGO (in MWh) = GO (in MWh) ´ 0.6; or	
		C)	If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = GO (in MWh) $\stackrel{\prime}{}$ 0.4.	
	2)	Heat avera 2002 contr those gross	input (HI): If the unit has four or five control peri- age of the unit's three highest control period heat in , 2003, 2004, or 2005 will be used. If the unit has ol periods of heat input data, the heat input will be control periods for which data is available. The us electrical output will be calculated as follows:	ods of data, the puts from 2001, three or fewer the average of unit's converted
		A)	If the unit is coal-fired: CGO (in MWh) = HI (in mmBtu) ´ 0.0967;	
		B)	If the unit is oil-fired: CGO (in MWh) = HI (in mmBtu) ' 0.0580; or	
		C)	If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = HI (in mmBtu) \checkmark 0.0387.	
b)	For co in wri output electri pursua	ontrol p ting to t data c cal out ant to e	periods 2012 and 2013, the owner or operator of the Agency, by June 1, 2008, a statement that eith or heat input data is to be used to calculate the unit tput. The unit's converted gross electrical output s either subsection (b)(1) or (b)(2) of this Section:	e unit must submit er gross electrical 's converted gross hall be calculated
	1)	Gross contr comr electr	s electrical output: The average of the unit's two r ol period gross electrical output, if available. If a nercial operation in the 2007 control period and do rical output for the 2006 control period, the gross e	nost recent years of unit commences bes not have gross electrical output

from the 2007 control period will be used. If a generator is served by two

or more units, the gross electrical output of the generator shall be

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	SUBTI	TLE B attrib perio gross	CHAPTER I SUBCHAPTER c uted to each unit in proportion to the unit's share of the total control d heat input of such units for the control period. The unit's converted electrical output shall be calculated as follows:
		A)	If the unit is coal-fired: CGO (in MWh) = GO (in MWh) ´ 1.0;
		B)	If the unit is oil-fired: CGO (in MWh) = GO (in MWh) ´ 0.6;
		C)	If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = GO (in MWh) \cdot 0.4.
	2)	Heat perio unit's conve	input: The average of the unit's two most recent years of control d heat inputs, e.g., for the 2012 control period, the average of the s heat input from the 2006 and 2007 control periods. The unit's erted gross electrical output shall be calculated as follows:
		A)	If the unit is coal-fired: CGO (in MWh) = HI (in mmBtu) ' 0.0967;
		B)	If the unit is oil-fired: CGO (in MWh) = HI (in mmBtu) ´ 0.0580; or
		C)	If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = HI (in mmBtu) 10.0387 .
c)	For co the av if avai period period gross served attribu heat in electri	ontrol p erage of ilable. I and do I and do electric I by tw ited to nput of ical out	eriod 2014 and thereafter, the unit's gross electrical output will be of the unit's two most recent control period's gross electrical output, If a unit commences commercial operation in the most recent control bes not have gross electrical output from the most recent control of the unit commences commercial operation in the 2009 control bes not have gross electrical output from the 2008 control period, cal output from the 2009 control period will be used. If a generator is o or more units, the gross electrical output of the generator will be each unit in proportion to the unit's share of the total control period these units for the control period. The unit's converted gross put will be calculated as follows:
	1)	If the CGO	unit is coal-fired: (in MWh) = GO (in MWh) ´ 1.0;

- 2) If the unit is oil-fired: CGO (in MWh) = GO (in MWh) ´ 0.6; or
- 3) If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = GO (in MWh) ′ 0.4.

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<u>ru</u>	d)	SUBTI For a u product or coo conver (a), (b) determ Agence of the period be an e output be dete	TLE B CHAPTER I anit that is a combustion turbine or boiler and has equipme be electricity and useful thermal energy for industrial, comm ling purposes through the sequential use of energy, the Ag- rted gross electrical output calculated for electricity pursua), or (c) of this Section to the converted useful thermal energy inter the total converted gross electrical output for the unit (y will determine the converted useful thermal energy by us unit's control period useful thermal energy for the prior tw s, if available. In the first control period for which the unit existing unit rather than a new unit, the unit's control perio for the prior year will be used. The converted useful thermal ermined using the following equations:	SUBCHAPTER c nt used to nercial, heating, ency will add the nt to subsection rgy (CUTE) to (TCGO). The sing the average to control t is considered to d useful thermal nal energy will
		1)	If the unit is coal-fired: CUTE (in MWh) = UTE (in mmBtu) ´ 0.2930;	
		2)	If the unit is oil-fired: CUTE (in MWh) = UTE (in mmBtu) ' 0.1758; or	
		3)	If the unit is neither coal-fired nor oil-fired: CUTE (in MWh) = UTE (in mmBtu) ´ 0.1172.	
	e)	The C. conver Section availab provise	AIR NO _x Ozone Season unit's converted gross electrical or rted useful thermal energy in subsections (a)(1), (b)(1), (c), n for each control period will be based on the best available ble to the Agency for the CAIR NO _x Ozone Season unit put ions of Section 225.550.	and (d) of this e data reported or rsuant to the
	f)	The C. this Se CFR 7	AIR NO _x Ozone Season unit's heat input in subsections (a) ection for each control period will be determined in accordance 5, as incorporated by reference in Section 225.140.	(2) and (b)(2) of ance with 40
	(Sourc	e: Adde	ed at 31 Ill. Reg. 12864, effective August 31, 2007)	
Sectio	on 225.5	40	Ozone Season Allocations	
	a)	For the	e 2009 control period, and each control period thereafter, the	ne Agency will

- a) For the 2009 control period, and each control period thereafter, the Agency will allocate, to all CAIR NO_x Ozone Season units in Illinois for which the Agency has calculated the converted gross electrical output pursuant to Section 225.535(a), (b), or (c), or total converted gross electrical output pursuant to Section 225.535(d), as applicable, a total amount of CAIR NO_x Ozone Season allowances equal to tons of NO_x emissions in the CAIR NO_x Ozone Season Trading budget available for allocation as determined in Section 225.525 and, as adjusted to add allowances not allocated pursuant to subsection (b) of this Section in the previous year's allocation.
- b) The Agency will allocate CAIR NO_x Ozone Season allowances to each CAIR NO_x Ozone Season unit on a pro-rata basis using the unit's converted gross electrical output pursuant to Section 225.535(a), (b), or (c), or total converted

SUBTITLE BCHAPTER ISUBCHAPTER cgross electrical output calculated pursuant to Section 225.535(d), as applicable, tothe extent whole allowances may be allocated. The Agency will retain anyadditional allowances beyond this allocation of whole allowances for allocationpursuant to subsection (a) of this Section in the next control period.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.545 New Unit Set-Aside (NUSA)

For the 2009 control period and each control period thereafter, the Agency will allocate CAIR NO_x Ozone Season allowances from the NUSA to CAIR NO_x Ozone Season units that commenced commercial operation on or after May 1, 2006, and do not yet have an allocation for the particular control period or any preceding control period pursuant to Section 225.540, in accordance with the following procedures:

- a) Beginning with the 2009 control period and each control period thereafter, the Agency will establish a separate NUSA for each control period. Each NUSA will be allocated CAIR NO_x Ozone Season allowances equal to five percent of the amount of tons of NO_x emissions in the base CAIR NO_x Ozone Season Trading budget in Section 225.525.
- b) The CAIR designated representative of a new CAIR NO_x Ozone Season unit may submit to the Agency a request, in a format specified by the Agency, to be allocated CAIR NO_x Ozone Season allowances from the NUSA, starting with the first control period after the control period in which the new unit commences commercial operation and until the fifth control period after the control period in which the unit commenced commercial operation. The NUSA allowance allocation request may only be submitted after a new unit has operated during one control period, and no later than March 1 of the control period for which allowances from the NUSA are being requested.
- c) In a NUSA allowance allocation request pursuant to subsection (b) of this Section, the CAIR designated representative must provide in its request information for gross electrical output and useful thermal energy, if any, for the new CAIR NO_x Ozone Season unit for that control period.
- d) The Agency will allocate allowances from the NUSA to a new CAIR NO_x Ozone Season unit using the following procedures:
 - 1) For each new CAIR NO_x Ozone Season unit, the unit's gross electrical output for the most recent control period will be used to calculate the unit's gross electrical output. If a generator is served by two or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the unit's share of the total control period heat input of these units for the control period. The new unit's converted gross electrical output will be calculated as follows:
 - A) If the unit is coal-fired: CGO (in MWh) = GO (in MWh) ´ 1.0;

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- B) If the unit is oil-fired: CGO (in MWh) = GO (in MWh) ' 0.6; or
- C) If the unit is neither coal-fired nor oil-fired: CGO (in MWh) = GO (in MWh) $\dot{}$ 0.4.
- 2) If the unit is a combustion turbine or boiler and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating, or cooling purposes through the sequential use of energy, the Agency will add the converted gross electrical output calculated for electricity pursuant to subsection (d)(1) of this Section to the converted useful thermal energy to determine the total converted gross electrical output for the unit. The Agency will determine the converted useful thermal energy using the unit's useful thermal energy for the most recent control period. The converted useful thermal energy will be determined using the following equations:
 - A) If the unit is coal-fired: CUTE (in MWh) = UTE (in mmBtu) ´ 0.2930;
 - B) If the unit is oil-fired: CUTE (in MWh) = UTE (in mmBtu) ´ 0.1758; or
 - C) If the unit is neither coal-fired nor oil-fired: CUTE (in MWh) = UTE (in mmBtu) ´ 0.1172.
- 3) The gross electrical output and useful thermal energy in subsections (d)(1)and (d)(2) of this Section for each control period will be based on the best available data reported or available to the Agency for the CAIR NO_x Ozone Season unit pursuant to the provisions of Section 225.550.
- 4) The Agency will determine a unit's unprorated allocation (UA_y) using the unit's converted gross electrical output plus the unit's converted useful thermal energy, if any, calculated in subsections (d)(1) and (d)(2) of this Section, converted to approximate NO_x tons (the unit's unprorated allocation), as follows:

$$UA_{y} = \frac{NCGO_{y} \,\,(1.0 lbs \,/\, MWh)}{2000 lbs \,/\, ton}$$

Where:

UA _y	=	unprorated allocation to a new CAIR NO _x
		Ozone Season unit.
NCGO _y	=	converted gross electrical output or total
		converted gross electrical output, as applicable, for a new CAIR NO _x Ozone

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- 5) The Agency will allocate CAIR NO_x Ozone Season allowances from the NUSA to new CAIR NO_x Ozone Season units as follows:
 - A) If the NUSA for the control period for which CAIR NO_x Ozone Season allowances are requested has a number of allowances greater than or equal to the total unprorated allocations for all new units requesting allowances, the Agency will allocate the number of allowances using the unprorated allocation determined for that unit pursuant to subsection (d)(4) of this Section, to the extent that whole allowances may be allocated. For any additional allowances beyond this allocation of whole allowances, the Agency will retain the additional allowances in the NUSA for allocation pursuant to this Section in later control periods.
 - B) If the NUSA for the control period for which the allowances are requested has a number of CAIR NO_x Ozone Season allowances less than the total unprorated allocation to all new CAIR NO_x Ozone Season units requesting allocations, the Agency will allocate the available allowances for new CAIR NO_x Ozone Season units on a pro-rata basis, using the unprorated allocation determined for that unit pursuant to subsection (d)(4) of this Section, to the extent that whole allowances may be allocated. For any additional allowances beyond this allocation of whole allowances, the Agency will retain the additional allowances in the NUSA for allocation pursuant to this Section in later control periods.
- e) The Agency will review each NUSA allowance allocation request pursuant to subsection (b) of this Section. The Agency will accept a NUSA allowance allocation request only if the request meets, or is adjusted by the Agency as necessary to meet, the requirements of this Section.
- f) By June 1 of the applicable control period, the Agency will notify each CAIR designated representative that submitted a NUSA allowance request of the amount of CAIR NO_x Ozone Season allowances from the NUSA, if any, allocated for the control period to the new unit covered by the request.
- g) The Agency will allocate CAIR NO_x Ozone Season allowances to new units from the NUSA no later than July 31 of the applicable control period.
- h) After a new CAIR NO_x Ozone Season unit has operated in one control period, it becomes an existing unit for the purposes of calculating future allocations in Section 225.540 only, and the Agency will allocate CAIR NO_x Ozone Season allowances for that unit, for the control period commencing five control periods after the control period in which the unit commenced commercial operation, pursuant to Section 225.540. The new CAIR NO_x Ozone Season unit will continue to receive CAIR NO_x Ozone Season allowances from the NUSA

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Section 225.550 Monitoring, Recordkeeping and Reporting Requirements for Gross Electrical Output and Useful Thermal Energy

- a) By January 1, 2008, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NO_x Ozone Season unit must operate a system for accurately measuring gross electrical output that is consistent with the requirements of either 40 CFR 60 or 75; must measure gross electrical output in MWh using such a system; and must record the output of the measurement system at all times. If a generator is served by two or more units, the information to determine each unit's heat input for that control period must also be recorded, so as to allow each unit's share of the gross electrical output to be determined. If heat input data is used, the owner or operator must comply with the applicable provisions of 40 CFR 75, as incorporated by reference in Section 225.140.
- b) For a CAIR NO_x Ozone Season unit that is a cogeneration unit by January 1, 2008, or by the date the CAIR NO_x Ozone Season unit commences to produce useful thermal energy, whichever is later, the owner or operator of the unit with cogeneration capabilities must install, calibrate, maintain, and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit, and pressure in PSI, to measure and record the useful thermal energy that is produced, in mmBtu/hr, on a continuous basis. Owners and operators of aCAIR NOx Ozone Season unit that produces useful thermal energy but uses an energy transfer medium other than steam, e.g., hot water or glycol, must install, calibrate, maintain, and operate the necessary meters to measure and record the necessary data to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the CAIR NO_x Ozone Season unit ceases to produce useful thermal energy, the owner or operator may cease operation of these meters, provided that operation of such meters must be resumed if the CAIR NO_x Ozone Season unit resumes production of useful thermal energy.
- c) The owner or operator of a CAIR NO_x Ozone Season unit must either report gross electrical output data to the Agency or comply with the applicable provisions for providing heat input data to USEPA as follows:
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| | | subtľ
1) | TLE B CHAPTER I
By September 15, 2007, the gross electrical output for con
2001, 2002, 2003, 2004 and 2005, if available, and the un
thermal energy data, if applicable. If a generator is served
units, the documentation needed to determine each unit's
input of such units for that control period must also be sul
input data is used, the owner or operator must comply wit
provisions of 40 CFR 75, as incorporated by reference in | SUBCHAPTER c
ntrol periods
it's useful
d by two or more
share of the heat
bmitted. If heat
h the applicable
Section 225.140. |
| | | 2) | By June 1, 2008, the gross electrical output for control per 2007, if available, and the unit's useful thermal energy da If a generator is served by two or more units, the document determine each unit's share of the heat input of such units period must also be submitted. If heat input data is used, operator must comply with the applicable provisions of 40 incorporated by reference in Section 225.140. | riods 2006 and
ta, if applicable.
ntation needed to
for that control
the owner or
0 CFR 75, as |
| | d) | Begini
Ozone
July 3
Ozone
quarte | ning with 2008, the CAIR designated representative of the
Season unit must submit to the Agency quarterly, by no la
1, October 31, and January 31 of each year, information for
Season unit's gross electrical output, on a monthly basis for
r, and, if applicable, the unit's useful thermal energy for ea | CAIR NO _x
ter than April 30,
r the CAIR NO _x
or the prior
ch month. |
| | e) | The ov
the mo
monito
require
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plan m | wher or operator of a CAIR NO_x Ozone Season unit must nonitoring plan detailing the monitoring system, maintenance
oring system, including quality assurance activities pursuance
ements of 40 CFR 60 or 75, as applicable, including the applicable
ions for the measurement of gross electrical output for the
e Season Trading Program and, if applicable, for new units.
hust include, but is not limited to: | naintain on-site
e of the
nt to the
propriate
CAIR NO _x
The monitoring |
| | | 1) | A description of the system to be used for the measurement
electrical output pursuant to Section 225.550(a), including
data logging devices, solid-state kW meters, rotating kW
electromechanical kW meters, current transformers, transformers, pressure taps, flow venturi, orifice plates, flow
vortex meters, turbine meters, pressure transmitters, differ
transmitters, temperature transmitters, thermocouples, res-
temperature detectors, and any equipment or methods use
measure gross electrical output. | nt of gross
g a list of any
meters,
ducers, potential
ow nozzles,
rential pressure
istance
id to accurately |
| | | 2) | A certification statement by the CAIR designated represent
components of the gross electrical output system have been
accurate within three percent and that the gross electrical
accurate to within ten percent. | ntative that all
en tested to be
output system is |

f) The owner or operator of a CAIR NO_x Ozone Season unit must retain records for at least five years from the date the record is created or the data is collected under subsections (a) and (b) of this Section, and the reports are submitted to the Agency and USEPA in accordance with subsections (c) and (d) of this Section.

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	The owner or operation	or of a CAID NO Ozona Sasson un	it must rate in the				

The owner or operator of a CAIR NO_x Ozone Season unit must retain the monitoring plan required in subsection (e) of this Section for at least five years from the date that it is replaced by a new or revised monitoring plan.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.555 Clean Air Set-Aside (CASA)

- a) A project sponsor may apply for allowances from the CASA for sponsoring an energy efficiency and conservation, renewable energy, or clean technology project as set forth in Section 225.560 by submitting the application required by Section 225.570.
- b) Notwithstanding subsection (a) of this Section, a project sponsor with a CAIR NO_x Ozone Season source that is out of compliance with this Subpart for a given control period may not apply for allowances from the CASA for that control period. If a source receives CAIR NO_x Ozone Season allowances from the CASA and then is subsequently found to have been out of compliance with this Subpart for the applicable control period or periods, the project sponsor must restore the CAIR NO_x Ozone Season allowances that it received pursuant to its CASA request or an equivalent number of CAIR NO_x Ozone Season allowances to the CASA within six months after receipt of an Agency notice that NO_x Ozone Season allowances must be restored. These allowances will be assigned to the fund from which they were distributed.
- c) CAIR NO_x Ozone Season allowances from the CASA will be allocated in accordance with the procedures in Section 225.575.
- d) The project sponsor may submit an application that aggregates two or more projects under a CASA project category that would individually result in less than one allowance, but that equal at a minimum one whole allowance when aggregated.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.560 Energy Efficiency and Conservation, Renewable Energy, and Clean Technology Projects

- a) Energy efficiency and conservation projects means any of the following projects implemented and located in Illinois:
 - 1) Demand side management projects that reduce the overall power demand by using less energy include:
 - A) Smart building management software that more efficiently regulates power flows.
 - B) The use of or replacement to high efficiency motors, pumps, compressors, or steam systems.

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		C)	Lighting retroitts.	
	2)	Energ	y efficient new building construction projects in	clude:
		A)	ENERGY STAR-qualified new home projects.	
		B)	Measures to reduce or conserve energy consum requirements of the Illinois Energy Conservation Commercial Buildings [20 ILCS 687/6-3].	nption beyond the on Code for
		C)	New residential construction projects that qual Efficient Tax Incentives pursuant to the Energy (42 USC 15801 (2005)).	ify for Energy y Policy Act of 2005
	3)	Suppl impro and th	y-side energy efficiency projects include project we the efficiency in electricity generation by coa be efficiency of electrical transmission and distrib	s implemented to l-fired power plants pution systems.
	4)	Highl comb To be this su thresh	y efficient power generation projects, such as, buined cycle projects, combined heat and power, and considered a highly efficient power generation pubsection (a)(4), a project must meet the followir holds and criteria:	nt not limited to, ad microturbines. project pursuant to ag applicable
		A)	For combined heat and power projects generationand useful thermal energy for space, water, or theat, a rated-energy efficiency of at least 60 per shall not be a CAIR NO _x Ozone Season unit.	ng both electricity industrial process rcent: the project
		B)	For combined cycle projects rated at greater the rated-energy efficiency of at least 50 percent.	an 0.50 MW, a
		C)	For microturbine projects rated at or below 0.5 projects a rated-energy efficiency of at least 40	0 MW and all other percent.
b)	Renew located	vable ei d in Illi	nergy project means any of the following project nois:	s implemented and
	1)	Zero- or pho restric gener do no	emission electric generating projects, including v otovoltaic), and hydropower projects. Eligible hy cted to new generators that are not replacements ators, that commenced operation on or after Janu t involve the significant expansion of an existing	vind, solar (thermal ydropower plants are of existing ary 1, 2006, and that dam or the

2) Renewable energy units are those units that generate electricity using more than 50 percent of the heat input, on an annual basis, from dedicated crops grown for energy production or the capture systems for methane gas from landfills, water treatment plants or sewage treatment plants, and organic

construction of a new dam.

PCB				35 ILLINOIS ADMINISTRATIVE CODE	PART 225
		SUBTI	TLE B waste t Renew burning institut constru	CHAPTER I biomass, and other similar sources of non-fossil fuel able energy projects do not include energy from inc g or heating of waste wood, tires, garbage, general h ional lunchroom waste, office waste, landscape was action or demolition debris.	SUBCHAPTER c energy. ineration by iousehold waste, ite, or
	c)	Clean t useful located	technolo thermal l in Illin	ogy projects for reducing emissions from producing energy means any of the following projects implem ois:	electricity and rented and
		1)	Air pol existing reducti other e conside eight y low NC gas cor involvi additio control	lution control equipment upgrades for control of NG g coal-fired EGUs, as follows: installation of a selection (SCR) or selective non-catalytic reduction (SNC mission control technologies. For this purpose, a unered "existing" after it has been in commercial operaters. Air pollution control upgrades do not include D_x burners, overfired air techniques, gas reburning techniques for the control of NO _x emission ng upgrades or replacement of electrostatic precipitan of an activated carbon injection, or other sorbent i of mercury.	D _x emissions at ctive catalytic R) system, or nit will be ation for at least the addition of echniques, flue ons, projects ators, or injection for
		2)	Clean o	coal technologies projects include:	
			A)	Integrated gasification combined cycle (IGCC) plan	nts.
			B)	Fluidized bed coal combustion that commenced op December 31, 2006.	eration prior to
	d)	In addi Section renewa	ition to t n, the fo able ene	hose projects excluded in subsections (a) through (a) llowing projects are also not energy efficiency and a rgy, or clean technology projects:	c) of this conservation,
		1)	Nuclea	r power projects.	
		2)	Project under S allocate F.	s required to meet emission standards or technology State or federal law or regulation, except that allowa ed for projects undertaken pursuant to Section 225.2	y requirements inces may be 233 or Subpart
		3)	Project except	s used to meet the requirements of a court order or or that allowances may be allocated for:	consent decree,
			A)	Emission rates or limits achieved that are lower that required to meet the emission rates or limits for SO installing a baghouse as provided for in a court order decree entered into before May 30, 2006.	In what is p_2 or NO _x , or for er or consent
			B)	Projects used to meet the requirements of a court of	rder or consent

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		decree entered into on or after May 30, 20 consent decree does not specifically preclu	06, if the court order or ude such allocations.

- 4) A Supplemental Environmental Project (SEP).
- e) Applications for projects implemented and located in Illinois that are not specifically listed in subsections (a) through (c) of this Section, and that are not specifically excluded by definition in subsections (a) through (c) of this Section or by specific exclusion in subsection (d) of this Section, may be submitted to the Agency. The application must designate which category or categories from those listed in subsections (a)(1) through (c)(2)(B) of this Section best fit the proposed project and the applicable formula pursuant to Section 225.565(b) to calculate the number of allowances that it is requesting. The Agency will determine whether the application is approvable based on a sufficient demonstration by the project sponsor that the project is a new type of energy efficiency, renewable energy, or clean technology project, similar in its effects as the projects specifically listed in subsections (a) through (c) of this Section.
- f) Early adopter projects include projects that meet the criteria for any energy efficiency and conservation, renewable energy, or clean technology projects listed in subsections (a), (b), (c), and (e) of this Section and commence construction between July 1, 2006 and December 31, 2012.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.565 Clean Air Set-Aside (CASA) Allowances

a) The CAIR NO_x Ozone Season allowances for the CASA for each control period will be assigned to the following categories of projects:

		Phase I	Phase II
		(2009-2014)	(2015 and thereafter)
1)	Energy Efficiency and Conservation/ Renewable Energy	3684	3479
2)	Air Pollution Control Equipment Upgrades	1535	1448
3)	Clean Coal Technology Projects	1842	1738
4)	Early Adopters	614	580

- b) The following formulas must be used to determine the number of CASA allowances that may be allocated to a project per control period:
 - For an energy efficiency and conservation project pursuant to Section 225.560(a)(1) through (a)(4)(A), the number of allowances must be calculated using the number of megawatt hours of electricity that was not consumed during a control period and the following formula:

 $A = (MWh_c)' (1.5 lb/MWh) / 2000 lb$

Where:

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	А	= The number	of allowances for a particular pr	roject.
	MWh	te =The number of during a contr	of megawatt hours of electricity rol period by a project.	conserved or generated
	2)	For a zero emis 225.560(b)(1), number of meg and the followi	ssion electric generating project the number of allowances must awatt hours of electricity gener ng formula:	pursuant to Section be calculated using the rated during a control period
		A =	(MWhg) ' (2.0 lb/MWh) / 200	00 lb
	Where:			

- A = The number of allowances for a particular project
- $MWh_g =$ The number of megawatt hours of electricity generated during a control period by a project.
- 3) For a renewable energy emission unit pursuant to Section 225.560(b)(2), the number of allowances must be calculated using the number of megawatt hours of electricity generated during a control period and the following formula:

$$A = (MWh_g)' (0.5 lb/MWh) / 2000 lb$$

Where:

A = The number of allowances for a particular project.

- MWh_g = The number of MW hours of electricity generated during a control period by a project.
- 4) For an air pollution control equipment upgrade project pursuant to Section 225.560(c)(1), the number of allowances must be calculated using the emission rate before and after replacement or improvement, and the following formula:

A = (MWh_g) (0.10) $(ER_B lb/MWh - ER_A lb/MWh) / 2000 lb$

Where:

- A = The number of allowances for a particular project.
- $MWh_g =$ The number of MWhs of electricity generated during a control period by a project.
- $ER_B = Average NO_x$ emission rate based on CEMS data from the most recent two control periods prior to the replacement or improvement of the

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	SUBT	ITLE B			CHAPTER I			SUBCHAPTE	Rс
		cont orde befo lowe cour or li not e a he	rol equip er. For un ore May 3 er than th t order. mits spece expressed at rate of	oment i nits sul 30, 200 ne emis On or cified i d in lb/ f 10 mi	in lb/MWh, u bject to a composite of, ER_B is limits after May 30, in the consent /MWh, the limits mBtu/1 MW.	nless subject sent decree o ited to emiss mit required 2006, ER _B i decree or co nit shall be co	to a consent r court order ion rates or in the conse s limited to urt order. If onverted inte	t decree or co r entered into limits that are ent decree or emission rate such limit is o lb/MWh usi	urt s ing
	ERA	= Ave on C	rage NO CEMS da	_x emiss ta in lł	sion rate for the form the second s	he applicable	control peri	od data based	1
	5)	For h	ighly effi	icient p	power generat	ion and clear	n coal techno	ology projects	5:
		A)	For pro Section allowa electric followa	bjects of n 225.5 nces m city the ing for	other than flui 560(a)(4)(B), nust be calcula e project gene mula:	dized coal co (a)(4)(C), and ated using the rates during a	ombustion p d (c)(2), the e number of a control per	ursuant to number of MWh of iod and the	
			А	=	(MWhg) ' (1.0 lb/MWh	– ER lb/MV	Wh) / 2000 lb	
	Where:								
	А	= The	e number	of allo	owances for a	particular pr	oject.		
	MWh	lg = The perio	number od by a p	of meg project.	gawatt hours o	of electricity	generated du	uring a contro	ol
	ER	= 1b/N	Annua AWh.	l avera	ige NO _x emiss	sion rate base	ed on CEMS	data in	
		B)	For flu 225.56 the nur during A	idized 0(c)(2) nber o a cont	bed coal com), the number f gross MWh rol period and (MWh _a) x (bustion proje of allowance of electricity the followin	ects pursuan es shall be ca 7 the project ng formula: – ER lb/MV	t to Section alculated usin generates Wh) / 2000 lb	g
	Where:				(111 1, 11g) A (1. 1 10/111 11			
	А	= The	number	of allo	owances for a	particular pr	oject.		

- $MWh_g =$ The number of gross MWh of electricity generated during a control period by a project.
- $\begin{array}{ll} \mbox{ER} & = \mbox{Annual NO}_x \mbox{ emission rate for the control period based on CEMS data in} \\ & \mbox{lb/MWh.} \end{array}$

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6)	For a C	ASA project that commences construction	before December 31,
	2012, in	n addition to the allowances allocated purs	uant to subsections
	(b)(1) t	hrough (b)(5) of this Section, a project spo	nsor may also request
	additio	nal allowances under the early adopter proj	ject category pursuant to
	Section	225.560(e) based on the following formul	a:

$$A=1.0+0.10\ \acute{}\ \Sigma\ A_i$$

Where:

PCB

- A = The number of allowances for a particular project as determined in subsections (b)(1) through (b)(5) of this Section.
- A_i = The number of allowances as determined in subsection (b)(1), (b)(2), (b)(3), (b)(4) or (b)(5) of this Section for a given project.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.570 Clean Air Set-Aside (CASA) Applications

- a) A project sponsor may request allowances if the project commenced construction on or after the dates listed in this subsection. The project sponsor may request and be allocated allowances from more than one CASA category for a project, if applicable.
 - 1) Demand side management, energy efficient new construction, and supply side energy efficiency and conservation projects that commenced construction on or after January 1, 2003;
 - 2) Fluidized bed coal combustion projects, highly efficient power generation operations projects, or renewable energy emission units, that commenced construction on or after January 1, 2001; and
 - 3) All other projects on or after July 1, 2006.
- b) Beginning with the 2009 control period and each control period thereafter, a project sponsor may request allowances from the CASA. The application must be submitted to the Agency by May 1 of the control period for which the allowances are being requested.
- c) The allocation will be based on the electricity conserved or generated in the control period preceding the calendar year in which the application is submitted. To apply for a CAIR NO_x Ozone Season allocation from the CASA, project sponsors must provide the Agency with the following information:
 - 1) Identification of the project sponsor, including name, address, type of organization, certification that the project sponsor has met the definition of "project sponsor" as set forth in Section 225.130, and names of the principals or corporate officials.

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	SUBT	TTLE B		CHAPTER I	SUBCHAPTER c
	2)	The n accou repres	umber nt for t sentativ	of the CAIR NO _x Ozone Season general of the project and the name of the associated e.	or compliance CAIR account
	3)	A des spons energ the nu numb formu	cription or in th y conse umber c er of al ula from	n of the project or projects, location, the re- e projects, and a general explanation of h- erved or generated was measured, verified of allowances requested with the supportin lowances requested will be calculated usin a Section 225.570(b).	ole of the project ow the amount of l, and calculated, and ng calculations. The ng the applicable
	4)	Detail follow the N conse applic type o	led info ving typ O_x emis rved us cable. To of proje	prmation to support the request for allowant opes of documentation for the measurement ssions reductions, electricity generated, or sing established measurement verification The measurement and verification require ct proposed.	nces, including the at and verification of r electricity procedures, as ad will depend on the
		A)	As ap perio data, <i>Guida</i> <i>Proje</i> methe	pplicable, documentation of the project's l d conditions and resultant base and contro using the procedures and methods include elines: Measurement and Verification for ects, incorporated by reference in Section od approved by the Agency. Examples in	base and control of period energy ed in <i>M&V</i> <i>Federal Energy</i> 225.140, or other nclude:
			i)	Energy consumption and demand profi	les;
			ii)	Occupancy type;	
			iii)	Density and periods;	
			iv)	Space conditions or plant throughput for period and season. (for example, in a b include the light level and color, space humidity and ventilation);	or each operating building this would temperature,
			v)	Equipment inventory, nameplate data, I condition; and	location, and
			vi)	Equipment operating practices (schedu actual temperatures/pressures);	les and set points,
		B)	Emis	sions data, including, if applicable, CEM	S data;
		C)	Infor docu	mation for rated–energy efficiency, inclue mentation and calculations; and	ding supporting
		D)	Elect	ricity, in MWh, generated or conserved for	or the applicable

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	SUB	TITLE B CHAPTER I control period.	SUBCHAPTER c
	5)	Notwithstanding the requirements of subsection $(c)(4)$ applications for fewer than five allowances may proper applicable methods of quantification acceptable to the) of this Section, ose other reliable and Agency.
	6)	Any additional information requested by the Agency t correctness of the requested number of allowances, in information, project specifications, supporting calcula procedures, and maintenance procedures.	to determine the cluding site tions, operating
	7)	The following certification by the responsible official sponsor and the applicable CAIR account representati	for the project ve for the project:
		"I am authorized to make this submission on behalf of and the holder of the CAIR NO_x Ozone Season general compliance account for which the submission is made penalty of law that I have personally examined, and an statements and information submitted in this application attachments. Based on my inquiry of those individual	f the project sponsor al account or e. I certify under m familiar with, the on and all its is with primary

statements and information submitted in this application and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information."

- d) A project sponsor may request allowances from the CASA for each project for a total number of control periods not to exceed the number of control periods listed in this subsection. After a project has been allocated allowances from the CASA, subsequent requests for the project from the project sponsor must include the information required by subsections (c)(1), (c)(2), (c)(3) and (c)(7) of this Section, a description of any changes or further improvements made to the project, and information specified in subsections (c)(5) and (c)(6) as specifically requested by the Agency.
 - 1) For energy efficiency and conservation projects (except for efficient operation and renewable energy projects), for a total of eight control periods.
 - 2) For early adopter projects, for a total of ten control periods.
 - 3) For air pollution control equipment upgrades, for a total of 15 control periods.
 - 4) For renewable energy projects, clean coal technology, and highly efficient power generation projects, for each year that the project is in operation.
- e) A project sponsor must keep copies of all CASA applications and the documentation used to support the application for at least five years.

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(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

Section 225.575 Agency Action on Clean Air Set-Aside (CASA) Applications

- a) By September 1, 2009 and each September 1 thereafter, the Agency will determine the total number of allowances that are approvable for allocation to project sponsors based upon the applications submitted pursuant to Section 225.570.
 - 1) The Agency will determine the number of CAIR NO_x Ozone Season allowances that are approvable based on the formulas and the criteria for such projects. The Agency will notify a project sponsor within 90 days after receipt of an application if the project is not approvable, the number of allowances requested is not approvable, or additional information is needed by the Agency to complete its review of the application.
 - 2) If the total number of CAIR NO_x Ozone Season allowances requested for approved projects is less than or equal to the number of CAIR NO_x Ozone Season allowances in the CASA project category, the number of allowances that are approved shall be allocated to each CAIR NO_x Ozone Season compliance or general account.
 - 3) If more CAIR NO_x Ozone Season allowances are requested than the number of CAIR NO_x Ozone Season allowances in a given CASA project category, allowances will be allocated on a pro-rata basis based on the number of allowances available, subject to further adjustment as provided for by subsection (b) of this Section. CAIR NO_x Ozone Season allowances will be allocated, transferred, or used as whole allowances. The number of whole allowances will be determined by rounding down for decimals less than 0.5 and rounding up for decimals of 0.5 or greater.
- b) For control periods 2011 and thereafter:
 - If there are, after the completion of the procedures in subsection (a) of this Section for a control period, any CAIR NO_x Ozone Season allowances not allocated to a CASA project for the control period, the remaining allowances will accrue in each CASA project category up to twice the number of allowances that are assigned to the project category for each control period as set forth in Section 225.565.
 - 2) If any allowances remain after allocations pursuant to subsection (a) of this Section, the Agency will allocate these allowances pro-rata to projects that received fewer allowances than requested, based on the number of allowances not allocated but approved by the Agency for the project under CASA. No project may be allocated more allowances than approved by the Agency for the applicable control period.
 - 3) If any allowances remain after the allocation of allowances pursuant to

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	subsection (b)(2) of this Section, the Agency will	then distribute pro-rata			
	the remaining allowances to project categories that have fewer than twice					
	the number of	of allowances assigned to the project of	category. The pro-rata			
	distribution category and	will be based on the difference betwee the number of allowances that remai	en two times the project n in the project category.			
	4) If allowance distributions Agency may have not bee toward attain Standards pu	s still remain undistributed after the a in the subsections (b)(1) through (b)(v elect to retire any CAIR NO _x Ozone en distributed to any CASA category, ment or maintenance of the National arsuant to the CAA.	llocations and (3) are completed, the Season allowances that to continue progress Ambient Air Quality			

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)

225.APPENDIX A Specified EGUs for Purposes of the CPS (Midwest Generation's Coal-Fired Boilers as of July 1, 2006)

Plant	Permit Number	Boiler	Permit designation	CPS Designation
Crawford	031600AIN	7	Unit 7 Boiler BLR1	Crawford 7
		8	Unit 8 Boiler BLR2	Crawford 8
Fisk	031600AMI	19	Unit 19 Boiler BLR19	Fisk 19
Joliet	197809AAO	71	Unit 7 Boiler BLR71	Joliet 7
		72	Unit 7 Boiler BLR72	Joliet 7
		81	Unit 8 Boiler BLR81	Joliet 8
		82	Unit 8 Boiler BLR82	Joliet 8
		5	Unit 6 Boiler BLR5	Joliet 6
Powerton	179801AAA	51	Unit 5 Boiler BLR 51	Powerton 5
		52	Unit 5 Boiler BLR 52	Powerton 5
		61	Unit 6 Boiler BLR 61	Powerton 6
		62	Unit 6 Boiler BLR 62	Powerton 6
Waukegan	097190AAC	17	Unit 6 Boiler BLR17	Waukegan 6
8	•••••	7	Unit 7 Boiler BLR7	Waukegan 7
		8	Unit 8 Boiler BLR8	Waukegan 8
Will County	197810AAK	1	Unit 1 Boiler BLR1	Will County 1
5		2	Unit 2 Boiler BLR2	Will County 2
		3	Unit 3 Boiler BLR3	Will County 3
		4	Unit 4 Boiler BLR4	Will County 4

(Source: Amended at 33 Ill. Reg. 10427, effective June 26, 2009)