§ 74.25 Current promulgated SO₂ emissions limit.

The designated representative shall submit the following data:

(a) Current promulgated SO₂ emissions limit of the combustion source, expressed in lbs/mmBtu, which shall be the most stringent federally enforceable emissions limit that has been promulgated as of the date of submission of the opt-in permit application and that either is in effect on that date or will take effect after that date. If the promulgated SO₂ emissions limit is not expressed in lbs/mmBtu, the limit shall be converted to lbs/mmBtu by multiplying the limit by the appropriate factor as specified in Table 1 of §74.23(a)(1)(i).

(b) Citations of statute, regulation and any other authority under which the emissions limit under paragraph (a) of this section is established as applicable to the combustion source;

(c) Averaging time associated with the allowable emissions rate under paragraph (a) of this section.

(d) Effective date of the emissions limit under paragraph (a) of this section.

§ 74.26 Allocation formula.

(a) The Administrator will calculate the annual allowance allocation for a combustion source based on the data, corrected as necessary, under §74.20 through §74.25 as follows:

(1) For combustion sources for which the current promulgated SO₂ emissions limit under §74.25 is greater than or equal to the current allowable SO₂ emissions rate under §74.24, the number of allowances allocated for each year equals:

\[
\text{Allowances} = \frac{\text{baseline or alternative baseline}}{2000} \times \text{the lesser of the actual SO₂ emissions rate or the 1985 allowable SO₂ emissions rate or the current allowable SO₂ emissions rate}
\]

(2) For combustion sources for which the current promulgated SO₂ emissions limit under §74.25 is less than the current allowable SO₂ emissions rate under §74.24.

(i) The number of allowances for each year ending prior to the effective date of the promulgated SO₂ emissions limit equals:

\[
\text{Allowances} = \frac{\text{baseline or alternative baseline}}{2000} \times \text{the lesser of the actual SO₂ emissions rate or the 1985 allowable SO₂ emissions rate or the current allowable SO₂ emissions rate}
\]

(ii) The number of allowances for the year that includes the effective date of the promulgated SO₂ emissions limit and for each year thereafter equals:

\[
\text{Allowances} = \frac{\text{baseline or alternative baseline}}{2000} \times \text{the lesser of the actual SO₂ emissions rate or the 1985 allowable SO₂ emissions rate or the current allowable SO₂ emissions rate}
\]
§ 74.28 Allowance allocation for combustion sources becoming opt-in sources on a date other than January 1.

(a) Dates of entry. (1) If an opt-in source provided monthly data under §74.20, the opt-in source’s opt-in permit may become effective at the beginning of a calendar quarter as of January 1, April 1, July 1, or October 1.

(2) If an opt-in source provided annual data under §74.20, the opt-in source’s opt-in permit must become effective on January 1.

(b) Prorating by Calendar Quarter. Where a combustion source’s opt-in permit becomes effective on April 1, July 1, or October 1 of a given year, the Administrator will prorate the allowance allocation for that first year by the calendar quarters remaining in the year as follows:

Allowances for the first year

\[
\text{Allowances} = \left( \begin{array}{c}
\text{baseline or alternative baseline} \\
\text{the actual SO}_2\text{ emissions rate or}
\end{array} \right) \times \text{the lesser of}
\]

\[
\begin{array}{c}
\text{the 1985 allowable SO}_2\text{ emissions rate or}
\end{array}
\]

\[
\begin{array}{c}
\text{the current promulgated SO}_2\text{ emissions rate}
\end{array}
\]

(60 FR 17115, Apr. 4, 1995, as amended at 63 FR 18841, Apr. 16, 1998)