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AUTHORITY: 42 U.S.C. 7601 and 7651 *et seq.*

Subpart A—Background and Summary

SOURCE: 58 FR 3687, Jan. 11, 1993, unless otherwise noted.

§ 73.1 Purpose and scope.

The purpose of this part is to establish the requirements and procedures for the following:

(a) The allocation of sulfur dioxide emissions allowances;

(b) The tracking, holding, and transfer of allowances;

(c) The deduction of allowances for purposes of compliance and for purposes of offsetting excess emissions pursuant to parts 72 and 77 of this chapter;

(d) The sale of allowances through EPA-sponsored auctions and a direct sale, including the independent power producers written guarantee program; and

(e) The application for, and distribution of, allowances from the Conservation and Renewable Energy Reserve.

(f) The application for, and distribution of, allowances for desulfurization of fuel by small diesel refineries.

[58 FR 3687, Jan. 11, 1993, as amended at 58 FR 15650, Mar. 23, 1993]

§ 73.2 Applicability.

The following parties shall be subject to the provisions of this part:

(a) Owners, operators, and designated representatives of affected sources and affected units pursuant to § 72.6 of this chapter;

(b) Any new independent power producer as defined in section 416 of the Act and § 72.2 of this chapter, except as provided in section 405(g)(6) of the Act;

(c) Any owner of an affected unit who may apply to receive allowances under the Energy Conservation and Renewable Energy Reserve Program established in accordance with section 404(f) of the Act;

(d) Any small diesel refinery as defined in § 72.2 of this chapter, and

(e) Any other person, as defined in § 72.2 of this chapter, who chooses to purchase, hold, or transfer allowances as provided in section 403(b) of the Act.

§ 73.3 General.

Part 72 of this chapter, including §§ 72.2 (definitions), 72.3 (measurements, abbreviations, and acronyms), 72.4 (Federal authority), 72.5 (State authority), 72.6 (applicability), 72.7 (new units exemption), 72.8 (retired unit exemption), 72.9 (standard requirements), 72.10 (availability of information), and 72.11 (computation of time) of part 72, subpart A of this chapter, shall apply to this part. The procedures for appeals of decisions of the Administrator under this part are contained in part 78 of this chapter. Sections 73.3 (Definitions) and 73.4 (Deadlines), which were previously published with subpart E of this part—''Auctions, Direct Sales, and Independent Power Producers Written Guarantee'', are codified at §§ 72.2 and 72.12 of this chapter, respectively.

Subpart B—Allowance Allocations

SOURCE: 58 FR 3687, Jan. 11, 1993, unless otherwise noted.

§ 73.10 Initial allocations for phase I and phase II.

(a) *Phase I allowances.* The Administrator will allocate allowances to the compliance account for each source that includes a unit listed in table 1 of this section in the amount listed in column A to be held for the years 1995 through 1999.

TABLE 1—PHASE I ALLOWANCE ALLOCATIONS

State name	Plant name	Boiler	Column A final phase 1 allocation	Column B auction and sales reserve
Alabama	Colbert	1	13213	357
		2	14907	403
		3	14995	405
		4	15005	405
		5	36202	978
	E.C. Gaston	1	17624	476
		2	18052	488
		3	17828	482