

## Environmental Protection Agency

## § 76.2

- 76.10 Alternative emission limitations.
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APPENDIX A TO PART 76—PHASE I AFFECTED COAL-FIRED UTILITY UNITS WITH GROUP 1 OR CELL BURNER BOILERS

APPENDIX B TO PART 76—PROCEDURES AND METHODS FOR ESTIMATING COSTS OF NITROGEN OXIDES CONTROLS APPLIED TO GROUP 1, PHASE I BOILERS

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

SOURCE: 60 FR 18761, Apr. 13, 1995, unless otherwise noted.

### § 76.1 Applicability.

(a) Except as provided in paragraphs (b) through (d) of this section, the provisions apply to each coal-fired utility unit that is subject to an Acid Rain emissions limitation or reduction requirement for SO<sub>2</sub> under Phase I or Phase II pursuant to sections 404, 405, or 409 of the Act.

(b) The emission limitations for NO<sub>x</sub> under this part apply to each affected coal-fired utility unit subject to section 404(d) or 409(b) of the Act on the date the unit is required to meet the Acid Rain emissions reduction requirement for SO<sub>2</sub>.

(c) The provisions of this part apply to each coal-fired substitution unit or compensating unit, designated and approved as a Phase I unit pursuant to § 72.41 or § 72.43 of this chapter as follows:

(1) A coal-fired substitution unit that is designated in a substitution plan that is approved and active as of January 1, 1995 shall be treated as a Phase I coal-fired utility unit for purposes of this part. In the event the designation of such unit as a substitution unit is terminated after December 31, 1995, pursuant to § 72.41 of this chapter and the unit is no longer required to meet Phase I SO<sub>2</sub> emissions limitations, the provisions of this part (including those applicable in Phase I) will continue to apply.

(2) A coal-fired substitution unit that is designated in a substitution plan that is not approved or not active as of January 1, 1995, or a coal-fired compensating unit, shall be treated as a Phase

II coal-fired utility unit for purposes of this part.

(d) The provisions of this part for Phase I units apply to each coal-fired transfer unit governed by a Phase I extension plan, approved pursuant to § 72.42 of this chapter, on January 1, 1997. Notwithstanding the preceding sentence, a coal-fired transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides beginning on January 1, 1996 if, for that year, a transfer unit is allocated fewer Phase I extension reserve allowances than the maximum amount that the designated representative could have requested in accordance with § 72.42(c)(5) of this chapter (as adjusted under § 72.42(d) of this chapter) unless the transfer unit is the last unit allocated Phase I extension reserve allowances under the plan.

### § 76.2 Definitions.

All terms used in this part shall have the meaning set forth in the Act, in § 72.2 of this chapter, and in this section as follows:

*Alternative contemporaneous annual emission limitation* means the maximum allowable NO<sub>x</sub> emission rate (on a lb/mmBtu, annual average basis) assigned to an individual unit in a NO<sub>x</sub> emissions averaging plan pursuant to § 76.10.

*Alternative technology* means a control technology for reducing NO<sub>x</sub> emissions that is outside the scope of the definition of low NO<sub>x</sub> burner technology. Alternative technology does not include overfire air as applied to wall-fired boilers or separated overfire air as applied to tangentially fired boilers.

*Approved clean coal technology demonstration project* means a project using funds appropriated under the Department of Energy's "Clean Coal Technology Demonstration Program," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency. The Federal contribution for a qualifying project shall be at least 20 percent of the total cost of the demonstration project.

*Arch-fired boiler* means a dry bottom boiler with circular burners, or coal