

Environmental Protection Agency

§ 72.96

the technology conditionally approved by the Administrator under § 72.44(d)(3).

(3) The letter agreement under paragraph (a)(2) of this section shall be signed and dated by each party and specify:

- (i) The parties to the contract;
- (ii) The date each party executed the contract;
- (iii) The unit to which the contract applies;
- (iv) A brief list identifying each provision of the contract;
- (v) Any dates to which the parties agree, including construction completion date;
- (vi) The total dollar amount of the contract; and
- (vii) A statement that a copy of the contract is on site at the source and will be submitted upon written request of the Administrator or the permitting authority.

(b) *Removal from operation to repower.* The designated representative of a unit governed by an approved repowering plan shall notify the Administrator in writing at least 60 days in advance of the date on which the existing unit is to be removed from operation so that the qualified repowering technology can be installed, or is to be replaced by another unit with the qualified repowering technology, in accordance with the plan.

(c) *Commencement of operation.* Not later than 60 days after the unit repowered under an approved repowering plan commences operation at full load, the designated representative of the unit shall submit a report comparing the actual hourly emissions and percent removal of each pollutant controlled at the unit to the actual hourly emissions and percent removal at the existing unit under the plan prior to repowering, determined in accordance with part 75 of this chapter.

(d) *Decision to terminate.* If at any time before the end of the repowering extension the owners and operators decide to terminate good faith efforts to design, construct, and test the qualified repowering technology on the unit to be repowered under an approved repowering plan, then the designated representative shall submit a notice to the Administrator by the earlier of the end of the repowering extension or a

date within 30 days of such decision, stating the date on which the decision was made.

§ 72.95 Allowance deduction formula.

The following formula shall be used to determine the total number of allowances to be deducted for the calendar year from the allowances held in an affected unit's compliance sub-account as of the allowance transfer deadline applicable to that year:

$$\text{Total allowances deducted} = \text{Tons emitted} + \text{Allowances surrendered for underutilization} + \text{Allowances deducted for Phase I extensions} + \text{Allowances deducted for substitution or compensating units}$$

where:

(a) "Tons emitted" is the total tons of sulfur dioxide emitted by the unit during the calendar year, as reported in accordance with part 75 of this chapter.

(b) "Allowances surrendered for underutilization" is the total number of allowances calculated in accordance with § 72.92 (a) and (c).

(c) "Allowances deducted for Phase I extensions" is the total number of allowances calculated in accordance with § 72.42(f)(1)(i).

(d) "Allowances deducted for substitution or compensating units" is the total number of allowances calculated in accordance with the surrender requirements specified under § 72.41(d)(3) or (e)(1)(iii)(B) or § 72.43(d)(2).

[58 FR 3650, Jan. 11, 1993, as amended at 62 FR 55485, Oct. 24, 1997]

§ 72.96 Administrator's action on compliance certifications.

(a) The Administrator may review, and conduct independent audits concerning, any compliance certification and any other submission under the Acid Rain Program and make appropriate adjustments of the information in the compliance certifications and other submissions.

(b) The Administrator may deduct allowances from or return allowances to a unit's Allowance Tracking System account in accordance with part 73 of this chapter based on the information

Pt. 72, App. A

40 CFR Ch. I (7-1-02 Edition)

in the compliance certifications and other submissions, as adjusted.

TABLE A-1—SO₂EMISSION AVERAGING PERIODS AND ANNUALIZATION FACTORS

APPENDIX A TO PART 72—METHODOLOGY FOR ANNUALIZATION OF EMISSIONS LIMITS

For the purposes of the Acid Rain Program, 1985 emissions limits must be expressed in pounds of SO₂ per million British Thermal Unit of heat input (lb/MMBtu) and expressed on an annual basis.

Annualization factors are used to develop annual equivalent SO₂ limits as required by section 402(18) of the CAA. Many emission limits are enforced on a shorter term basis (or averaging period) than annually. Because of the variability of sulfur in coal and, in some cases, scrubber performance, meeting a particular limit with an averaging period of less than a year and at a specified statutory emissions level would require a lower annual average SO₂ emission rate (or annual equivalent SO₂ limit) than would the shorter term statutory limit. EPA has selected a compliance level of one exceedance per 10 years. For example, an SO₂ emission limit of 1.2 lbs/MMBtu, enforced for a scrubbed unit over a 7-day averaging period, would result in an annualized SO₂ emission limit of 1.16 lbs/MMBtu. In general, the shorter the averaging period, the lower the annual equivalent would be. Thus, the annualization of limits is established by multiplying each federally enforceable limit by an annualization factor that is determined by the averaging period and whether or not it's a scrubbed unit.

Definition	Annualization factor	
	Scrubbed Unscrubbed	
	Unit	Unit
Oil/gas unit	1.00	1.00
<=1 day	0.93	0.89
1 week	0.97	0.92
30 days	1.00	0.96
90 days	1.00	1.00
1 year	1.00	1.00
Not specified	0.93	0.89
At all times	0.93	0.89
Coal unit: No Federal limit or limit unknown	1.00	1.00

APPENDIX B TO PART 72—METHODOLOGY FOR CONVERSION OF EMISSIONS LIMITS

For the purposes of the Acid Rain Program, all emissions limits must be expressed in pounds of SO₂ per million British Thermal Unit of heat input (lb/MMBtu).

The factor for converting pounds of sulfur to pounds of SO₂ is based on the molecular weights of sulfur (32) and SO₂ (64). Limits expressed as percentage of sulfur or parts per million (ppm) depend on the energy content of the fuel and thus may vary, depending on several factors such as fuel heat content and atmospheric conditions. Generic conversions for these limits are based on the assumed average energy contents listed in table A-2. In addition, limits in ppm vary with boiler operation (e.g., load and excess air); generic conversions for these limits assume, conservatively, very low excess air. The remaining factors are based on site-specific heat rates and capacities to develop conversions for Btu per hour. Standard conversion factors for residual oil are 42 gal/bbl and 7.88 lbs/gal.

TABLE B-1—CONVERSION FACTORS
[Emission limits converted to lbs SO₂/MMBtu by multiplying as below]

Unit measurement	Plant fuel type			
	Bituminous coal	Subbituminous coal	Lignite coal	Oil
Lbs sulfur/ MMBtu	2.0	2.0	2.0	2.0
% sulfur in fuel	1.66	2.22	2.86	1.07
Ppm SO ₂	0.00287	0.00384		0.00167
Ppm sulfur in fuel				0.00334
Tons SO ₂ /hour	2,000,000/(HEATRATE*SUMNDCAP*capacity factor) ¹			
Lbs SO ₂ /hour	1,000/(HEATRATE*SUMNDCAP*capacity factor) ¹			

¹ In these cases, if the limit was specified as the "site" limit, the summer net dependable capability for the entire plant is used; otherwise, the summer net dependable capability for the unit is used. For units listed in the NADB, "HEATRATE" shall be that listed in the NADB under that field and "SUMNDCAP" shall be that listed in the NADB under that field. For units not listed in the NADB, "HEATRATE" is the generator net full load heat rate reported on Form EIA-860 and "SUMNDCAP" is the summer net dependable capability of the generator (in MWe) as reported on Form EIA-860.