

APA-2
11/96

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Environmental Management

RULE NO. & TITLE: Division 335-3, Air Pollution Control Program
Rule 335-3-5-.06 - TR SO₂ Trading Program – Purpose and Definitions (New)
Rule 335-3-5-.07 - TR SO₂ Trading Program – Applicability (New)
Rule 335-3-5-.08 TR SO₂ Trading Program – Retired Unit Exemption (New)
Rule 335-3-5-.09 - TR SO₂ Trading Program – Standard Requirements (New)
Rule 335-3-5-.10 - TR SO₂ Trading Program – Computation of Time (New)
Rule 335-3-5-.11 – Administrative Appeal Procedures (New)
Rule 335-3-5-.12 - SO₂ Trading Budgets and Variability Limits (New)
Rule 335-3-5-.13 - TR SO₂ Allowance Allocations (New)
Rule 335-3-5-.14 - Authorization of Designated Representative and Alternate Designated Representative (New)
Rule 335-3-5-.15 - Responsibilities of Designated Representative and Alternate Designated Representative (New)
Rule 335-3-5-.16 - Changing Designated Representative and Alternate Designated Representative; Changes in Owners and Operators; Changes in Units at the Source (New)
Rule 335-3-5-.17 - Certificate of Representation (New)
Rule 335-3-5-.18 - Objections Concerning Designated Representative and Alternate Designated Representative (New)
Rule 335-3-5-.19 - Delegation by Designated Representative and Alternate Designated Representative (New)
Rule 335-3-5-.20 – Reserved (New)
Rule 335-3-5-.21 - Establishment of Compliance Accounts, Assurance Accounts, and General Accounts (New)
Rule 335-3-5-.22 - Recordation of TR SO₂ Allowance Allocations and Auction Results (New)
Rule 335-3-5-.23 - Submission of TR SO₂ Allowance Transfers (New)
Rule 335-3-5-.24 - Recordation of TR SO₂ Allowance Transfers (New)
Rule 335-3-5-.25 - Compliance with TR SO₂ Emissions Limitation (New)
Rule 335-3-5-.26 - Compliance with TR SO₂ Assurance Provisions (New)
Rule 335-3-5-.27 – Banking (New)
Rule 335-3-5-.28 - Account Error (New)
Rule 335-3-5-.29 - Administrator’s Action on Submissions (New)
Rule 335-3-5-.30 – Reserved (New)
Rule 335-3-5-.31 - General Monitoring, Recordkeeping, and Reporting Requirements (New)
Rule 335-3-5-.32 - Initial Monitoring System Certification and Recertification Procedures (New)
Rule 335-3-5-.33 - Monitoring System Out-of-Control Periods (New)

Rule 335-3-5-.34 - Notifications Concerning Monitoring (New)
Rule 335-3-5-.35 - Recordkeeping and Reporting (New)
Rule 335-3-5-.36 - Petitions for Alternatives to Monitoring, Recordkeeping, or Reporting Requirements (New)

INTENDED ACTION: Revise Division 3 of the ADEM Administrative Code with the adoption of Rules 335-3-5-.06 (TR SO₂ Trading Program – Purpose and Definitions), 335-3-5-.07 (TR SO₂ Trading Program – Applicability), 335-3-5-.08 (TR SO₂ Trading Program – Retired Unit Exemption), 335-3-5-.09 (TR SO₂ Trading Program – Standard Requirements), 335-3-5-.10 (TR SO₂ Trading Program – Computation of Time), 335-3-5-.11 (Administrative Appeal Procedures), 335-3-5-.12 (SO₂ Trading Budgets and Variability Limits), 335-3-5-.13 (TR SO₂ Allowance Allocations), 335-3-5-.14 (Authorization of Designated Representative and Alternate Designated Representative), 335-3-5-.15 (Responsibilities of Designated Representative and Alternate Designated Representative), 335-3-5-.16 (Changing Designated Representative and Alternate Designated Representative; Changes in Owners and Operators; Changes in Units at the Source), 335-3-5-.17 (Certificate of Representation), 335-3-5-.18 (Objections Concerning Designated Representative and Alternate Designated Representative), 335-3-5-.19 (Delegation by Designated Representative and Alternate Designated Representative), 335-3-5-.20 (Reserved), 335-3-5-.21 (Establishment of Compliance Accounts, Assurance Accounts, and General Accounts), 335-3-5-.22 (Recordation of TR SO₂ Allowance Allocations and Auction Results), 335-3-5-.23 (Submission of TR SO₂ Allowance Transfers), 335-3-5-.24 (Recordation of TR SO₂ Allowance Transfers), 335-3-5-.25 (Compliance with TR SO₂ Emissions Limitation), 335-3-5-.26 (Compliance with TR SO₂ Assurance Provisions), 335-3-5-.27 (Banking), 335-3-5-.28 (Account Error), 335-3-5-.29 (Administrator’s Action on Submissions), 335-3-5-.30 (Reserved), 335-3-5-.31 (General Monitoring, Recordkeeping, and Reporting Requirements), 335-3-5-.32 (Initial Monitoring System Certification and Recertification Procedures), 335-3-5-.33 (Monitoring System Out-of-Control Periods), 335-3-5-.34 (Notifications Concerning Monitoring), 335-3-5-.35 (Recordkeeping and Reporting), 335-3-5-.36 (Petitions for Alternatives to Monitoring, Recordkeeping, or Reporting Requirements).

SUBSTANCE OF PROPOSED ACTION:

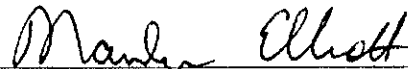
Revisions to the Division 3 Code are being proposed to add Rules 335-3-5-.06, 335-3-5-.07, 335-3-5-.08, 335-3-5-.09, 335-3-5-.10, 335-3-5-.11, 335-3-5-.12, 335-3-5-.13, 335-3-5-.14, 335-3-5-.15, 335-3-5-.16, 335-3-5-.17, 335-3-5-.18, 335-3-5-.19, 335-3-5-.20, 335-3-5-.21, 335-3-5-.22, 335-3-5-.23, 335-3-5-.24, 335-3-5-.25, 335-3-5-.26, 335-3-5-.27, 335-3-5-.28, 335-3-5-.29, 335-3-5-.30, 335-3-5-.31, 335-3-5-.32, 335-3-5-.33, 335-3-5-.34, 335-3-5-.35, 335-3-5-.36 in order to incorporate provisions for the control of sulfur dioxide emissions from specified categories as required by the Environmental Protection Agency’s Cross-State Air Pollution Rule (CSAPR) as promulgated August 8, 2011 (76 FR 48208) and revised on December 3, 2014 (79 FR 71663). This adoption allows the Department to retain State primacy in the implementation of the regulations. Revisions to this Chapter are proposed to be incorporated into Alabama’s SIP.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held 10:00 a.m., September 9, 2015, in ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: September 11, 2015

CONTACT PERSON AT AGENCY: Chris Howard (334) 271-7878



Lance R. LeFleur
Director