

Frequently asked Questions and Answers

1. Where can I find a copy of the regulations?

<http://www.pabulletin.com/secure/data/vol34/34-50/2176.html>

Chapter 129, Sections 129.201-205 which affect 5 County Philadelphia area units are in 25 Pa. Code under “Additional NOx Requirements” at:

<http://www.pacode.com/secure/data/025/chapter129/chap129toc.html>

Subchapters B and C of Chapter 145 which affect Large IC engines and Portland cement kilns on a statewide basis are found at:

<http://www.pacode.com/secure/data/025/chapter145/subchapBtoc.html>

<http://www.pacode.com/secure/data/025/chapter145/subchapCtoc.html>

A discussion and many answers to questions about the rules can be found in Section (F) of the *Pennsylvania Bulletin* notice of final rulemaking that responds to comments on the rules and may be found at:

<http://www.pabulletin.com/secure/data/vol34/34-50/2176.html>.

2. Do the regulations require controls to be installed or must the owner/operator surrender emission allowances?

The owner or operator may install controls and demonstrate that the sum of the actual emissions from the affected units is below the sum of the allowable emissions from the affected units and incur no allowance obligations. Alternatively, the owner or operator may install partial or no controls and surrender allowances for the portion of emissions (if any) that are above the allowable emission limits.

Even if the units emit below the limits in the regulations, the regulations require the owner or operator to collect compliance data and complete compliance calculations each year.

3. To what account number do the allowances need to be transferred?

The correct account to send current year vintage allowances to (transferee) is the PA emission retirement account: **PA0000000300**, NOx Budget Program Emission Retirement. (Updated on 9/19/2005)

4. Do you have a list of NOx allowance brokers?

EPA maintains a list of NOx allowance brokers. A list of NOx allowance brokers may be found at the bottom of the page at:

<http://www.epa.gov/airmarkets/trading/buying.html>

5. Does the unit operator have to open a general NOx budget allowance account?

No. The broker could handle the transaction, but some operators may want to open accounts to manage their transactions themselves. There is no fee involved in opening general accounts and transferring allowances. The forms for establishing accounts may be found at the bottom of this page under the NOx Budget Program heading:

<http://www.epa.gov/airmarkets/forms/index.html#nbp> or at:
<http://www.epa.gov/airmarkets/register/index.html#opengeneral>

6. To whom in the regional office do I send my compliance information?

The inspector assigned to your facility will review your information. Unless your permit or inspector specifies that data must be sent, you do not need to send these records, but remember that all units that comply using allowances must submit calculations and allowance serial numbers.

7. Can an owner/operator use data from emission tests conducted for boiler tuning for compliance calculations?

The regulations require that the tests be those required to show compliance with emission limits, or that an owner/operator use tests approved in writing by the Department.

8. Can compliance be calculated across more than one facility even though they are not in the same location?

Yes. If the facilities are under common control/ownership, and the units are covered by the same provisions, e.g., Chapter 129 Sections 201-203, an owner/operator may include emissions from units at multiple facilities in the compliance determinations. Emissions from a unit subject to the requirements of Chapter 145 may not be averaged with a unit subject to the provisions of Chapter 129. Compliance with each rule is determined separately (if you have both 129 and 145 affected units, refer to the compliance assessment for a more detailed explanation).

9. Do plan approvals have to be submitted to prior to the installation of emission controls?

The permitting regulations at Section 127.11 require an owner/operator to obtain a plan approval prior to the installation of any air-cleaning device.