

15A NCAC 02D .1420 PERIODIC REVIEW AND REALLOCATIONS

(a) Periodic Review. In 2006 and every five years thereafter, the Environmental Management Commission shall review the emission allocations of sources covered under Rules .1416, .1417, or .1418 of this Section and decide if any revisions are needed. In making this decision the Environmental Management Commission shall consider the following:

- (1) the size of the allocation pool for new source growth under Rule .1421 of this Section;
- (2) the amount of emissions allocations requested under Rule .1421 of this Section;
- (3) the amount of emissions allocations available through nitrogen oxide budget trading program;
- (4) the impact of reallocation on existing sources;
- (5) the impact of reallocations on sources covered under Rule .1421 of this Section;
- (6) impact on future growth; and
- (7) other relevant information on the impacts of reallocation.

(b) If the Environmental Management Commission decides to revise emission allocations, it shall propose for each source that has been permitted for and has complied with an emission rate of 0.10 pounds per million Btu or less, emission allocations greater than or equal to the greater of:

- (1) the source's current allocation, or
- (2) an allocation calculated by multiplying the average of the source's two highest seasonal energy inputs for the four most recent years by 0.15 pounds per million Btu and dividing by 2000.

(c) Posting of emission allocations. The Director shall post the new emission allocations once they are adopted on the Division's web page.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(5), (7), (10);
Temporary Adoption Eff. November 1, 2000;
Temporary Amendment Eff. August 1, 2001;
Eff. July 18, 2002.*