

**15A NCAC 02D .2411 OPT-IN PROVISIONS**

- (a) Opting in. The owners and operators of a unit may opt into:
- (1) the nitrogen oxide trading program by following the procedures in and meeting the requirements of 40 CFR Part 96 Subpart II,
  - (2) the sulfur dioxide trading program by following the procedures in and meeting the requirements of 40 CFR Part 96 Subpart III, and
  - (3) the ozone season nitrogen oxide trading program by following the procedures in and meeting the requirements of 40 CFR Part 96 Subpart III.
- (b) Permitting. The Director shall permit opt-in units under Paragraph (a) of this Rule according to 15A NCAC 02Q .0500; and
- (1) 40 CFR 96.184 and 96.185 for nitrogen oxides and shall allocate allowances according to 40 CFR 96.188,
  - (2) 40 CFR 96.284 and 96.285 for sulfur dioxides and shall allocate allowances according to 40 CFR 96.288, and
  - (3) 40 CFR 96.384 and 96.385 for ozone season nitrogen oxides and shall allocate allowances according to 40 CFR 96.388.
- (c) Withdrawing. The owners and operators of an opt-in unit under Paragraph (a) of this Rule may withdraw from the trading program according to:
- (1) 40 CFR 96.186 for nitrogen oxides,
  - (2) 40 CFR 96.286 for sulfur dioxides, and
  - (3) 40 CFR 96.386 for ozone season nitrogen oxides.
- (d) Change in regulatory status. If an opt-in unit becomes:
- (1) a CAIR NO<sub>x</sub> unit under 40 CFR 96.104, then 40 CFR 96.187 shall apply,
  - (2) a CAIR SO<sub>2</sub> unit under 40 CFR 96.204, then 40 CFR 96.287 shall apply, or
  - (3) a CAIR ozone season NO<sub>x</sub> unit under 40 CFR 96.304, then 40 CFR 96.387 shall apply.

*History Note:* Authority G.S. 143-215.3(a); 143-215.107(a)(5), (10); 143-215.108; Eff. July 1, 2006.