

APA-2
11/96

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Environmental Management

RULE NO. & TITLE: 335-3-1-.14 Emissions Reporting Requirements Relating To Budgets for NOx Emissions (Repeal)
335-3-1-.16 Emissions Reporting Requirements Relating To Budgets for SO₂ and NOx Emissions (Repeal)

INTENDED ACTION:

Revise Division 3 of the ADEM Administrative Code by deleting Rules 335-3-1-.14 (Emissions Reporting Requirements Relating to Budgets for NOx Emissions), and 335-3-1-.16 (Emissions Reporting Requirements Relating to Budgets for SO₂ and NOx Emissions).

SUBSTANCE OF PROPOSED ACTION:


Revisions to the Division 3 Code are being proposed to delete Rules 335-3-1-.14, and 335-3-1-.16, to be consistent with Federal Rules.

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., November 9, 2011, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 10, 2011.

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



Lance R. Lefleur
Director

335-3-1.14 Emissions Reporting Requirements Relating to Budgets for NO_x Emissions Reserved.

~~(1) General. The requirements of this rule serve to establish ozone season NO_x emissions reporting requirements from NO_x point sources in order to meet the statewide NO_x transport budget reporting requirements under 40 CFR, §51.122. This rule will not apply to any ozone season after the 2008 ozone season.~~

~~(2) Definitions. For the purpose of this rule, the following definitions apply:~~

~~(a) "NO_x Point Source" means:~~

~~1. A plant or facility which has one or more non mobile or stationary NO_x sources; and,~~

~~2. Has the potential to emit a total of 100 tons of NO_x or more per year.~~

~~(b) "Ozone Season" means the period May 1 through September 30 of a year.~~

~~(c) "Potential to Emit" shall have the same meaning ascribed in chapters 335-3-14 and 335-3-16 of this division.~~

~~(3) Applicability. This rule applies to all owners or operators of NO_x point sources in the State that have NO_x emission sources that are not subject to rules 335-3-8 .01, 335-3-8 .04, or rules 335-3-8 .05 through 335-3-8 .13.~~

~~(4) Reporting requirements.~~

~~(a) The owner or operator of a point source shall submit NO_x ozone season emissions data as follows:~~

~~1. Annual reporting. For each owner or operator, beginning with emission year 2004 and every year thereafter, by March 31st of the calendar year following the emission year being reported, the data specified in 40 CFR, §§ 51.122(c)(1) and (2) must be submitted to the Department.~~

~~2. Triennial reporting. For each owner or operator, beginning with emission year 2005 and every third year thereafter, by March 31st of the calendar year following the emission year being reported, the data specified in 40 CFR, §51.122(c)(3) must be submitted to the Department.~~

~~3. Year 2003 reporting. For each owner or operator, by March 31, 2004, the data specified in 40 CFR, § 51.122(c)(3) must be submitted to the Department.~~

~~4. Year 2007 reporting. For each owner or operator, by March 31, 2008, the data specified in 40 CFR, § 51.122(e)(3) must be submitted to the Department.~~

~~(b) The data required under subparagraph (a) of this paragraph shall be submitted electronically to the Department in a format prescribed and provided by the Department.~~

~~**Author:** Ronald W. Gore.~~

~~**Statutory Authority:** Code of Alabama 1975, §§22-28-10, 22-28-14, 22-28-18, 22-28-20, 22-22A-5, 22-22A-6, and 22-22A-8.~~

~~**History:** Effective Date: April 6, 2001.~~

~~**Amended:** April 3, 2007.~~