



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 SO<sub>2</sub> 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 SO<sub>2</sub> 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

  
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Lance R. LeFleur  
Director

**335-3-1-16 Emissions Reporting Requirements Relating to Budgets for SO<sub>2</sub> and NO<sub>x</sub> Emissions Reserved.**

~~(1) General. The requirements of this rule serve to establish SO<sub>2</sub> and NO<sub>x</sub> emissions reporting requirements from point sources in order to meet the statewide transport budget requirements for SO<sub>2</sub> and NO<sub>x</sub> under 40 CFR § 51.125.~~

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

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

~~1. A plant or facility which has one or more non mobile or stationary SO<sub>2</sub> or NO<sub>x</sub> sources; and,~~

~~2. Has the potential to emit a total of 100 tons of NO<sub>x</sub> or more per year;~~  
~~or~~

~~3. Has the potential to emit a total of 100 tons of SO<sub>2</sub> or more per year.~~

~~(b) "Ozone Season" means the five month period from May 1 to September 30 of a calendar 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 SO<sub>2</sub> or NO<sub>x</sub> point sources in the State that have SO<sub>2</sub> or NO<sub>x</sub> emission sources that are not subject to rules 335 3 8 .01, 335 3 8 .04, or rules 335 3 8 .16 through 335 3 8 .33.~~

~~(4) Reporting Requirements.~~

~~(a) The owner or operator of a point source shall submit to the Department SO<sub>2</sub> and NO<sub>x</sub> annual emissions and NO<sub>x</sub> ozone season and ozone daily emissions data, beginning with emission year 2008 and every third year thereafter, by June 30<sup>th</sup> of the calendar year following the emission year being reported.~~

~~(b) The data required under subparagraph (a) of this paragraph shall be submitted electronically to the Department in a format prescribed 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 3, 2007.

**Amended:**