**Section 217.835 NOx Emission Reduction Proposal**

a) A NOx emission reduction proposal shall include the following:

1) Information identifying each emission unit at the source that emits NOx whether the unit is subject to Subpart T, U, V, W or X of this Part, and the baseline emissions for each emission unit subject to the NOx emission cap as determined in accordance with Section 217.820 of this Subpart;

2) Information identifying each emission reduction unit from which the NOx emission reduction have been or will be achieved;

3) An explanation of the method used to achieve the NOx emission reductions;

4) The amount of the NOx emission reductions, including supporting calculations and documentation, such as fuel usage information;

5) The emission units subject to the NOx emission cap in accordance with Section 217.810(a) of this Subpart, and if all like-kind or same-type emission units are not proposed to be included within the NOx emission cap, an explanation of how the owner or operator of the emission reduction source will ensure that production shifting will not occur, such that the emission reduction source will achieve real, verifiable, and quantifiable NOx emission reductions;

6) The control period NOx emission cap to be achieved by the emission reduction source, including both the baseline emissions for each recipient unit subject to the NOx emission cap and the NOx emission reductions from the emission reduction units included in the proposal;

7) The name and address of the owner or operator of each emission unit to which the NOx allowances will be allocated, the Subpart of this Part (i.e, Subpart U or W) to which each unit is subject, including the name, telephone number, and account number of the account representative for each such unit; and

8) Certification by the owner or operator of each unit that is the subject of each proposed emission reduction proposal of his/her acceptance of the terms of the proposal and certification that the emission reductions specified in the proposal have been or will be achieved.

b) The owner or operator of a source submitting an emission reduction proposal must notify the Agency in writing within 30 days of any event or circumstance that makes the NOx emission reduction proposal incorrect or incomplete.

c) The owner or operator of a source with an approved emission reduction proposal may request to withdraw its emission reduction proposal, and cease to create NOx allowances under this Subpart, as follows:

1) Requesting withdrawal: To withdraw from participation under this Subpart, the owner or operator of an emission reduction unit shall submit to the Agency a written request to withdraw from participation and to withdraw or revise the applicable permit effective as of a specified date between (and not including) September 30 and May 1. The submission shall be made no later than 90 days prior to the requested effective date of withdrawal.

2) Conditions for withdrawal: Before an emission reduction source may withdraw its approved emission reduction proposal, and the federally enforceable permit may be withdrawn under this Section, the owner or operator must submit to the Agency an annual compliance certification report in accordance with Section 217.855 of this Subpart for the control period immediately before the withdrawal is to be effective.

3) An emission reduction source that withdraws from this Subpart shall comply with all requirements under its approved emission reduction proposal and federally enforceable permit conditions addressing such proposal concerning all years for which the emission reduction source was in the program, even if such requirements arise or must be complied with after the withdrawal takes effect.

4) Notification:

A) After the requirements for withdrawal under subsections (a) and (b) of this Section are met, the Agency will revise the permit indicating a specified effective date for the withdrawal that is after the requirements in subsections (a) and (b) of this Section have been met and that is prior to May 1 or after September 30.

B) If the requirements for withdrawal under subsections (a) and (b) of this Section are not met, the Agency will issue a notification to the owner or operator of the emission reduction source that the request to withdraw its permit is denied. If the request to withdraw is denied, the source shall remain subject to the requirements of its approved emission reduction proposal and federally enforceable permit conditions addressing the proposal and the requirements of this Subpart.

5) Reapplication upon failure to meet conditions of withdrawal: If the Agency denies the request of the owner or operator of the emission reduction source's request to withdraw, the owner or operator of the source may submit another request to withdraw in accordance with subsections (a) and (b) of this Section.

6) Upon successful withdrawal from the program, the emission reduction source shall no longer be subject to the provisions of this Subpart.

(Source: Added at 25 Ill. Reg. 5914, effective April 17, 2001)