**Section 273.140 Transaction Procedures**

The Agency may sell NOx allowances, subject to the requirements of Section 9.9 of the Act, to sources subject to the requirements of 35 Ill. Adm. Code 217, Subparts U and W, pursuant to the following requirements:

a) Upon notification or posting by the Agency that it has NOx allowances for sale, a NOx authorized account representative may submit an application to the Agency requesting to purchase NOx allowances. Such application shall include the following:

1) Bureau of Air facility identification number;

2) ORIS ID number;

3) Source name;

4) A statement setting forth the eligibility as set forth in Section 273.120 of this Part;

5) Name and signature of the NOx authorized account representative for the source;

6) NOx allowance tracking system account number; and

7) Number, vintage and type of NOx allowances being requested for purchase.

b) Applications for the purchase of allowances from the NSSA must be submitted no later than February 15 prior to the control period for which the NSSA allowances are requested.

c) Applications for the purchase of Subpart W extras must be submitted no later than 30 days after the Agency posts on its website that such allowances are available for sale.

d) Applications for the purchase of ERCs must be submitted within the time period specified by the Agency on its website.

e) Once an application to purchase NOx allowances is reviewed and deemed complete, the Agency shall notify the account representative of the number of allowances it may purchase by the dates specified on the Agency's website. The Agency may reject an incomplete application or an application received after the application deadline. For applications that include requests exceeding the maximum number of allowances for which the source is eligible to purchase, the Agency will limit the number of allowances that the account representative is eligible to purchase to a number less than or equal to the maximum number for which the source is eligible.

f) ERCs, Subpart W extras and allowances from the NSSA will be sold in a pro-rata basis to eligible sources. In the event that ERCs, Subpart W extras or allowances from the NSSA cannot be sold on a pro-rata basis to eligible sources, then the Agency will determine eligibility by randomly selecting one or more sources that did not receive the full number of allowances approved by the Agency.

g) Adjustments:

1) If an account representative disagrees with the Agency's calculations of the number of allowances it is eligible to purchase, it may submit a written comment to the Agency explaining the reason for its disagreement and any necessary documentation no later than:

A) By March 25 prior to the applicable control period for allowances from the NSSA.

B) Within 40 days after the application deadline for Subpart W extras.

C) By the date specified for ERCs by the Agency on its website.

2) The Agency will respond in writing to comments, make any necessary and appropriate adjustments to its proposed allotments and send a notification of final allotments no later than:

A) April 7 prior to the applicable control period for allowances from NSSA.

B) Within 54 days after the application deadline for Subpart W extras.

C) By the date specified by the Agency on its website for ERCs.

h) Payment: The Agency must receive a certified check for the NOx allowances from the account representative by the deadline specified by the Agency in the notification of the final allotments pursuant to subsections (f) and (g)(2) of this Section. The check must be sent to the attention of the Compliance Unit, Bureau of Air, Illinois EPA, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. The date specified shall be at least eight business days after the date of the notification of the final allotment.

i) If the opportunity to purchase allowances is forfeited due to nonpayment, the Agency will notify the account representative that the source's opportunity to purchase has been forfeited. The Agency will also notify the remaining eligible EGUs or Non-EGUs whose original request it was unable to meet that additional allowances are available for purchase. The Agency will offer forfeited Subpart W extras, ERCs, and allowances from the NSSA to eligible purchasers on a pro-rata basis. In the event that the forfeited allowances cannot be sold on a pro-rata basis to eligible purchasers, then the Agency will determine eligibility by randomly selecting one or more sources that did not receive the full number of allowances approved by the Agency until all such allowances are sold. All forfeited allowance purchase transactions must be completed by the dates specified by the Agency in the notification to eligible purchasers or on the Agency's website.

j) The minimum sale allowed under the NOx budget trading program shall be one NOx allowance.

k) Official Record of Transactions: The official record of all NOx allowance transactions shall be USEPA's NOx Allowance Tracking System. Any discrepancies found by the authorized account representative shall be reported pursuant to the applicable procedures in 40 CFR 96.