

3745-103-63 **Emissions averaging.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-103-01 of the Administrative Code titled "Referenced materials."]

- (A) General provisions. In lieu of complying with the applicable emission limitation in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, any affected units subject to such emission limitation, under control of the same owner or operator, and having the same designated representative may average their NO_x emissions under an averaging plan approved under this rule.
- (1) Each affected unit included in an averaging plan for phase II shall be a boiler subject to an emission limitation in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code for all years for which the unit is included in the plan.
 - (2) Each unit included in an averaging plan shall have an alternative contemporaneous annual emission limitation (pound per MMBtu) and can only be included in one averaging plan.
 - (3) Each unit included in an averaging plan shall have a minimum allowable annual heat input value (MMBtu), if it has an alternative contemporaneous annual emission limitation more stringent than that unit's applicable emission limitation under rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, and a maximum allowable annual heat input value, if it has an alternative contemporaneous annual emission limitation less stringent than that unit's applicable emission limitation under rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code.
 - (4) The Btu-weighted annual average emission rate for the units in an averaging plan shall be less than or equal to the Btu-weighted annual average emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code.
 - (5) In order to demonstrate that the proposed plan is consistent with paragraph (A)(4) of this rule, the alternative contemporaneous annual emission limitations and annual heat input values assigned to the units in the proposed averaging plan shall meet the following requirement:

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i} \leq \frac{\sum_{i=1}^n (R_{ii} \times HI_i)}{\sum_{i=1}^n HI_i} \quad \text{(Equation 1)}$$

where:

R_{Li} = alternative contemporaneous annual emission limitation for unit i , in pound per MMBtu, as specified in the averaging plan;

R_{ii} = applicable emission limitation for unit i , in pound per MMBtu, as specified in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code except that for early election units, which may be included in an averaging plan only on or after January 1, 2000, R_{ii} shall equal the most stringent applicable emission limitation under rule 3745-103-57 or 3745-103-59 of the Administrative Code;

HI_i = annual heat input for unit i , in MMBtu, as specified in the averaging plan;

n = number of units in the averaging plan.

- (6) For units with an alternative emission limitation, R_{Li} shall equal the applicable emissions limitation under rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, not the alternative emissions limitation.
- (7) No unit may be included in more than one averaging plan.

(B) Submission requirements.

- (1) The designated representative of a unit meeting the requirements of paragraphs (A)(1) and (A)(7) of this rule may submit an averaging plan (or a revision to an approved averaging plan) to the director and any other applicable permitting authority(ies) at any time up to and including January first (or July first, if the plan is restricted to only units located within Ohio EPA's jurisdiction) of the calendar year for which the averaging plan is to become effective.
- (2) The designated representative shall submit a copy of the same averaging plan (or the same revision to an approved averaging plan) to any other permitting authority with jurisdiction over a unit in the plan, and to USEPA.

- (3) When an averaging plan (or a revision to an approved averaging plan) is not approved, the owner or operator of each unit in the plan shall operate the unit in compliance with the emission limitation that would apply in the absence of the averaging plan (or revision to a plan).
- (C) Contents of NO_x averaging plan. A complete NO_x averaging plan shall include the following elements in a format prescribed by the director and the USEPA:
- (1) Identification of each unit in the plan;
 - (2) Each unit's applicable emission limitation as determined by rule 3745-103-04, 3745-103-05, or 3745-103-06 of the Administrative Code;
 - (3) The alternative contemporaneous annual emission limitation for each unit (in pound per MMBtu). If any of the units identified in the NO_x averaging plan utilize a common stack pursuant to 40 CFR 75.17(a)(2)(i)(b), the same alternative contemporaneous emission limitation shall be assigned to each such unit but different heat input limits may be assigned;
 - (4) The annual heat input limit for each unit (in MMBtu);
 - (5) The calculation for equation 1 in paragraph (A)(5) of this rule;
 - (6) The calendar years for which the plan will be in effect; and
 - (7) The special provisions pursuant to paragraph (D)(1) of this rule.
- (D) Special provisions.
- (1) Emission limitations. Each affected unit in an approved averaging plan is in compliance with the acid rain emission limitation for NO_x under the plan only if the following requirements are met:
 - (a) For each unit, the unit's actual annual average emission rate for the calendar year, in pound per MMBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan; and
 - (i) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan;
 - (ii) For each unit with an alternative contemporaneous annual emission limitation more stringent than the applicable emission limitation in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative

Code, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan; or

- (b) If one or more of the units does not meet the requirements under paragraph (D)(1)(a)(i) of this rule, the designated representative shall demonstrate, in accordance with paragraph (D)(1)(b)(i) of this rule (equation 2) that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in rule 3745-103-57, 3745-103-58, or 3745-104-59 of the Administrative Code.

- (i) A group showing of compliance shall be made based on the following equation:

$$\frac{\sum_{i=1}^n (R_{ai} \times HI_{ai})}{\sum_{i=1}^n HI_{ai}} \leq \frac{\sum_{i=1}^n (R_{li} \times HI_{ai})}{\sum_{i=1}^n HI_{ai}} \quad \text{(Equation 2)}$$

where,

R_{ai} = actual annual average emission rate for unit i, in pound per MMBtu, as determined using the procedures in 40 CFR Part 75. For units in an averaging plan utilizing a common stack pursuant to 40 CFR 75.17(a)(2)(i)(B), use the same NO_x emission rate value for each unit utilizing the common stack, and calculate this value in accordance with appendix F of 40 CFR Part 75;

R_{li} = applicable annual emission limitation for unit i, in pound per MMBtu, as specified in rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for early election units, which may be included in an averaging plan only on or after January 1, 2000, R_{li} shall equal the most stringent applicable emission limitation under rule 3745-103-04 or 3745-103-06 of the Administrative Code;

HI_{ai} = actual annual heat input for unit i, in MMBtu, as determined using the procedures in 40 CFR Part 75;

n = number of units in the averaging plan.

- (ii) For units with an alternative emission limitation, R_i shall equal the applicable emission limitation under rule 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, not the alternative emission limitation.
 - (c) If there is a successful group showing of compliance under paragraph (D)(1)(b)(i) of this rule for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under paragraph (D)(1)(a) of this rule.
- (2) Liability. The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this rule at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in 40 CFR Part 77 and sections 113 and 411 of the Clean Air Act.
 - (3) Withdrawal or termination. The designated representative may submit a notification to terminate an approved averaging plan in accordance with paragraph (C) of rule 3745-103-09 of the Administrative Code, no later than October first of the calendar year for which the plan is to be withdrawn or terminated.

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