

**3745-111-05 ERC banking system.**

The Ohio EPA shall establish a voluntary ERC banking system to track the deposit and withdrawal of ERCs and the generation, transfer and use of ERCs in accordance with this chapter.

- (A) Prior to deposit of ERCs into the banking system, the Ohio EPA shall do one of the following:
  - (1) Verify the information submitted by the owner or operator in accordance with paragraph (D)(1) of rule 3745-111-03 of the Administrative Code and classify the ERCs as verified ERCs in the banking system.
  - (2) Review the information submitted by the owner or operator in accordance with paragraph (D)(2) of rule 3745-111-03 of the Administrative Code and classify the estimated ERCs as un-verified ERCs in the banking system.
- (B) The banking system shall identify the following:
  - (1) Whether the ERCs are un-verified or verified ERCs.
  - (2) The applicable criteria pollutant.
  - (3) The quantity of ERCs.
  - (4) A description of the source.
  - (5) The county in which the ERCs were generated.
  - (6) The ERC generation date. The ERC generation date entered in the banking system shall reflect the anticipated date of emissions reduction and shall be amended as necessary to reflect the actual emissions reduction date.
- (C) ERC certificate.
  - (1) Upon registration and deposit of verified ERCs into the ERC banking system an ERC certificate with a unique ERC certificate number shall be generated by the director to the verified ERC holder. Un-verified ERCs will receive an ERC certificate upon verification by Ohio EPA.
  - (2) If the owner of an ERC certificate uses or transfers ERCs to a new owner in part or whole, the director shall generate an ERC certificate to the new owner reflecting the transferred amount of ERCs and, if applicable, shall issue an ERC certificate to the current owner reflecting the amount of ERCs remaining after the transfer or use. Upon issuance of a permit allowing the use of verified ERCs for the purpose of offsetting emissions, or upon transfer of ERCs, the banking transactions shall be updated in the banking system, including identifying any remaining ERCs available for transferring or use after the transaction.
- (D) Withdrawal of ERCs from the banking system.

Nothing in this rule shall prohibit the transfer of ERCs that do not meet the requirements of paragraph (D) of rule 3745-111-04 of the Administrative Code if the ERCs are withdrawn from the banking system. ERCs and ERC certificates may be withdrawn by the current owner from the ERC banking system at any time, upon written notice to the director. Upon withdrawal, all ERC certificates shall be terminated and the ERCs shall be withdrawn from the banking system.

(E) The director shall publish a list of deposited ERCs into the banking system that are available for transfer and use on the Ohio EPA website and the list shall be updated on a thirty day basis, at a minimum.

(F) Supporting documentation.

The Ohio EPA shall maintain supporting documentation, including permit decisions, generator information and other information required to sufficiently characterize the emissions, which shall allow the Ohio EPA and ERC users to determine if the ERCs are suitable for use at a specific facility.

(G) Annual publication.

The director may produce an annual publication related to banking transactions.

- (1) The publication may include, at a minimum, the costs, in dollars per ton, of ERCs purchased for transfer or use during the calendar year, the pollutant type and the county where the ERC was generated, transferred or used.
- (2) Information on the identity of any party involved in the ERC transactions and data used to calculate the purchase price of the ERCs shall not be included in the publication.
- (3) The document may be published by the first of March of the following year.

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Certification

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