**Section 217.758 Permitting Requirements**

a) Budget permit requirements:

1) Each source with a budget EGU is required to submit a complete permit application addressing all applicable NOx Trading Program requirements for a permit meeting the requirements of this Section, applicable to each budget EGU at the source. Each budget permit (including any draft or proposed budget permit, if applicable) will contain elements required for a complete budget permit application under subsection (b)(2) of this Section.

2) Each budget permit (including a draft or proposed budget permit, if applicable) shall contain federally enforceable conditions addressing all applicable NOx Trading Program requirements and shall be a complete and segregable portion of the source's entire permit under subsection (a)(1) of this Section.

3) No budget permit shall be issued, and no NOx allowance account shall be established for a budget EGU at a source, until the Agency and USEPA have received a complete account certificate of representation under 40 CFR 96, subpart B, for an account representative of the source and the budget EGU at the source.

4) For budget EGUs that commenced operation before November 1, 2003, and for which a CAAPP permit is not required pursuant to Section 39.5 of the Act, the owner or operator of such unit must submit a budget permit application meeting the requirements of this Section on or before November 1, 2003.

5) For budget EGUs that commenced operation before August 1, 2003, and for which a CAAPP permit is required pursuant to Section 39.5 of the Act, the owner or operator of such unit must submit a budget permit application meeting the requirements of this Section on or before August 1, 2003.

6) For budget EGUs that are subject to Section 39.5 of the Act and that commence operation on or after August 1, 2003, and for budget EGUs not subject to Section 39.5 of the Act and that commence operation on or after November 1, 2003, the owner or operator of such units must submit applications for construction and operating permits pursuant to the requirements of Sections 39 and 39.5 of the Act and 35 Ill. Adm. Code 201 and such applications must specify that they are applying for budget permits, and must address the budget permit application requirements of this Section.

b) Budget permit applications:

1) Duty to apply. The owner or operator of any source with one or more budget EGUs shall submit to the Agency a complete budget permit application for the source under subsection (b)(2) of this Section by the applicable deadline in subsection (a)(4), (a)(5), or (a)(6) of this Section. The owner or operator of any source with one or more budget EGUs shall reapply for a budget permit for the source as required by this Subpart, 35 Ill. Adm. Code 201, and Sections 39 and 39.5 of the Act.

2) Information requirements for budget permit applications. A complete budget permit application shall include the following elements concerning the source for which the application is submitted:

A) Identification of the source, including plant name. The ORIS (Office of Regulatory Information Systems) or facility code assigned to the source by the Energy Information Administration shall also be included, if applicable;

B) Identification of each budget EGU at the source. An explanation of whether each EGU is a budget EGU under Section 217.754 or 217.774 of this Part;

C) The compliance requirements of Section 217.756 of this Part; and

D) For each opt-in unit at the source the following certification statements by the account representative:

i) "I certify that each unit for which this permit application is submitted under Section 217.774 of this Part is not a budget EGU under Section 217.754 of this Part and is not covered by a retired unit exemption that is in effect under 40 CFR 96.5."

ii) If the application is for an initial budget permit, "I certify that each unit for which this permit application is submitted under Section 217.774 of this Part, and has documented heat input for more than 876 hours in the six months immediately preceding the submission of an application for an initial budget permit under Section 217.774(d) of this Part."

3) An application for a budget permit shall be treated as a modification of the EGU's existing federally enforceable permit, if such a permit has been issued for that EGU, and shall be subject to the same procedural requirements. When the Agency issues a budget permit, it shall be incorporated into and become part of that EGU's existing federally enforceable permit.

(Source: Added at 25 Ill. Reg. 128, effective December 26, 2000)