**Section 225.150 Commence Commercial Operation**

Commence commercial operation means, for the purposes of Subparts C, D and E, with regard to a unit:

a) To have begun to produce steam, gas, or other heated medium used to generate electricity for sale or use, including test generation, except as provided in 40 CFR 96.105, 96.205, or 96.305, as incorporated by reference in Section 225.140.

1) For a unit that is a CAIR SO2 unit, CAIR NOx unit, or a CAIR NOx Ozone Season unit pursuant to Sections 225.305, 225.405, and 225.505, respectively, on the date the unit commences commercial operation on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date will remain the unit's date of commencement of commercial operation, which will continue to be treated as the same unit.

2) For a unit that is a CAIR SO2 unit, CAIR NOx unit, or a CAIR NOx Ozone Season unit pursuant to Sections 225.305, 225.405, and 225.505, respectively, on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section and that is subsequently replaced by a unit at the same source (e.g., repowered), such date will remain the replaced unit's date of commencement of commercial operation, and the replacement unit will be treated as a separate unit with a separate date for commencement of commercial operation as defined in subsection (a) or (b) of this Section as appropriate.

b) Notwithstanding subsection (a) of this Section and except as provided in 40 CFR 96.105, 96.205, or 96.305 for a unit that is not a CAIR SO2 unit, CAIR NOx unit, or a CAIR NOx Ozone Season unit pursuant to Section 225.305, 225.405, or 225.505, respectively, on the later of November 15, 1990 or the date the unit commences commercial operation as defined in subsection (a) of this Section, the unit's date for commencement of commercial operation will be the date on which the unit becomes a CAIR SO2 unit, CAIR NOx unit, or CAIR NOx Ozone Season unit pursuant to Section 225.305, 225.405, or 225.505, respectively.

1) For a unit with a date for commencement of commercial operation as defined in subsection (b) of this Section and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date will remain the unit's date of commencement of commercial operation, which shall continue to be treated as the same unit.

2) For a unit with a date for commencement of commercial operation as defined in subsection (b) of this Section and that is subsequently replaced by a unit at the same source (e.g., repowered), such date will remain the replaced unit's date of commencement of commercial operation, and the replacement unit will be treated as a separate unit with a separate date for commencement of commercial operation as defined in subsection (a) or (b) of this Section as appropriate.

(Source: Added at 31 Ill. Reg. 12864, effective August 31, 2007)