

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 254
ANNUAL EMISSIONS REPORT

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AUTHORITY: Authorized by Section 4(b) of the Environmental Protection Act [415 ILCS 5/4(b)].

SOURCE: Adopted at 17 Ill. Reg. 7782, effective May 14, 1993; amended at 25 Ill. Reg. 9856, effective July 17, 2001; amended at 36 Ill. Reg. 6809, effective April 20, 2012.

SUBPART A: GENERAL PROVISIONS

~~Section 254.101~~ **Purpose**

~~This Part establishes uniform procedures for the reporting of air pollution emissions data from sources of regulated air pollutants and the reporting of seasonal emissions from sources participating in the Emissions Reduction Market System (ERMS). These reports will be used to update the Agency's emissions inventory, to enable the State to comply with the inventory and reporting requirements of Section 182(a) of the Clean Air Act (42 USC 7401 et seq.), and to fulfill the requirements for the ERMS seasonal allotment period reporting required by 35 Ill. Adm. Code 205.300 and 205.760. The procedures presented in this Part implement the provisions of 35 Ill. Adm. Code 201.302(a), 201.302(b), 205.300 and 205.760.~~

~~(Source: Amended at 25 Ill. Reg. 9856, effective July 17, 2001)~~

Section 254.102 **Applicability**

- a) Subpart B of this Part applies to:
 - 1) Owners or operators of any source required to have an operating permit in

accordance with 35 Ill. Adm. Code 201 that is permitted to emit 25 tons per year or more of any combination of regulated air pollutants, excluding greenhouse gases;

- 2) Owners or operators of any source required to have an operating permit in accordance with Section 39.5 of the Environmental Protection Act [415 ILCS 5/39.5]; and
 - 3) Owners or operators of sources in ozone nonattainment areas that have a potential to emit 25 tons per year or more of either VOM or NO_x from all emission units.
- b) Subpart C of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is not subject to subsection (a) of this Section.
- c) The provisions of Subpart E of this Part apply to the owner or operator of any source that is subject to the seasonal reporting requirements for ERMS required by 35 Ill. Adm. Code 205.300, as specified under Section 254.501 of Subpart E.

(Source: Amended at 36 Ill. Reg. 6809, effective April 20, 2012)

Section 254.103 Definitions

~~Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in the Environmental Protection Act [415 ILCS 5] and in 35 Ill. Adm. Code: Subtitle B.~~

~~"Actual emissions" means the rate of emission of a regulated air pollutant from a source or an emission unit for the calendar year, seasonal period, day or other period of time, as specified, based on the best information available to the owner or operator of that emission unit. Actual emission rates include startup, shutdown or malfunction emissions. The calculation of actual emissions must follow an "emission determination method". Where, for any reason, a source has measured any of its emissions, the source must report the measured total as its "actual emissions" for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.~~

~~"Annual Emissions Report" means the information and certifications required by Subparts B and C of this Part, as applicable under Section 254.102(a) or (b) of this Subpart, and any additional requirements for submission with the Annual Emissions Report specifically imposed by the source's permit.~~

~~"Annual process rate" means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.~~