

3745-109-19

**CAIR NO<sub>x</sub> ozone season allowance transfers.****(A) Submission of CAIR NO<sub>x</sub> ozone season allowance transfers.**

A CAIR authorized account representative seeking recordation of a CAIR NO<sub>x</sub> ozone season allowance transfer shall submit the transfer to the administrator. To be considered correctly submitted, the CAIR NO<sub>x</sub> ozone season allowance transfer shall include the following elements, in a format specified by the administrator:

- (1) The account numbers for both the transferor and transferee accounts;
- (2) The serial number of each CAIR NO<sub>x</sub> ozone season allowance that is in the transferor account and is to be transferred; and
- (3) The name and signature of the CAIR authorized account representative of the transferor account and the date signed.

**(B) Recordation.**

- (1) Within five business days (except as provided in paragraph (B)(2) of this rule) of receiving a CAIR NO<sub>x</sub> ozone season allowance transfer, the administrator shall record a CAIR NO<sub>x</sub> ozone season allowance transfer by moving each CAIR NO<sub>x</sub> ozone season allowance from the transferor account to the transferee account as specified by the request, provided that:
  - (a) The transfer is correctly submitted under paragraph (A) of this rule; and
  - (b) The transferor account includes each CAIR NO<sub>x</sub> ozone season allowance identified by serial number in the transfer.
- (2) A CAIR NO<sub>x</sub> ozone season allowance transfer that is submitted for recordation after the allowance transfer deadline for a control period and that includes any CAIR NO<sub>x</sub> ozone season allowances allocated for any control period before such allowance transfer deadline shall not be recorded until after the administrator completes the deductions under paragraph (D) of rule 3745-109-18 of the Administrative Code for the control period immediately before such allowance transfer deadline.
- (3) Where a CAIR NO<sub>x</sub> ozone season allowance transfer submitted for recordation fails to meet the requirements of paragraph (B)(1) of this rule, the administrator shall not record such transfer.

**(C) Notification.**

- (1) Notification of recordation. Within five business days of recordation of a CAIR NO<sub>x</sub> ozone season allowance transfer under paragraph ~~(D)~~(B) of this rule, the administrator shall notify the CAIR authorized account representatives of both the transferor and transferee accounts.
- (2) Notification of non-recordation. Within ten business days of receipt of a CAIR NO<sub>x</sub> ozone season allowance transfer that fails to meet the requirements of paragraph ~~(D)~~(B)(1) of this rule, the administrator shall notify the CAIR authorized account representatives of both accounts subject to the transfer of:
  - (a) A decision not to record the transfer, and
  - (b) The reasons for such non-recordation.
- (3) Nothing in this section shall preclude the submission of a CAIR NO<sub>x</sub> ozone season allowance transfer for recordation following notification of non-recordation.

Effective: 07/16/2009

R.C. 119.032 review dates: 09/27/2012

CERTIFIED ELECTRONICALLY

---

Certification

07/06/2009

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03(E)  
Rule Amplifies: 3704.03(A), 3704.03(E), 3704.03(V)  
Prior Effective Dates: 9/27/2007