

401 KAR 51:230. CAIR SO₂ trading program.

RELATES TO: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. 51.124, 51.125, 73, 74, 77, 78, Part 96, 42 U.S.C. 7410

STATUTORY AUTHORITY: KRS 224.10-100(5), 42 U.S.C. 7410

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(5) requires the Environmental and Public Protection Cabinet to promulgate administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation establishes the provisions of the CAIR SO₂ Trading Program as codified at 40 C.F.R. 96.201 to 96.288 for applicable sources located in the Commonwealth of Kentucky.

Section 1. Applicability. This administrative regulation shall apply to CAIR SO₂ sources and CAIR SO₂ units under the CAIR SO₂ Trading Program located in Kentucky that are subject to 40 C.F.R. 96.204.

Section 2. Compliance requirements. CAIR SO₂ sources and CAIR SO₂ units shall comply with the following requirements:

- (1) 40 C.F.R. 96.201 to 96.208 (Subpart AAA), "CAIR SO₂ Trading Program General Provisions";
- (2) 40 C.F.R. 96.210 to 96.215 (Subpart BBB), "CAIR Designated Representative for CAIR SO₂ Sources";
- (3) 40 C.F.R. 96.220 to 96.224 (Subpart CCC), "Permits";
- (4) 40 C.F.R. 96.250 to 96.257 (Subpart FFF), "CAIR SO₂ Allowance Tracking System";
- (5) 40 C.F.R. 96.260 to 96.262 (Subpart GGG), "CAIR SO₂ Allowance Transfers";
- (6) 40 C.F.R. 96.270 to 96.275 (Subpart HHH), "Monitoring and Reporting"; and
- (7) 40 C.F.R. 96.280 to 96.288 (Subpart III), "CAIR SO₂ Opt-in Units".

(401 KAR 051:230. 33 Ky.R. 1020; 1617; eff. 2-2-2007; Crt eff. 7-30-2018; Crt eff. 6-12-2025.)