

RULE 26.2. USE OF EMISSION REDUCTION CREDITS (ERCs)
(Adopted and Effective 10/22/97)

Class A ERCs shall only be eligible for use as emission offsets pursuant to District Rules and Regulations. Class B ERCs are ineligible for any use unless reclassified to Class A ERCs.

RULE 26.3. RECLASSIFICATION OF CLASS B EMISSION REDUCTION CREDITS (ERCs) (Adopted and Effective 10/22/97)

(a) RECLASSIFICATION IF CLASS A REQUIREMENTS ARE MET

An owner of a Class B ERC may apply at any time for reclassification of the ERC to Class A status. The application for reclassification shall be approved if the applicant satisfies the reason(s) given by the Air Pollution Control Officer as to why the ERC did not meet the requirements for a Class A ERC at the time of initial application.

(b) EQUIPMENT SHUTDOWN LIKELY TO BE REPLACED

If an ERC resulting from a shutdown is classified Class B in whole or in part for the reason that the Air Pollution Control Officer determines a new emission unit, which will manufacture products or process materials that will replace the products manufactured or materials processed by the emission unit which was shutdown, will likely be located within the District, the Air Pollution Control Officer shall, upon request, remove this reason if an application for Authority to Construct any such new emission unit within the District has not been filed within a period of two years following the date the District enters the ERC in the register.

(c) SURRENDER OF CLASS B CERTIFICATES

Prior to the reclassification of a Class B ERC to a Class A ERC, the owner(s) of the Class B ERC shall surrender the certificate or certificates evidencing ownership to the District for cancellation and issuance of a new Class A ERC certificate.