1) Was achieved as a result of the installation of pollution control equipment, changes in process, procedures, or materials, or the shutdown of an emission source which would not have occurred but for the purpose of creating an emission reduction;

2) Reduced emissions beyond the requirements of Board regulations; and

3) Was not relied upon in the State Implementation Plan (SIP) demonstration to demonstrate compliance with ambient air quality standards in the compliance year in nonattainment areas or maintenance of air quality in other areas.

c) For purposes of subsection (b), the burden shall generally be on the permit applicant. However, for the purpose of subsection (b)(3) it shall be the responsibility of the Agency to demonstrate that the SIP demonstration either did or did not rely upon the emission reduction in question, whether from the particular emission source or the category to which it belongs.

d) Notwithstanding subsection (b)(3), if an emission source is located in an area for which the SIP does not demonstrate attainment of the air quality standards by the compliance year for the pollutant which is the subject of the ACS, it may utilize an emission reduction credit only to the extent that that reduction reduces its emissions below actual emissions.

(Source: Amended at 7 Ill. Reg. 8091, effective June 27, 1983)

Section 202.210 Permit Application Information

In addition to other information which may be required under 35 Ill. Adm. Code 201, a permit application under this Subpart shall:

a) List the emission sources to be included in the ACS, the emission baseline the applicant believes to be applicable to each emission source, and the remaining useful life of each emission source.

b) Describe the proposed modifications to the emission sources and quantify the emission increases and decreases anticipated to occur as a result of each modification.

c) Identify the Board regulations and the terms of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1001 et seq.) to which the applicant believes the ACS provides an alternative.

d) Describe the methods currently used to assure compliance and the methods proposed to be used under the ACS. Such methods may include, but are not limited to recordkeeping, equipment or emissions monitoring, source testing, and material or process specifications.

e) Provide an analysis of the ACS pursuant to this Subpart.

f) Contain a certification, signed by all ACS applicants, stating that a copy of the ACS application has been sent by certified mail to the United States Environmental Protection Agency (USEPA) if any of the emission sources included in the ACS are presently the subject of a federal notice of violation or federal enforcement action under the provisions of the Clean Air Act (42 U.S.C. 7401 et seq.), including civil actions filed under Section 113(b), criminal actions filed under Section 113(c), a notice imposing non-compliance penalties issued under Section 120, administrative orders issued under Section 113(a), or a citizen suit filed under Section 304 where the USEPA has intervened (42 U.S.C. 7413 and 7420).

g) Provide such other information as the Agency can demonstrate to be necessary for the determination of compliance with the standards of issuance in Section 202.306, including the results of any source tests or ambient air monitoring.

(Source: Amended at 7 Ill. Reg. 8091, effective June 27, 1983)

Section 202.211 Analysis of Emissions

a) A permit application under this Subpart shall provide a comparison of the baseline emissions and the emissions which would be permitted under the proposed ACS for each emission source involved in the ACS. Where appropriate, this analysis shall address differences between the emission sources to be covered by the ACS with regard to:

1) Methods of determining emissions;

2) Consistency and reliability of the performance of the emission sources and any associated control devices;

3) Frequency and duration of operation during malfunction or breakdown, or excess emissions during start-up;

4) Methods of operation, including operating schedules, range of raw materials or products, etc.; and

5) Other characteristics of the emission sources or their operation which may affect equivalence of emissions.

b) The analysis shall describe any increases in emissions from emission sources outside the ACS which may accompany the proposed ACS.

Section 202.212 Analysis of Environmental Quality

a) A permit application under this Subpart shall provide a comparison of the ambient air quality under existing requirements and the