

RULE 26.7. SHUTDOWN AND RELATED EMISSION UNIT

(Adopted and Effective: 10/22/97)

(a) OPERATION OF A PREVIOUSLY SHUTDOWN EMISSION UNIT

A person shall not operate or cause to be operated within the District any emission unit which was shutdown and for which a corresponding ERC was granted unless all requirements of these rules and regulations, including Rules 20.1 through 20.4, have been met and:

(1) The person demonstrates to the satisfaction of the Air Pollution Control Officer that operation of such previously shutdown emission unit is not for the primary purpose of replacing the same function or manufacturing the same product as that emission unit did before it was shutdown; or

(2) Actual emission reductions are provided or Class A ERCs canceled in an amount equivalent to the ERC that was granted for the shutdown emission unit, or the ERC issued for the shutdown emission unit is canceled.

(b) CONSTRUCTION OR OPERATION OF AN EMISSION UNIT DIRECTLY RELATED TO AN EMISSION UNIT THAT WAS SHUTDOWN

A person shall not construct or operate any new emission unit, or modify or operate any existing emission unit, which the Air Pollution Control Officer determines is for the primary purpose of replacing the same function or manufacturing the same product as an emission unit which was shutdown and for which a corresponding ERC was granted, and which the Air Pollution Control Officer determines is related to the same function or product manufacturing previously accomplished by the shutdown emission unit, unless:

(1) All requirements of these rules and regulations have been met; and

(2) Actual emission reductions are provided or Class A ERCs canceled in an amount equivalent to the ERC that was granted for the shutdown emission unit, or the ERC issued for the shutdown emission unit is canceled. Emission reductions provided or ERCs canceled pursuant to this Section do not qualify as emission reductions or emission offsets for any other purpose.