

RULE 26.10. BANKING FOR BRAC MILITARY BASE CLOSURE OR REALIGNMENT ACTIONS (Adopted and Effective: 10/22/97)

(a) EMISSION REDUCTION CREDIT BANKING APPLICATION SUBMITTAL FROM BRAC MILITARY BASE

An appropriate entity of the federal government may apply to the District for ERCs that result from emission reductions from a BRAC military base within 180 days of the reduction in emissions. The District shall evaluate such application to bank consistent with these rules and regulations and Section 40709.7 of the State Health and Safety Code.

(b) OWNERSHIP OF BRAC MILITARY BASE EMISSION REDUCTION CREDITS

If the federal government has agreed in writing to allow a base reuse authority to apply for and receive the ERCs, or if the time period for the federal government to apply for ERCs pursuant to Subsection (a) has expired and the federal government has not applied for the ERCs, or if the base reuse authority has, pursuant to other legal means, obtained the authority to acquire the ERCs, the base reuse authority may apply to bank any emission reductions related to the termination or reduction of operations at the BRAC military base under its jurisdiction. The District shall evaluate any such application to bank consistent with these rules and regulations and Section 40709.7 of the State Health and Safety Code. After registration and certification of the emission reductions, the base reuse authority shall be deemed the owner of the ERC for purposes of issuance of a certificate. Upon receipt of the certificate, the base reuse authority may use, sell, or otherwise dispose of the ERCs as determined by the base reuse authority, provided that the credits may only be used for base reuse within the jurisdiction of the District.