

(Example Class I Legal Advertisement Required by 45CSR28.13.2.k.)

NOTICE OF INTENT TO USE EMISSION REDUCTION CREDITS

On **KEYBOARD**(date submitted), **KEYBOARD**(company name), DAQ facility identification number **KEYBOARD**(DAQ facility ID no.) submitted to the WV Department of Environmental Protection, Division of Air Quality (DAQ) a Notice of Emission Reduction Credit Use for a **KEYBOARD**(type of facility) located in **KEYBOARD**(location address - street, town), **KEYBOARD**(county), County, WV.

The responsible official for **KEYBOARD**(company name) who is providing notice of the proposed use of Emission Reduction Credits (ERCs) is **KEYBOARD**(name of responsible official). **KEYBOARD**(Mr./Mrs./Ms.) **KEYBOARD**(name of responsible official) can be contacted at

KEYBOARD(mailing address - street address, city, state, zip code)

KEYBOARD(telephone number () -).

KEYBOARD(Company Name) is providing notice to the general public of its proposal to use ERCs pursuant to the provisions of 45CSR28, "Air Pollutant Emissions Banking and Trading". This rule provides for a voluntary open-market emission trading program for volatile organic compounds as a class of compounds, oxides of nitrogen as an ozone precursor, and all criteria pollutants, except ozone. Sources that produce more cost-effective pollution control techniques and which over-comply with state and federal air standards can generate ERCs and market them to sources with high costs of compliance so they may realize a cheaper compliance option that achieves equivalent or greater overall emission reductions on a statewide basis. While providing incentives to make progress towards the attainment or maintenance of air quality standards, 45CSR28 has provisions that ensure no increase in actual emissions of hazardous air pollutants (HAPs) and that act as safeguards to protect human health, welfare, and the environment. 45CSR28 requires the DAQ to make a determination as to the completeness of the submittal within 60 days of receipt of the proposed Notice of Emission Reduction Credits Use or Retirement. This determination of completeness or incompleteness is considered a final agency decision.

The number of ERCs proposed to be used at each source, process or process equipment unit are: **KEYBOARD**(For each, include a source description; pollutant and quantity of ERCs proposed (tons/year or tons/ozone season) including the Registry ERC Series Number(s), and the maximum short-term emission rate that will occur during the proposed ERC use period based on the underlying applicable requirement).

KEYBOARD(If the new or increased emissions or emission overages at the sources using emission reduction credits entails or includes emissions of a HAP at such sources, such hazardous air pollutant must be identified and quantified (ton/yr)). The proposed ERC use will not cause an actual increase in emissions of HAPs as identified in Section 112(b) of the 1990 Clean Air Act Amendments.

The effective dates of the proposed ERC use will be **KEYBOARD**(Beginning date mm/dd/yy) through **KEYBOARD**(Ending date mm/dd/yy).

The proposed ERC use will **KEYBOARD**(not result in an increase in emissions beyond the limits allowed by any permits currently issued under the New Source Review or Title V programs). **-OR-** (result in an increase in emissions beyond the limits allowed by the following permits currently issued under the New Source Review and Title V programs: **KEYBOARD**(R13-##, R14-##, 45CSR30 permit number(s)).)

This notice provides an opportunity for the public to review the basis, including calculations demonstrating compliance through the use of emission reduction credits, for the proposed ERC use by **KEYBOARD**(company name). In the event you wish to submit written comments addressing this agency action, please identify the name of the company, DAQ facility identification number, pollutant(s), and Registry ERC Series Number(s) proposed to be used your comments are intended to address; include your name, a return address, and a daytime telephone number in the event this Office should need to contact you regarding your submittal; and indicate any organization on behalf of which your comments are submitted. **All written comments pursuant to this notice must be received by the DAQ within thirty (30) days of the date of publication of this notice.** In the event the 30th day is a Saturday, Sunday, or legal holiday, the comment period will be extended until 5:00 p.m. on the following regularly scheduled business day. All public comments are a part of the public record and are available for inspection by any interested party.

The DAQ, prior to making its determination of completeness, will consider only those written comments relevant to air quality issues pertaining to the requirements of 45CSR28, and that are received within the time frame specified above and at the address noted below.

Copies of the Notice of Emission Reduction Credit Use, absent any information defined as being confidential in accordance with the requirements of 45CSR31, along with any supplemental materials are available for public review at the address below between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excluded.

Emission Trading Program
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Division of Air Quality
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