

## Environmental Protection Agency

## § 97.10

or the NO<sub>x</sub> authorized account representative and that is located at a source of which they are not owners or operators or the NO<sub>x</sub> authorized account representative.

(g) *Effect on other authorities.* No provision of the NO<sub>x</sub> Budget Trading Program, a NO<sub>x</sub> Budget permit application, a NO<sub>x</sub> Budget permit, or an exemption under § 97.4(b) or § 97.5 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> Budget source or NO<sub>x</sub> Budget unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

[65 FR 2727, Jan. 18, 2000, as amended at 67 FR 21529, Apr. 30, 2002]

### § 97.7 Computation of time.

(a) Unless otherwise stated, any time period scheduled, under the NO<sub>x</sub> Budget Trading Program, to begin on the occurrence of an act or event shall begin on the day the act or event occurs.

(b) Unless otherwise stated, any time period scheduled, under the NO<sub>x</sub> Budget Trading Program, to begin before the occurrence of an act or event shall be computed so that the period ends the day before the act or event occurs.

(c) Unless otherwise stated, if the final day of any time period, under the NO<sub>x</sub> Budget Trading Program, falls on a weekend or a State or Federal holiday, the time period shall be extended to the next business day.

### Subpart B—NO<sub>x</sub> Authorized Account Representative for NO<sub>x</sub> Budget Sources

#### § 97.10 Authorization and responsibilities of NO<sub>x</sub> authorized account representative.

(a) Except as provided under § 97.11, each NO<sub>x</sub> Budget source, including all NO<sub>x</sub> Budget units at the source, shall have one and only one NO<sub>x</sub> authorized account representative, with regard to all matters under the NO<sub>x</sub> Budget Trading Program concerning the source or any NO<sub>x</sub> Budget unit at the source.

(b) The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> Budget source shall be selected by an agreement binding on the owners and operators of the source and all NO<sub>x</sub> Budget units at the source.

(c) Upon receipt by the Administrator of a complete account certificate of representation under § 97.13, the NO<sub>x</sub> authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NO<sub>x</sub> Budget source represented and each NO<sub>x</sub> Budget unit at the source in all matters pertaining to the NO<sub>x</sub> Budget Trading Program, not withstanding any agreement between the NO<sub>x</sub> authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NO<sub>x</sub> authorized account representative by the permitting authority, the Administrator, or a court regarding the source or unit.

(d) No NO<sub>x</sub> Budget permit shall be issued, and no NO<sub>x</sub> Allowance Tracking System account shall be established for a NO<sub>x</sub> Budget unit at a source, until the Administrator has received a complete account certificate of representation under § 97.13 for a NO<sub>x</sub> authorized account representative of the source and the NO<sub>x</sub> Budget units at the source.

(e) (1) Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed, and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> Budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> Budget sources or NO<sub>x</sub> Budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the