

§ 96.203

40 CFR Ch. I (7-1-07 Edition)

(3) Used in a space cooling application (*i.e.*, thermal energy used by an absorption chiller).

Utility power distribution system means the portion of an electricity grid owned or operated by a utility and dedicated to delivering electricity to customers.

[70 FR 25362, May 12, 2005, as amended at 71 FR 25385, Apr. 28, 2006; 71 FR 74794, Dec. 13, 2006]

EDITORIAL NOTE: At 71 FR 25386, Apr. 28, 2005, § 96.202 was amended in the definition of "CAIR NO_x Ozone Season source", by revising the words "includes one or more CAIR NO_x Ozone Season unit" to read "is subject to the CAIR NO_x Ozone Season Trading Program"; however, those words do not exist in this section and the amendment could not be incorporated.

EDITORIAL NOTE: At 71 FR 74794, Dec. 13, 2006, § 96.202 was amended in the definition of "CAIR SO₂ allowance" in paragraph (4), by revising the words "(Program, provisions)" to read "Program, provisions"; however, paragraph (4) does not exist in this section and the amendment could not be incorporated

§ 96.203 Measurements, abbreviations, and acronyms.

Measurements, abbreviations, and acronyms used in this subpart and subparts BBB through III are defined as follows:

- Btu—British thermal unit
- CO₂—carbon dioxide
- H₂O—water
- Hg—mercury
- hr—hour
- kW—kilowatt electrical
- kWh—kilowatt hour
- lb—pound
- mmBtu—million Btu
- MWe—megawatt electrical
- MWh—megawatt hour
- NO_x—nitrogen oxides
- O₂—oxygen
- ppm—parts per million
- scfh—standard cubic feet per hour
- SO₂—sulfur dioxide
- yr—year

[71 FR 25387, Apr. 28, 2006]

§ 96.204 Applicability.

(a) Except as provided in paragraph (b) of this section:

(1) The following units in a State shall be CAIR SO₂ units, and any source that includes one or more such units shall be a CAIR SO₂ source, sub-

ject to the requirements of this subpart and subparts BBB through HHH of this part: any stationary, fossil-fuel-fired boiler or stationary, fossil-fuel-fired combustion turbine serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale.

(2) If a stationary boiler or stationary combustion turbine that, under paragraph (a)(1) of this section, is not a CAIR SO₂ unit begins to combust fossil fuel or to serve a generator with nameplate capacity of more than 25 MWe producing electricity for sale, the unit shall become a CAIR SO₂ unit as provided in paragraph (a)(1) of this section on the first date on which it both combusts fossil fuel and serves such generator.

(b) The units in a State that meet the requirements set forth in paragraph (b)(1)(i), (b)(2)(i), or (b)(2)(ii) of this section shall not be CAIR SO₂ units:

(1)(i) Any unit that is a CAIR SO₂ unit under paragraph (a)(1) or (2) of this section:

(A) Qualifying as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and continuing to qualify as a cogeneration unit; and

(B) Not serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe supplying in any calendar year more than one-third of the unit's potential electric output capacity or 219,000 MWh, whichever is greater, to any utility power distribution system for sale.

(ii) If a unit qualifies as a cogeneration unit during the 12-month period starting on the date the unit first produces electricity and meets the requirements of paragraphs (b)(1)(i) of this section for at least one calendar year, but subsequently no longer meets all such requirements, the unit shall become a CAIR SO₂ unit starting on the earlier of January 1 after the first calendar year during which the unit first no longer qualifies as a cogeneration unit or January 1 after the first calendar year during which the unit no