



CO₂ Permit Application

If you are using this form electronically, press F1 at any time for help

All Application Forms Should Be Mailed To:

**Division of Air Quality
 655 South Bay Road
 Suite 5N
 Dover, Delaware 19901**

**All Checks Should Be Made Payable To:
 State of Delaware**

<u>For Department Use Only</u>	
Date Received Stamp	Assigned Permit Number

<u>Company and Site Information</u>		
1. Company Name: _____		
2. Company Mailing Address:		
City: _____	State: _____	Zip Code: _____
3. Site Name: _____		
4. Site Mailing Address: <i>(if different from above)</i>		
City: _____	State: _____	Zip Code: _____
5. Physical Location of Site: <i>(if different from above)</i>		
City: _____	State: _____	Zip Code: _____
6. Air Quality Management Facility ID Number: _____		
7. Office of Regulatory Information Systems (ORIS) or Facility Code: _____		
8. CO ₂ Designated Representative Name: _____		
9. CO ₂ Designated Representative Title: _____		

<u>Contact Information</u>
10. Name of Owner or Facility Manager: _____
11. Title of Owner or Facility Manager: _____
12. Permit Contact Name: _____



<u>Contact Information</u>	
13.	Permit Contact Title:
14.	Permit Contact Telephone Number:
15.	Permit Contact Fax Number:
16.	Permit Contact E-Mail Address:

<u>Submission Information</u>	
17.	Is this Submission New or Revised? <input type="checkbox"/> New <input type="checkbox"/> Revised
<i>If this is a Revision to a Previous Submission, Complete the Rest of Question 17. If this is a New Submission, Proceed to Question 18.</i>	
17.1.	Date of Application this Submission Revises:

<u>CO₂ Budget Unit Identification</u>	
18. Provide Information on Each CO ₂ Budget Unit	
<u>CO₂ Budget Unit ID #</u>	<u>CO₂ Budget Unit Description</u>
18.1	
18.2	
18.3	
18.4	
18.5	
18.6	
18.7	
18.8	
18.9	
18.10	

<u>Standard Requirements</u>	
Read the Standard Requirements Below	
State of Delaware Regulation No. 1147	
1.5 Standard requirements.	
1.5.1 <i>Permit requirements.</i>	
1.5.1.1 The CO ₂ authorized account representative of each CO ₂ budget source required to have an operating permit pursuant to Regulation 1102, 1130 and 1147 of this Title and each CO ₂ budget unit required to have an operating permit pursuant to Regulation 1102, 1130 and 1147 of this Title shall:	
1.5.1.1.1 submit to the Department a complete CO ₂ budget permit application under 3.3 of Regulation No. 1147 in accordance with the deadlines specified in 3.2 of Regulation No. 1147; and	
1.5.1.1.2 submit in a timely manner any supplemental information that the Department determines is necessary in	



DNREC – Division of Air Quality Carbon Dioxide (CO₂) Permit Application

For more information, refer to State of Delaware Regulation No. 1147

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Standard Requirements

- order to review the CO₂ budget permit application and issue or deny a CO₂ budget permit.
- 1.5.1.2 The owners and operators of each CO₂ budget source required to have an operating permit pursuant to DE Regulations 1102, 1130 and 1147 of this Title and each CO₂ budget unit required to have an operating permit pursuant to DE Regulations 1102, 1130 and 1147 of this Title for the source shall have a CO₂ budget permit and operate the CO₂ budget source and the CO₂ budget unit at the source in compliance with such CO₂ budget permit.
- 1.5.2 *Monitoring requirements.*
- 1.5.2.1 The owners and operators and, to the extent applicable, the CO₂ authorized account representative of each CO₂ budget source and each CO₂ budget unit at the source shall comply with the monitoring requirements of 8.0 of Regulation No. 1147.
- 1.5.2.2 The emissions measurements recorded and reported in accordance with 8.0 of Regulation No. 1147 shall be used to determine compliance by the unit with the CO₂ requirements under 1.5.3 of Regulation No. 1147.
- 1.5.3 *CO₂ requirements.*
- 1.5.3.1 The owners and operators of each CO₂ budget source and each CO₂ budget unit at the source shall hold CO₂ allowances available for compliance deductions under 6.5 of Regulation No. 1147, as of the CO₂ allowance transfer deadline, in the source's compliance account in an amount not less than the total CO₂ emissions for the control period from all CO₂ budget units at the source, as determined in accordance with 6.0 and 8.0 of Regulation No. 1147.
- 1.5.3.2 Each ton of CO₂ emitted in excess of the CO₂ budget emissions limitation shall constitute a separate violation of Regulation No. 1147 and applicable state law.
- 1.5.3.3 A CO₂ budget unit shall be subject to the requirements under 1.5.3.1 of Regulation No. 1147 starting on the later, of January 1, 2009 or the date on which the unit commences operation.
- 1.5.3.4 CO₂ allowances shall be held in, deducted from, or transferred among CO₂ Allowance Tracking System accounts in accordance with 5.0, 6.0, and 7.0, and 10.7 of Regulation No. 1147.
- 1.5.3.5 A CO₂ allowance shall not be deducted, in order to comply with the requirements under 1.5.3.1 of Regulation No. 1147, for a control period that ends prior to the year for which the CO₂ allowance was allocated. A CO₂ offset allowance shall not be deducted, in order to comply with the requirements under 1.5.3.1 of Regulation No. 1147, beyond the applicable percent limitations set out in 6.5.1.3 of Regulation No. 1147.
- 1.5.3.6 A CO₂ allowance under the CO₂ Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO₂ in accordance with the CO₂ Budget Trading Program. No provision of the CO₂ Budget Trading Program, the CO₂ budget permit application, or the CO₂ budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit such authorization.
- 1.5.3.7 A CO₂ allowance under the CO₂ Budget Trading Program does not constitute a property right.
- 1.5.4 *Excess emissions requirements.* The owners and operators of a CO₂ budget source that has excess emissions in any control period shall:
- 1.5.4.1 Forfeit the CO₂ allowances required for deduction under 6.5.4.1 of Regulation No. 1147, provided CO₂ offset allowances may not be used to cover any part of such excess emissions; and
- 1.5.4.2 Pay any fine, penalty, or assessment or comply with any other remedy imposed under 6.5.4.2 of Regulation No. 1147.
- 1.5.5 *Recordkeeping and reporting requirements.*
- 1.5.5.1 Unless otherwise provided, the owners and operators of the CO₂ budget source and each CO₂ budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the Department.
- 1.5.5.1.1 The account certificate of representation for the CO₂ authorized account representative for the source and each CO₂ budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 2.4 of Regulation No. 1147, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation changing the CO₂ authorized account representative.
- 1.5.5.1.2 All emissions monitoring information, in accordance with 8.0 of Regulation No. 1147 and 40 CFR 75.57.
- 1.5.5.1.3 Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO₂ Budget Trading Program.
- 1.5.5.1.4 Copies of all documents used to complete a CO₂ budget permit application and any other submission under the CO₂ Budget Trading Program or to demonstrate compliance with the requirements of the CO₂ Budget Trading Program.
- 1.5.5.2 The CO₂ authorized account representative of a CO₂ budget source and each CO₂ budget unit at the source shall submit the reports and compliance certifications required under the CO₂ Budget Trading Program, including those under 4.0 of Regulation No. 1147.
- 1.5.6 *Liability.*
- 1.5.6.1 No permit revision shall excuse any violation of the requirements of the CO₂ Budget Trading Program that occurs prior to the date that the revision takes effect.
- 1.5.6.2 Any provision of the CO₂ Budget Trading Program that applies to a CO₂ budget source (including a provision applicable to the CO₂ authorized account representative of a CO₂ budget source) shall also apply to the owners and



Standard Requirements

operators of such source and of the CO₂ budget units at the source.

1.5.6.3 Any provision of the CO₂ Budget Trading Program that applies to a CO₂ budget unit (including a provision applicable to the CO₂ authorized account representative of a CO₂ budget unit) shall also apply to the owners and operators of such unit.

1.5.7 *Effect on other authorities.*
 No provision of the CO₂ Budget Trading Program, a CO₂ budget permit application, or a CO₂ budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the CO₂ authorized account representative of a CO₂ budget source or CO₂ budget unit from compliance with any other provisions of applicable State and federal law and regulations.

19. Check Whether or Not You Have Read the Standard Requirements: YES NO

Confidentiality Information

20. Do You Consider Any of the Information Submitted With this Application Confidential? YES NO

If a Claim of Confidentiality is made it MUST meet the requirements of Section 6 of DNREC’s Freedom of Information (“FOIA”) Regulation at the time the Application is submitted.

CO₂ Designated Representative Name

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655 South Bay Road
Suite 5N
Dover, DE 19901

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