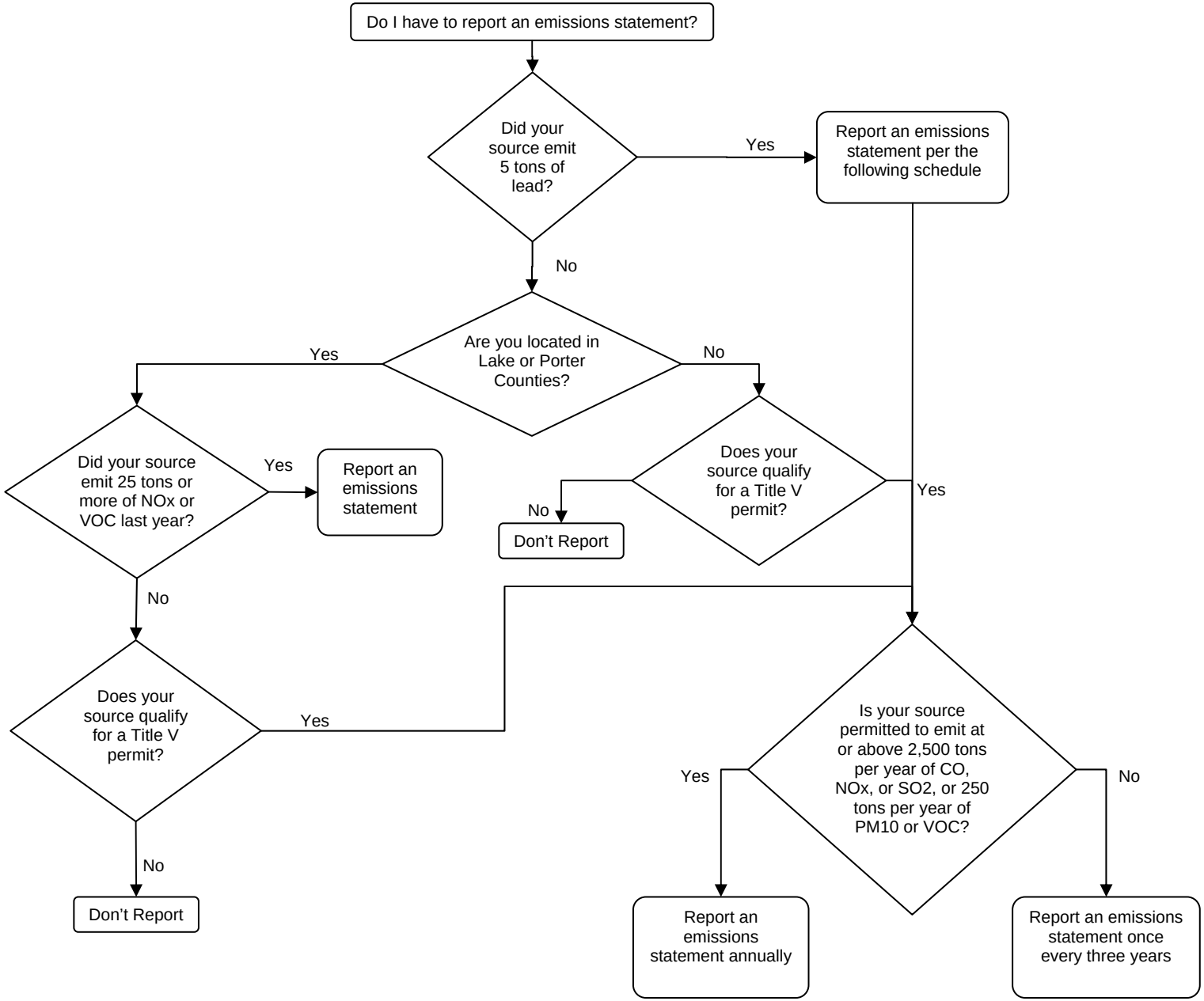Determining Applicability of the Emissions Statement Rule