

Acid Rain and CAIR Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305 and Rules 62-214.340(2) and 62-296.470, F.A.C.

New Revised Renewal

STEP 1

Identify the unit by plant name, State, ORIS code and unit ID#.

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|------------|-------|-----------------|----------|
| Plant Name | State | ORIS/Plant Code | Unit ID# |
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Applicable Program(s): ~ Acid Rain ~ CAIR NO_x Annual ~ CAIR SO₂ ~ CAIR NO_x Ozone Season

STEP 2

Identify the date on which the unit was (or will be) permanently retired.

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STEP 3

If an acid rain affected unit, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

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| January 1, _____ |
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STEP 4

Read the special provisions.

Acid Rain Special Provisions

- (1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR Part 73, Subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR Part 72, Subparts C and D, and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
- (2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain Part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
- (3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under Chapter 62-213, F.A.C.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. The owners and operators bear the burden of proof that the unit is permanently retired.
- (6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain Part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain Part application. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

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| Plant Name (from STEP 1) |
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STEP 4
(continued)

CAIR Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall not emit any sulfur dioxide or nitrogen oxides starting on the date that the exemption takes effect. The DEP will allocate CAIR NO_x allowances in accordance with Rule 62-296.470, F.A.C.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-296.470, F.A.C., shall retain at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. The owners and operators bear the burden of proof that the unit is permanently retired.
- (3) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall comply with the applicable requirements of the CAIR NO_x Annual Trading Program, the CAIR SO₂ Trading Program, and the CAIR NO_x Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) A unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR Part application under Rule 62-213.420, F.A.C., for the unit before the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a) shall lose its exemption:
- (i) the date on which the CAIR designated representative submits a CAIR Part application under Special Provision (4) above;
 - (ii) the date on which the CAIR designated representative is required under Special Provision (4) above to submit an CAIR Part application for the unit; or
 - (iii) the date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR Part application for the unit.
- (6) For the purpose of applying monitoring, reporting and recordkeeping requirements under 40 CFR Part 96, Subparts HH, HHH, and/or HHHH, a unit that loses its exemption under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

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| Plant Name (from STEP 1) |
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STEP 5
Make Statement of Compliance.

Statement of Compliance

I state that the unit identified above in STEP 1 was (or will be) permanently retired on the date identified in STEP 2 and will comply with the Special Provisions listed in STEP 4.

STEP 6
Read the certification and sign and date.

Certification (for designated representatives or alternate designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the affected source and affected unit 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 best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

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| Name | Title |
| Owner Company Name | |
| Phone | Email |
| Signature | Date |

Acid Rain and CAIR

Instructions for Retired Unit Exemption Form

Any Acid Rain unit that is permanently retired is exempted from the requirements to obtain a Phase II acid rain permit, monitor emissions, and hold allowances. The designated representative of such a unit must submit the Retired Unit Exemption form. The provisions governing the retired unit exemption are found at Rule 62-214.340(2), F.A.C. For an Acid Rain Unit, this form must be submitted by December 31 of the first year in which the unit is to be exempt.

Any CAIR NO_x unit that is permanently retired shall be exempt from the CAIR NO_x Annual Trading Program, except for the provisions of 40 CFR 96.102, 96.103, 96.104, 96.106(c)(4) through (7), 96.107, 96.108; and 40 CFR Part 96, Subparts BB, FF, and GG.

Any CAIR SO₂ unit that is permanently retired shall be exempt from the CAIR SO₂ Trading Program, except for the provisions of 40 CFR 96.202, 96.203, 96.204, 96.206(c)(4) through (7), 96.207, 96.208; and 40 CFR Part 96, Subparts BBB, FFF, and GGG.

Any CAIR NO_x Ozone Season unit that is permanently retired shall be exempt from the CAIR NO_x Ozone Season Trading Program, except for the provisions of 40 CFR 96.302, 96.303, 96.304, 96.305, 96.306(c)(4) through (7), 96.307, 96.308; and 40 CFR Part 96, Subparts BBBB, FFFF, and GGGG.

The CAIR exemption shall become effective the day on which the CAIR unit is permanently retired.

DEFINITIONS:

“CFR” - Code of Federal Regulations
“DOE” – U.S. Department of Energy
“EIA” – U.S. Energy Information Agency
“F.A.C.” - Florida Administrative Code
“DEP” - Florida Department of Environmental Protection
“NO_x” – Nitrogen Oxides
“ORIS” - Office of Regulatory Information Systems
“SO₂” – Sulfur Dioxide

Please type or print. If assistance is needed, contact the title V permitting authority.

STEP 1 Use the plant name and ORIS code listed on the Certificate of Representation for the source. An ORIS code is a 4-digit number assigned by the EIA at the DOE to power plants owned by utilities. If the plant is not owned by a utility but has a 5-digit plant code (also assigned by EIA), use the plant code. If there is uncertainty regarding what the code number is, contact EIA at (202) 586-2402.

Identify the unit by providing the appropriate unit identification number. The identification number entered for the unit should be consistent with the Certificate of Representation the source, with the unit identification numbers listed in the National Allowance Data Base for the Acid Rain Program (for units that commenced operation prior to 1993), and with the unit identification number used in reporting to the DOE and/or EIA.

STEP 2 Enter the date on which the unit is permanently retired.

STEP 3 If an Acid Rain unit, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

STEP 4 Read the special provisions.

STEP 5 Make Statement of Compliance.

STEP 6 The designated representative or alternate designated representative must read, sign, and date the certification labeled “for designated representatives or alternate designated representative only” and submit this form.

Submission Deadline: This form shall be submitted within 30 days of the unit’s permanent retirement. For Acid Rain units, this form must be submitted by December 31 of the first year in which the unit is to be exempt.

Submit this form and a copy to:

DEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Rd
Tallahassee, FL 32399-2400

Also send a copy to:

U.S. Environmental Protection Agency
Clean Air Markets Division (6204J)
Attn: Retired Unit Exemption
1200 Pennsylvania Ave NW
Washington, DC 20460