



NOx Budget Retired Unit Exemption

For more information, please refer to ADEM Admin. Code Chapter 335-3-8

This submission is: New Revised

STEP 1
Identify the source by plant name, State, ORIS or facility code, and Unit ID

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Plant Name	State	ORIS/Facility Code	Unit ID

STEP 2
Identify the date upon which the unit was (or will be) permanently retired.

STEP 3
Read the special provisions and certification, enter the name of the NOx authorized account representative, and sign and date

Special provisions [ADEM Admin. Code R. 335-3-8-.05(5)(c)]

1. A unit exempt under this paragraph shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
2. The owners and operators of the unit will be allocated allowances in accordance with Rule 335-3-8-.09(m). For each control period for which the retired unit has remaining, one or more NO_x allowances, the owners and operators of the unit shall specify a general account, in which the Administrator will record such NO_x allowances.
3. A unit exempt under this paragraph and located at a source that is required, or but for this exemption would be required, to have a major source (Title V) operating permit shall not resume operation unless the NO_x authorized account representative of the source submits a complete NO_x Budget permit application under Rule 335-3-8-.07(3) for the unit not less than 18 months (or such lesser time provided under the Department's major source operating permits regulations for final action on a permit application) prior to the later of May 31, 2004 or the date on which the unit is to first resume operation.
4. A unit exempt under this paragraph and located at a source that is required, or but for this exemption would be required, to have a synthetic minor operating permit shall not resume operation unless the NO_x authorized account representative of the source submits a complete NO_x Budget permit application under Rule 335-3-8-.07(3) for the unit not less than 18 months (or such lesser time provided under the Department's synthetic minor operating permits regulations for final action on a permit application) prior to the later of May 31, 2004 or the date on which the unit is to first resume operation.
5. The owners and operators and, to the extent applicable, the NO_x authorized account representative of a unit exempt under this paragraph shall comply with the requirements of the NO_x Budget 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.
6. A unit that is exempt under this paragraph is not eligible to be a NO_x Budget opt-in source under Rule 335-3-8-.13.
7. For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under this paragraph 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 Department or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
8. Loss of exemption.
 - (i) On the earlier of the following dates, a unit exempt under subparagraph (b) of this paragraph shall lose its exemption:
 - (I) The date on which the NO_x authorized account representative submits a NO_x Budget permit application under subparagraph (c)2. of this paragraph; or
 - (II) The date on which the NO_x authorized account representative is required under subparagraphs (c)3. and (c)4. of this paragraph to submit a NO_x Budget permit application.
 - (ii) For the purpose of applying monitoring requirements under Rule 335-3-8-.12, a unit that loses its exemption under this paragraph shall be treated as a unit that commences operation or commercial operation on the first date on which the unit resumes operation.

Certification

I am authorized to make this submission on behalf of the owners and operators of the NOx Budget sources or NOx 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 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.

Name	
Signature	Date