

Alabama Power Company
Plant Greene County
Greene County
ADEM Air Facility No. 405-0001

On June 25, 2015, a Modified Consent Decree between EPA and APC was filed in the United States District Court for the Northern District of Alabama, Southern Division. In Case No. 2:01-cv-00152-VEH (attached), it is stated, "Beginning January 1, 2017, APC shall combust only natural gas in Plant Greene County Unit 1 and Unit 2." This is a federally enforceable requirement.

While the 2014 actual emissions at the Greene County Plant were greater than the DRR's 2000 TPY threshold, the requirement to utilize only natural gas in Units 1 and 2 will greatly reduce the units' potential to emit to levels far below the threshold. The facility continues to operate its combustion turbines. However, historical actual SO₂ emissions from these units, combined with the potential SO₂ from Units 1 and 2 fired only with natural gas, are still well below the threshold. Therefore, ADEM has removed Plant Greene County as a source subject to analysis under the DRR.

Units	2014 Actual SO2 Emissions (TPY)	Potential SO2 Emissions (TPY)	Facility Total SO2 Emissions (TPY)
Power Boilers 1 & 2		13.2	46.3
CTs 2 - 10	33.1		

Alabama Power Company
Plant Gadsden
Etowah County
ADEM Air Facility No. 307-0002

Alabama Power Company elected to fire natural gas only in Plant Gadsden's Units 1 and 2 in order for the units to not be affected sources under the MATS. Coal capability has been removed from the facility. Furthermore, coal as a fuel source has been removed from ECMPS. APC submitted to ADEM an updated Title V renewal application, which reflects the use of only natural gas in these units. ADEM is currently processing the Title V renewal, and it will be issued prior to the end of 2016. Therefore, ADEM has removed Plant Gadsden as a source subject to analysis under the DRR.

Units	2014 Actual SO2 Emissions (TPY)	Potential SO2 Emissions (TPY)	Facility Total SO2 Emissions (TPY)
Power Boilers 1 & 2		4.33	4.334
Auxiliary Boiler	0.004		

Alabama Power Company
Plant Gorgas
Walker County
ADEM Air Facility No. 414-0001

On August 27, 2015, Alabama Power Company submitted to ADEM and the USEPA Retired Unit Exemption Forms for Gorgas Units 6 and 7 (attached). In this submittal, APC stated that electricity

generation ceased from these two units on August 24, 2015. On June 16, 2016, ADEM notified APC that the portions of the Title V permit that authorized the operation of Units 6 and 7 were considered void since APC declared the units as officially retired (attached). Without the operation of Units 6 and 7, the remaining units at Plant Gorgas do not have actual emissions in excess of the 2000 TPY threshold established in the DRR. Therefore, ADEM has removed Plant Gorgas as a source subject to analysis under the DRR.

Units	2014 Actual SO2 Emissions (TPY)
Power Boilers 8, 9 & 10	1028

Tennessee Valley Authority
Colbert Fossil Plant
Colbert County
ADEM Air Facility No. 712-0010

On May 16, 2016, the Tennessee Valley Authority (TVA) submitted to ADEM and the USEPA Retired Unit Exemption Forms for Colbert Units 1, 2, 3, 4 and 5 (attached). On June 16, 2016, ADEM notified TVA that the portions of Title V permit that authorized the operation of Units 1, 2, 3, 4 and 5 were considered void since TVA declared the units as officially retired (attached). Without the operation of these units, the remaining sources at the facility do not have actual emissions in excess of the 2000 TPY threshold established in the DRR. Therefore, ADEM has removed the Colbert Fossil Plant as a source subject to analysis under the DRR.

Units	2014 Actual SO2 Emissions (TPY)
CTs 1-8	10

Tennessee Valley Authority
Widows Creek Fossil Plant
Jackson County
ADEM Air Facility No. 705-0008

In a June 8, 2016 letter, the Tennessee Valley Authority (TVA) notified ADEM that electricity generation had permanently ended at the Widows Creek Fossil Plant on September 24, 2015 (attached). On June 16, 2016, ADEM notified TVA that, as a result of the declaration that all eight EGUs were retired, the facility Title V permit was considered void (attached). As such, ADEM has removed the Widows Creek Fossil Plant as a source subject to analysis under the DRR.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

ALABAMA ENVIRONMENTAL
COUNCIL, INC.
Plaintiff-Intervenor,

V.

ALABAMA POWER COMPANY,
Defendant.

Case No. 2:01-cv-00152-VEH

JOINT STIPULATION TO MODIFY CONSENT DECREE

WHEREAS, Plaintiff the United States of America filed a Complaint in the Northern District of Alabama in 2001 against Alabama Power Company, alleging violations of the Clean Air Act (CAA). Such violations included a claim at the Plant Gaston Unit 5, Plant Barry Unit 5, Plant Greene County Unit 2, Plant Miller Unit 3, and Plant Miller Unit 4, and included two claims each at the Plant Barry Unit 2 and the Plant Gorgas Unit 10.

WHEREAS, on June 19, 2006, this Court entered a Partial Consent Decree in the above-captioned matter to resolve the alleged violations of the CAA at Plant Miller Unit 3 and Plant Miller Unit 4.

WHEREAS, in 2010, Plaintiff the United States of America dismissed the claims at Plant Gaston Unit 5, Plant Barry Unit 5, and one claim each at Plant Barry Unit 2 and Plant Gorgas Unit 10.

WHEREAS, Paragraph 115 of the Partial Consent Decree provides that “[t]he terms of this Consent Decree may be modified only by a subsequent written agreement signed by APC and EPA. Where the modification constitutes a material change to any term of this Decree, it shall be effective only upon approval by the Court.”

WHEREAS, the Plaintiff the United States of America (“Plaintiff”), Plaintiff-Intervenor the Alabama Environmental Council, Inc. (“Plaintiff-Intervenor”), and Defendant Alabama Power Company (“APC”) have agreed to seek to modify the Partial Consent Decree in the manner set forth herein (referred to hereafter as the “Joint Modification”).

WHEREAS, the Partial Consent Decree did not settle the remaining alleged violations of the CAA at the Plant Barry Unit 2, Plant Gorgas Unit 10, or Plant Greene County Unit 2.

WHEREAS, the Parties agree and acknowledge that final approval of the United States and entry of this Joint Modification is subject to the procedures set forth in 28 CFR § 50.7, which provides for notice to be published in the Federal Register, an opportunity for public comment, and the right of the United States to withdraw or withhold consent if the comments disclose facts or considerations which indicate that the Joint Modification is inappropriate, improper, or inadequate. No Party will oppose entry of this Joint Modification by this Court or challenge any provision of this Joint Modification unless the United States has notified the Parties, in writing, that the United States no longer supports entry of the Joint Modification.

NOW THEREFORE, and as described in the United States’ Notice of Lodging filed contemporaneously herewith, the Plaintiff, Plaintiff-Intervenor, and APC, hereby stipulate to modify the Partial Consent Decree, as follows:

1. Modify Paragraph 3 as follows:

3. A “30-Day Rolling Average Emission Rate” for:

(a) Plant Miller Unit 3 or Unit 4 means and is calculated by (A) summing the total pounds of the pollutant in question emitted from the Unit during an Operating Day and the previous twenty-nine (29) Operating Days; (B) summing the total heat input to the Unit in mmBTU during the Operating Day and during the previous twenty-nine (29) Operating Days; and (C) dividing the total number of pounds of pollutants emitted during the thirty (30) Operating Days by the total heat input during the thirty (30) Operating Days, and converting the resulting value to lbs/mmBTU. A new 30-Day Rolling Average Emission Rate shall be calculated for each new Operating Day. Each 30-Day Rolling Average Emission Rate shall exclude all emissions that occur during all periods of startup, shutdown and malfunction as defined in 40 C.F.R. §60.2.

(b) Plant Gorgas Unit 10, Plant Barry Unit 1 and Unit 2, and Plant Greene County Unit 1 and Unit 2 means the average number of pounds of pollutant emitted per million BTU of heat input (“lb/mm BTU”) where such rate shall be calculated as a 30- Day Rolling Average. A 30-Day Rolling Average Emission Rate expressed as lb/mmBTU shall be determined by calculating the emission rate for a given Operating Day, and then arithmetically averaging the emission rates for the previous 29 Operating Days with that date. A new 30-Day Rolling Average Emission Rate shall be calculated for each new Operating Day and shall, except for the Plant Gorgas Unit 10 NO_x rate, include all periods of startup, shutdown, and malfunction. The NO_x 30-Day Rolling Average Emission Rate for Plant Gorgas Unit 10 shall exclude all periods of startup, shutdown, and malfunction as defined in 40 C.F.R. § 60.2, and such emissions shall

instead be covered by the NO_x 365-Day Rolling Average Emission Rate for Plant Gorgas Unit 10.

2. Modify Paragraph 4 as follows:

4. A “365-Day Rolling Average Emission Rate”:

(a) For Plant Miller Unit 3 or Unit 4 means and is calculated by (A) summing the total pounds of the pollutant in question emitted from the Unit during an Operating Day and the previous three hundred sixty-four (364) Operating Days; (B) summing the total heat input to the Unit in mmBTU during the Operating Day and during the previous three hundred sixty-four (364) Operating Days; and (C) dividing the total number of pounds of pollutants emitted during the three hundred sixty-five (365) Operating Days by the total heat input during the three hundred sixty-five (365) Operating Days, and converting the resulting value to lbs/mmBTU. A new 365-Day Rolling Average Emission Rate shall be calculated for each new Operating Day. Each 365-Day Rolling Average Emission Rate shall include all emissions, including those that occur during all periods of startup, shutdown, and malfunction as defined in 40 C.F.R. § 60.2.

(b) For Plant Gorgas Unit 10 means the average number of pounds of pollutant emitted per million BTU of heat input (“lb/mmBTU”) where such rate shall be calculated as a 365-Day Rolling Average. A 365-Day Rolling Average Emission Rate expressed as lb/mmBTU shall be determined by calculating the emission rate for a given Operating Day, and then arithmetically averaging the emission rates for the previous 364 Operating Days with that date. A new 365-Day Rolling Average Emission Rate shall be calculated for each new Operating Day and shall include all periods of startup, shutdown, and malfunction, as defined in 40 C.F.R. § 60.2.

3. Modify Paragraph 5 as follows:

5. “30-Day Rolling Average Removal Efficiency” means:

(a) For Plant Miller Unit 3 and Unit 4, the percent reduction of the pollutant in question achieved by a Unit’s pollution control device over a 30-day period as determined by 40 C.F.R. Part 60, Appendix A, Method 19, Section 12.5.3. A new 30-Day Rolling Average Removal Efficiency shall be calculated for each new Operating Day. Each 30-Day Rolling Average Removal Efficiency shall exclude all emissions that occur during any period of malfunction (as defined in 40 C.F.R. § 60.2) of the FGD.

(b) For Plant Gorgas Unit 10, the percent reduction of the pollutant in question achieved by a Unit’s pollution control device over a 30-day period as determined by 40 C.F.R. Part 60, Appendix A, Method 19, Section 12.5.3. A new 30-Day Rolling Average Removal Efficiency shall be calculated for each new Operating Day. Each 30-Day Rolling Average Removal Efficiency shall include all emissions that occur during startup, shutdown, and malfunction (as defined in 40 C.F.R. § 60.2).

4. Modify Paragraph 8 as follows:

8. “Consent Decree” or “Decree” means the Partial Consent Decree entered by the court on June 19, 2006 and the “Joint Modification.”

5. Modify Paragraph 31 as follows:

31. “SO₂ Allowance” means:

(a) For the Partial Consent Decree, “allowance” as defined at 42 U.S.C. § 7651a(3): “an authorization, allocated to an affected unit by the Administrator [of EPA] under

[Subchapter IV of the Act], to emit, during or after a specified calendar year, one ton of sulfur dioxide.”

(b) For the Joint Modification, “allowance” means an authorization to emit a specified amount of SO₂ that is allocated or issued under an emissions trading or marketable permit program of any kind established under the Clean Air Act or the Alabama SIP.

6. Add new Paragraphs 33.1, 33.2, 33.3., 33.4, and 33.5 as follows:

33.1. “Annual Tonnage Limitation” means the limitation, as specified in the Joint Modification, on the number of tons of pollutant that may be emitted from the Plant Greene County Unit 1 and Unit 2 during the relevant calendar year (i.e., January 1 through December 31), and shall include all emissions of the specified pollutant that occur during all periods of operation, including startup, shutdown, and malfunction.

33.2. “Plant Barry” means Unit 1 and Unit 2 only of the James M. Barry Electric Generating Plant, located near Bucks, Alabama. Plant Barry Unit 1 and Unit 2 exhaust to a common stack with all emissions monitored in the duct work to that common stack. Compliance with any Emission Rates set forth in this Joint Modification as applicable to Plant Barry Unit 1 and Unit 2 shall be determined based on that monitoring in the common duct/stack for the two units together as if they were a single unit. A violation of any such Emission Rate based on common stack measurements shall be a single violation.

33.3. “Plant Gorgas” means Unit 8, Unit 9, and Unit 10 only of the Gorgas Steam Electric Generating Plant, located near Parrish, Alabama. Under normal operating

conditions¹, Plant Gorgas Unit 8, Unit 9, and Unit 10 exhaust to a common FGD and from there to a common stack where SO₂ emissions are monitored. Compliance with any SO₂ removal efficiency set forth in this Joint Modification as applicable to Plant Gorgas Unit 8, Unit 9, and Unit 10 shall be determined based on that monitoring in the common stack for the three units together as if they were a single unit. A violation of any such SO₂ removal efficiency based on common stack measurements shall be a single violation.

33.4. "Plant Greene County" means Unit 1 and Unit 2 only at the Greene County Electric Generating Plant, located near Forkland, Alabama. Plant Greene County Unit 1 and Unit 2 exhaust to a common stack where all emissions are monitored. Compliance with any Emission Rates set forth in this Joint Modification as applicable to Plant Greene County Unit 1 and Unit 2 shall be determined based on that monitoring in the common stack for the two units together as if they were a single unit. A violation of any such rate based on common stack measurements shall be a single violation.

33.5 "NO_x Allowance" means an authorization to emit a specified amount of NO_x that is allocated or issued under an emissions trading or marketable permit program of any kind established under the Clean Air Act or the Alabama SIP.

7. Add a new Paragraph 34.1 as follows:

34.1. Beginning April 1, 2016, APC shall operate SCR technology on a year-round basis at Plant Gorgas Unit 10 consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance practices for SCRs

¹ The Pressure Relief Vent associated with Plant Gorgas Unit 8 and Unit 9 is subject to requirements of the Title V operating permit for Plant Gorgas.

and so as to minimize NOx emissions to the extent reasonably practicable, whenever Gorgas 10 is in operation and combusting fossil fuel.

8. Add a new Paragraph 35.1 as follows:

35.1. For Plant Gorgas Unit 10, beginning April 1, 2016, APC shall comply with both of the following NOx emission rates: (1) a 30-Day Rolling Average NOx Emission Rate of 0.100 lb/mmBtu, and (2) a 365-Day Rolling Average NOx Emission Rate of 0.220 lb/mmBtu, both measured by a new CEMS to be installed and certified in the Unit 10 duct work following the SCR and before the confluence with flue gas from Unit 8 and Unit 9. The first averaging period for each of the above emission rates shall begin with the first Operating Day on or after April 1, 2016.

9. Add a new Paragraph 39.1 as follows:

39.1 Beginning 60 days after entry of the Joint Modification, APC shall combust only natural gas in Plant Barry Unit 1 and Unit 2.

(i) Beginning 60 days after entry of the Joint Modification, APC shall comply with a 30-Day Rolling Average NOx Emission Rate of 0.200 lb/mmBtu at the common duct/stack for Plant Barry Unit 1 and Unit 2. The first averaging period for the above Emission Rate shall begin with the first Operating Day on or after 60 days after entry of the Joint Modification.

(ii) In determining compliance with this Emission Rate for Plant Barry Unit 1 and Unit 2, APC shall use data from CEMS operated in accordance with 40 C.F.R. Part

75; however, the missing data substitution procedures of 40 C.F.R. Part 75 shall not apply to such determinations.

10. Add a new Paragraph 39.2 as follows:

39.2 Beginning January 1, 2017, APC shall combust only natural gas in Plant Greene County Unit 1 and Unit 2.

(i) Beginning January 1, 2017, APC shall comply with a 30-Day Rolling Average NO_x Emission Rate of 0.280 lb/mmBtu at the common stack for Plant Greene County Unit 1 and Unit 2. The first averaging period for the above Emission Rate shall begin with the first Operating Day on or after January 1, 2017. In determining compliance with this emission limit, APC shall use data from CEMS operated in accordance with 40 C.F.R. Part 75; however, the missing data substitution procedures of 40 C.F.R. Part 75 shall not apply to such determinations.

(ii) Beginning January 1, 2017, APC shall comply with a total annual NO_x emission limitation of 4,790 tons per year for Plant Greene County Unit 1 and Unit 2. In determining compliance with this emission limit, APC shall use data from CEMS operated in accordance with 40 C.F.R. Part 75, including the missing data substitution procedures of 40 C.F.R. Part 75.

11. Add a new Paragraph 41.1 as follows:

41.1. Beginning April 1, 2016, APC shall operate the FGD on a year-round basis at Plant Gorgas Unit 8, Unit 9, and Unit 10 consistent with the technological limitations,

manufacturers' specifications, and good engineering and maintenance practices for the FGD and so as to minimize SO₂ emissions to the extent reasonably practicable.

12. Add a new Paragraph 43.1 as follows:

43.1. For each 30-day period which begins on or after April 1, 2016, APC shall comply with a 30-Day Rolling Average Removal Efficiency of 95% for SO₂ for Plant Gorgas Unit 8, Unit 9 and Unit 10. Notwithstanding any other requirement, SO₂ emissions during any hour of operation when neither Plant Gorgas Unit 8, Unit 9 nor Unit 10 is combusting coal shall be subject only to the requirement to combust either natural gas or distilled fuel oil only and shall not be subject to the otherwise applicable 30-Day Rolling Average Removal Efficiency requirement.

13. Add a new Paragraph 53.1 as follows:

53.1. As applied to emission reductions generated by APC to comply with the requirements of the Joint Modification, Paragraph 53 above shall apply to SO₂ and NO_x emission reductions only. Further, emission reductions obtained by the permanent retirement of Plant Barry Unit 3 and Plant Gorgas Unit 6 and Unit 7 may be used as creditable contemporaneous emission decreases for the purpose of obtaining netting credit in each permit application for any new auxiliary boilers constructed at Plant Barry to provide startup steam support for Plant Barry Unit 5 and at Plant Gorgas to provide startup steam support for Plant Gorgas Unit 10.

14. Add a new Paragraph 56.1 as follows:

56.1 The provisions of Paragraphs 56, 57, 58, and 59 have been satisfied and are not applicable to the entry of the Joint Modification.

15. Modify Paragraph 60 as follows:

60. Beginning January 1, 2021, APC shall not sell, trade, or otherwise exchange any excess emission allowances outside of the APC system. For purposes of this provision:

(a) "Excess emission allowances" shall mean:

(1) For Plant Miller, all SO₂ emission allowances generated by the operation of Plant Miller Units 3 and 4 that APC does not need to meet applicable state or regulatory requirements for those units, including the Clean Air Interstate Rule;

(2) For Plant Gorgas and Plant Barry, all SO₂ and NO_x emission allowances generated by the operation of Plant Gorgas Unit 10 and Plant Barry Unit 2 that APC does not need to meet applicable state or regulatory requirements for those units.

(3) For Plant Greene County, (i) 60% of all SO₂ and NO_x emission allowances generated by the operation of Plant Greene County Unit 2 that APC does not need to meet applicable state or regulatory requirements for those units, and (ii) an amount of allowances equivalent to 40% of all SO₂ and NO_x emission allowances generated by the operation of Greene County Unit 2 that APC does not need to meet applicable state or regulatory requirements for these units, the source of which may be any coal-fired unit in the APC system.

(b) "the APC system" shall mean all coal-fired electric generating units that APC owns or operates at the time the restriction in this Paragraph applies.

16. Add a new Section IX-A and a new Paragraph 60.1 as follows:

IX-A. UNIT RETIREMENTS

60.1. No later than 60 days after entry of the Joint Modification, APC shall permanently retire Plant Barry Unit 3, Plant Gorgas Unit 6, and Plant Gorgas Unit 7.

17. Add Section IX-B and Paragraph 60.2 as follows:

IX-B. MITIGATION

60.2. APC will invest \$1,500,000 within three years after entry of the Joint Modification into either or both of the two types of electric transportation projects described below ("Projects"). In the event additional time is needed to complete prudent investment of the full amount designated, one additional year will be added to the three-year period upon notification by APC to EPA.

(i) APC will install Electric Vehicle Supply Equipment ("EVSE") commonly referred to as 'Charging Stations' in strategic locations such as public parking facilities at workplace locations, retail centers, hospitals, college campuses, airports, multi-unit dwellings, and military bases. APC retains the sole discretion to tailor the amount of investment in this type of Project to the level of support and readiness demonstrated by local governments, military base authorities and property owners or lessees where Charging Stations might be installed. Charging Stations installed as part of this Project may be owned, operated, and maintained by APC, the property owner, or any other third party. APC's expenses associated with Charging Station marketing, installation, maintenance, repair, and replacement during the time period allowed for this project will be credited to this project dollar for dollar. APC shall select Charging Station types and

locations, giving priority to locations in areas of Alabama with past air quality concerns, such as the greater Birmingham area.

(ii) APC will install electric charging infrastructure for Birmingham Shuttlesworth International Airport (BHM) to support electric ground support equipment at BHM, such as tow tractors, belt and container loaders, pushback tractors, and ground power units. APC retains the sole discretion to tailor the amount of investment in this type of Project to the level of support and readiness demonstrated by the Birmingham Airport Authority and participating airlines. APC's expenses associated with installation, maintenance, repair, and replacement of airport electric charging infrastructure incurred during the time period allowed for this Project will be credited to this project dollar for dollar.

(iii) APC may fund the Projects through other entities, including public/private partnerships already involved in the field. However, APC will notify EPA of each such entity through whom mitigation project funds will be invested and provide a description of roles and responsibilities of each such entity.

(iv) APC will provide to EPA semi-annual progress reports and one final report including amounts invested in each type of Project, the number, location and type of equipment installed to date, the number, location and type of equipment planned for future installations, and available information regarding current usage of the installed equipment.

(v) Expenses for APC's or its affiliates' "in-house" support personnel for design, implementation, and management of the Projects or compliance with Joint Modification requirements associated with the Projects, and APC expenses of supplying

electric service to such Charging Stations and infrastructure will not be credited to this Project.

(vi) Apart from investing the designated amount of money for the aforementioned designated purposes during the designated period, APC has, as a part of the Joint Modification, no further or continuing duties with regard to the Project equipment and facilities installed.

18. Modify Paragraph 61 as follows:

61. Not later than forty-five (45) days after entry of the Partial Consent Decree, APC shall pay to the United States \$100,000 to resolve the United States' claim for a civil penalty as to claims at Plant Miller Unit 3 and Unit 4. Not later than forty-five (45) days after entry of the Joint Modification, APC shall pay to the United States \$100,000 to resolve the United States' claim for a civil penalty as to claims at Plant Barry Unit 2, Plant Greene County Unit 2, and Plant Gorgas Unit 10. The payment shall be made by Electronic Funds Transfer ("EFT") to the United States Department of Justice, in accordance with current EFT procedures, referencing USAO File Number 2001V00043 and DOJ Case Number 90-5-2-1-06994 and the civil action case name and case number of this action. The costs of such EFT shall be APC's responsibility. Payment shall be made in accordance with instructions provided to APC by the Financial Litigation Unit of the U.S. Attorney's Office for the Northern District of Alabama. Any funds received after 2:00 pm. EDT shall be credited on the next business day. At the time of payment, APC shall provide notice of payment, referencing the USAO File Number, the DOJ Case

Number, and the civil action case name and case number, to the Department of Justice and to EPA in accordance with Section XVIII (Notices) of this Consent Decree.

19. Add a new Paragraph 64.1 as follows:

64.1. Entry of the Joint Modification shall resolve all civil claims for relief as to Plant Barry Unit 2, Plant Greene County Unit 2, and Plant Gorgas Unit 10, that were alleged by the United States in its Initial Complaint and Amended Complaint and all claims for relief as to Plant Barry, Plant Greene County, and Plant Gorgas that were alleged by AEC in its Complaint.

20. Add a new Paragraph 65.1 as follows:

65.1. Beginning thirty (30) days after the end of the first full calendar quarter following the entry of the Joint Modification, continuing on a semi-annual basis until the obligations of the Joint Modification are either (1) satisfied, (2) incorporated into federally enforceable Title V operating permits, or (3) terminated pursuant to Paragraphs 131 or 132 of the Consent Decree, whichever is earlier, and in addition to any other express reporting requirement in this Consent Decree, APC shall submit to EPA a progress report regarding Plant Barry Unit 1, Unit 2, and Unit 3, Plant Greene County Unit 1 and Unit 2, and Plant Gorgas Unit 6, Unit 7, Unit 8, Unit 9, and Unit 10.

21. Modify Paragraph 69 as follows:

69. For any failure by APC to comply with the terms of this Consent Decree, and subject to the provisions of Sections XIV (Force Majeure) and XV (Dispute Resolution),

APC shall pay, within thirty (30) days after receipt of written demand by the United States, the following stipulated penalties to the United States:

Consent Decree Violation	Stipulated Penalty (Per day per violation, unless otherwise specified)
a. Failure to make payment as specified in Section X (Civil Penalty) of this Consent Decree	\$10,000
b. Failure to comply with any applicable 30-Day Rolling Average Emission Rate for NO _x , 30-Day Rolling Average Removal Efficiency for SO ₂ , or Emission Rate for PM set forth in or established pursuant to this Consent Decree	\$ 5,000
c. Failure to comply with any applicable 365-Day Rolling Average Emission Rate established by this Consent Decree	\$200,000 for a 365-Day Rolling Average Emission Rate violation, plus \$5,000 for each subsequent 365-Day Rolling Average Emission Rate violation that includes any day in a previously-assessed 365-Day Rolling Average Emission Rate violation
d. Failure to install or operate Mercury CEMS as specified in Section VII	\$1,000 per day per violation
e. Failure to donate SO ₂ Allowances or limit the use of excess allowances as required by Section IX	(a) \$32,500 plus (b) \$1,000 per day
f. Any other violation of this Consent Decree	\$1,000
g. Failure to operate emissions controls, to combust only natural gas, or to retire a unit, as required by this Joint Modification	\$10,000 per Day per violation during the first 30 Days; \$37,500 per Day per violation thereafter
h. Failure to complete the Mitigation required under Section IX-B of the Joint Modification	\$1,000 per Day per violation during the first 30 Days; \$5,000 per Day per violation thereafter
i. Failure to comply with the Annual Tonnage Limitation set forth in Paragraph 39.2	\$5,000 per ton for the first 100 tons over the Limitation and \$10,000 per ton for each additional ton above 100 tons.

22. Modify Paragraph 98 as follows:

98. Within one hundred eighty (180) days after the date of entry of the Joint Modification, APC shall modify any applicable Title V permit application(s), or apply for amendments of its Title V permits, to include operational, maintenance, and control technology requirements established by the Consent Decree and Joint Modification, including but not limited to: any applicable (a) Emission Rates, together with their relevant monitoring requirements and averaging periods, (b) Annual Tonnage Limitations, (c) the requirements pertaining to the prohibition on netting credits or offsets, and the limitation on the use of excess allowances, and (d) requirements related to combusting natural gas only at specified units as required under the Joint Modification.

23. Modify Paragraph 105 as follows:

105. Unless otherwise provided herein, whenever notifications, submissions, or communications are required by this Consent Decree, they shall be made in writing and addressed as follows:

As to the United States of America:

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
DJ# 90-5-2-1-06994

and

Director, Air Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
Ariel Rios Building [2242A]
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

and

Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

As to EPA:

Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

As to AEC:

Michael Churchman, Executive Director
Alabama Environmental Council
2014 6th Avenue North, #200
Birmingham, AL 35203

As to APC:

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Margaret C. Campbell
Troutman Sanders LLP
600 Peachtree Street, Suite 5200
Atlanta, GA 30308
(404) 885-3000

24. Add a new Paragraph 113.1 as follows:

113.1. The effective date of the Joint Modification shall be the date upon which the Joint Modification is entered by the Court.

25. Add a new Paragraph 132.1 as follows:

132.1. Conditional Termination of Enforcement of the Joint Modification Through the Consent Decree.

After APC:

(a) has successfully completed construction, and has maintained operation of pollution controls as required by the Joint Modification for one year; and

(b) has applied to revise its Title V operating permit pursuant to the Joint Modification and has obtained a final federally enforceable operating permit issued under the Alabama SIP that includes as enforceable permit terms the requirements set forth in Paragraphs 34.1, 35.1, 39.1, 39.2, 41.1, 43.1, 60 and 60.1 of the Joint Modification;

then APC may so certify these facts to the United States and this Court. If the Plaintiffs do not object in writing with specific reasons within forty-five (45) days of receipt of APC's certification, then, for any Consent Decree violations that occur after the filing of notice, the United States may pursue enforcement of the requirements contained in the Title V operating permit or other federally enforceable operating permit issued under the Alabama SIP through the applicable permit but not through this Consent Decree and APC may, by motion to this Court,

Matthew W. Bowden
Vice President
Environmental Affairs

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291

Tel 205.257.4075
Fax 205.257.4349



August 27, 2015

Ms. Amy Graham
Alabama Department of Environmental Management
P. O. Box 301463
Montgomery, AL 36130-1463

RE: Plant Gorgas U6&7 Retirements

Dear Ms. Graham:

Effective August 24, 2014, Plant Gorgas Units 6 & 7 are permanently retired. Please find enclosed Retired Unit Exemption notices for these units.

I am authorized to make this submission on behalf of the owner and operator of the affected source or affected units for which this 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. Based upon my inquiry of those individuals with primary responsibility for obtaining this 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.

If you have questions regarding this submittal, please contact Brittany Pitts at (205) 257-6620.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matthew W. Bowden".

Matthew W. Bowden
Vice President Environmental Affairs

\BRP

Enclosure

cc: U.S. Environmental Protection Agency



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Gorgas Steam Electric Generating Plant	AL	8	6
Plant (Source) Name	State	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

August 24, 2015

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2016

STEP 5

Read the appropriate special provisions.

Acid Rain Program Special Provisions

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 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 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

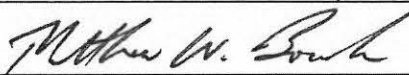
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name	Matthew W. Bowden	Title	Vice President, Environmental Affairs
Owner Company Name	Alabama Power Company		
Phone	(205) 257-4075	Email	G2MATTBOWDR@southernco.com
Signature			Date
			8/27/15

Certification (for certifying officials of units subject to the Acid Rain Program only)

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	Title		
Owner Company Name			
Phone	Email		
Signature			Date



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Gorgas Steam Electric Generating Plant	AL	8	7
Plant (Source) Name	State	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

August 24, 2015

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2016

STEP 5

Read the appropriate special provisions.

Acid Rain Program Special Provisions

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 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 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

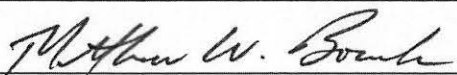
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name	Matthew W. Bowden	Title	Vice President, Environmental Affairs
Owner Company Name	Alabama Power Company		
Phone	(205) 257-4075	Email	G2MATTBOWDR@southernco.com
Signature			Date
			8/27/15

Certification (for certifying officials of units subject to the Acid Rain Program only)

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	Title		
Owner Company Name			
Phone	Email		
Signature			Date



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

June 16, 2016

MS SUSAN B COMENSKY
VICE PRESIDENT
ENVIRONMENTAL AFFAIRS
ALABAMA POWER COMPANY
600 NORTH 18TH STREET
BIRMINGHAM AL 35291

RE: Plant Gorgas
Air Facility No.: 414-0001

Dear Ms. Comensky:

On August 27, 2015, Alabama Power Company (APC) submitted to ADEM and the USEPA Retired Unit Exemption Forms, pursuant to Section 40 CFR Part 72.8, for Gorgas Units 6 and 7. Please note that as this submittal declared Gorgas Units 6 and 7 officially retired, the specific sections covering said units in Major Source Operating Permit No. 414-0001 are considered void.

It is further noted that APC has resubmitted a Title V renewal application that reflects only the sources at the plant that will remain operational.

If you have any questions regarding this matter, please contact Amy Graham at (334) 271-7867.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Gore", written over a horizontal line.

Ronald W. Gore, Chief
Air Division

RWG:AEG





Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402

May 16, 2016

Ms. Amy Graham
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

Dear Ms. Graham:

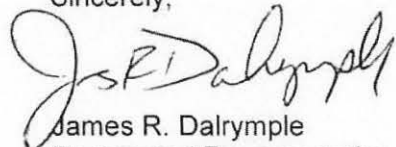
**TENNESSEE VALLEY AUTHORITY (TVA) – COLBERT FOSSIL PLANT (ORISPL 47) AND
WIDOWS CREEK FOSSIL PLANT (ORISPL 50) - RETIREMENT UNIT EXEMPTIONS**

Pursuant to Section 40 CFR Part 72.8, Units 1, 2, 3, 4, and 5 at TVA's Colbert Fossil Plant (47) were retired on April 30, 2016. Units 1-4 emitted via a common stack (CSC014); whereas, Unit 5 was a single stack.

Also, Units 7 and 8 at TVA's Widows Creek Fossil Plant (50) were retired on April 30, 2016.

If you have questions, please call Lisa Smallwood at (423) 751-6208 in Chattanooga, or email her at lcsmallwood@tva.gov.

Sincerely,



James R. Dalrymple
Designated Representative

cc: Mr. Dave McNeal
U.S. EPA Region IV
Air, Pesticides, and Toxics Management
Division
(#4 APT-AEB)
Monitor & Technical Support Section
Sam Nunn Federal Center
61 Forsyth Street, Southwest
Atlanta, Georgia 30303

Mr. Robert Miller
Clean Air Markets Division
U. S. EPA
1201 Constitution Ave., W
7th Floor, Room #7421F
Attention: Retired Unit Exemption
Washington, D.C. 20004

Ms. Amy Graham
Page 2
May 16, 2016

LCS:SMF

Enclosures

cc (Enclosures):

M. A. Albright, COL 1A-TSA
C. B. Cothron, BR 4A-C
A. M. Dawson, OSB 1A-BLN
B. S. Fowler, BR 4A-C
T. L. Gamble, PAF 1A-DRK
D. A. Hardy, LCP 1A-BVT
K. L. Mullinax, CUF 1A-CCT
V. K. Perkins, MPB 1C-M
R. T. Rich, WCB 1A-STA
C. G. Rodenhaber, CUF 1A-CCT
D. L. Spellman, BR 4A-C
J. T. Waddell, BR 4A-C
EDMS, WT CA-K

U:\titleiv\general\cems\AL Retirement Letter 051216 COF & WCF.docx



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Colbert	AL	47	1
Plant (Source) Name:	State:	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

April 30, 2016

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2017

Acid Rain Program Special Provisions

STEP 5

Read the appropriate special provisions.

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements are, or must be complied with, after the exemption takes effect.
- (4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

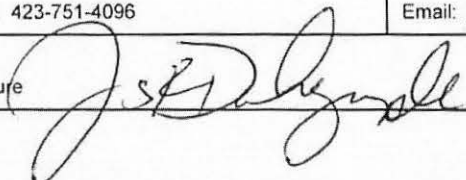
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name: James R. Dalrymple		Title: Senior Vice President, Power Operations	
Owner Company Name: Tennessee Valley Authority			
Phone: 423-751-4096		Email: jrdalrymple@tva.gov	
Signature 		Date 5/13/14	

Certification (for certifying officials of units subject to the Acid Rain Program only)

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		Title	
Owner Company Name			
Phone		Email	
Signature		Date	



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Colbert	AL	47	2
Plant (Source) Name:	State:	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

April 30, 2016

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2017

STEP 5

Read the appropriate special provisions.

Acid Rain Program Special Provisions

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements are, or must be complied with, after the exemption takes effect.
- (4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

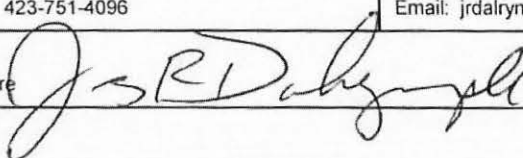
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name: James R. Dalrymple		Title: Senior Vice President, Power Operations	
Owner Company Name: Tennessee Valley Authority			
Phone: 423-751-4096		Email: jrdalrymple@tva.gov	
Signature 		Date 5/13/16	

Certification (for certifying officials of units subject to the Acid Rain Program only)

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		Title	
Owner Company Name			
Phone		Email	
Signature		Date	



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Colbert	AL	47	3
Plant (Source) Name:	State:	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

April 30, 2016

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2017

STEP 5

Read the appropriate special provisions.

Acid Rain Program Special Provisions

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements are, or must be complied with, after the exemption takes effect.
- (4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

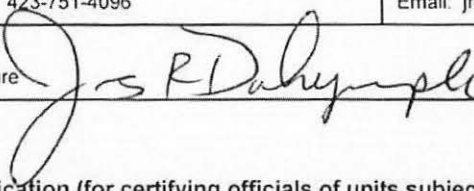
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name: James R. Dalrymple		Title: Senior Vice President, Power Operations	
Owner Company Name: Tennessee Valley Authority			
Phone: 423-751-4096		Email: jrdalrymple@tva.gov	
Signature 		Date 5/13/16	

Certification (for certifying officials of units subject to the Acid Rain Program only)

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		Title	
Owner Company Name			
Phone		Email	
Signature		Date	



Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1

Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Colbert	AL	47	4
Plant (Source) Name:	State:	ORIS/Plant Code	Unit ID#

STEP 2

Indicate the program(s) that the unit is subject to

- | | |
|--|---|
| <input checked="" type="checkbox"/> Acid Rain | <input checked="" type="checkbox"/> Transport Rule NO _x Annual |
| <input type="checkbox"/> CAIR NO _x Annual | <input checked="" type="checkbox"/> Transport Rule NO _x Ozone Season |
| <input type="checkbox"/> CAIR SO ₂ | <input checked="" type="checkbox"/> Transport Rule SO ₂ Annual |
| <input type="checkbox"/> CAIR NO _x Ozone Season | |

STEP 3

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

April 30, 2016

STEP 4

If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2017

STEP 5

Read the appropriate special provisions.

Acid Rain Program Special Provisions

- (1) A unit exempt under 40 CFR 72.8 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.
- (2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 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 40 CFR 72.8 shall comply with the requirements of 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 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 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 Administrator or the permitting authority. 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 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual 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.
- (5) A unit exempt under 40 CFR 96.105(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 permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO₂ Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. 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 96.205(a) shall comply with the requirements of the CAIR SO₂ 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 96.205(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 permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
- (5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
 - (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
 - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit 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 permit application for the unit.
- (6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
- (2) The Administrator or the permitting authority will allocate CAIR NO_x Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) 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 before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
- (4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of 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.
- (5) A unit exempt under 40 CFR 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 permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
- (6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption: (i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section; (ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit 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 permit application for the unit.
- (7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Annual Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.405 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual 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 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_x Ozone Season Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR 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 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 1 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.605 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO₂ Group 1 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 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO₂ Group 2 Trading Program Special Provisions

- (1) A unit exempt under 40 CFR 97.705 shall not emit any SO₂, starting on the date that the exemption takes effect.
- (2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 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 before the end of the period, in writing by the Administrator. 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 designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO₂ Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements are, or must be complied with, after the exemption takes effect.
- (4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6

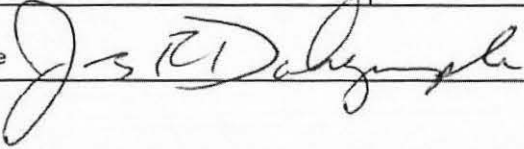
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance

I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the source and 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.

Name: James R. Dalrymple		Title: Senior Vice President, Power Operations	
Owner Company Name: Tennessee Valley Authority			
Phone: 423-751-4096		Email: jrdalrymple@tva.gov	
Signature 		Date 5/13/14	

Certification (for certifying officials of units subject to the Acid Rain Program only)

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		Title	
Owner Company Name			
Phone		Email	
Signature		Date	

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

June 16, 2016

MR JAMES R DALRYMPLE
SENIOR VICE PRESIDENT
POWER OPERATIONS
TENNESSEE VALLEY AUTHORITY
1101 MARKET STREET
LP 3K-C
CHATTANOOGA TN 37402-2801

RE: Colbert Fossil Plant
Air Facility No.: 701-0010

Dear Mr. Dalrymple:

On May 16, 2016, Tennessee Valley Authority (TVA) submitted to ADEM and the USEPA Retired Unit Exemption Forms, pursuant to Section 40 CFR Part 72.8, for Colbert Units 1, 2, 3, 4 and 5. Please note that as this submittal declared Colbert Units 1-5 officially retired, the specific sections covering said units in Major Source Operating Permit No. 710-0010 are considered void.

TVA should resubmit a Title V renewal application that reflects only the sources at the plant that will remain operational.

If you have any questions regarding this matter, please contact Amy Graham at (334) 271-7867.

Sincerely,

A handwritten signature in dark ink, appearing to be "RWG", written over a horizontal line.

Ronald W. Gore, Chief
Air Division

RWG:AEG

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)



Tennessee Valley Authority, 1101 Market Street, LP 3K-C, Chattanooga, TN 37402-2801

June 8, 2016

Mr. Ronald W. Gore, Chief
Air Division
Alabama Department of Environmental
Management (ADEM)
1400 Coliseum Blvd
Montgomery, Alabama 36130-1463

Dear Mr. Gore:

TENNESSEE VALLEY AUTHORITY (TVA) - REQUEST FOR TITLE V PERMIT
CANCELLATION - WIDOWS CREEK FOSSIL PLANT (WCF) - FACILITY NO. 705-0008

WCF permanently ended electricity generation on September 24, 2015. Because of this, TVA requests that ADEM cancel its Title V operating air permit.

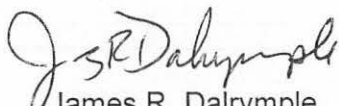
The only existing stationary sources that will continue to operate are three emergency diesel engines. One engine is a 99-horsepower emergency diesel generator associated with a wireless communication system. The other two engines are each 267 horsepower and operate water pumps for fire emergencies in the switch yard. Each of these engines is described in detail in a revision to our most recent Title V renewal application dated March 31, 2014. In addition to these existing sources, a 324-horsepower emergency diesel generator is planned to be installed in a new switch house later this fall.

There will be temporary construction activity related to coal ash and gypsum stack closures. These closure activities are expected to be completed near the end of 2018. Best management practices will be implemented to minimize fugitive dust emissions from these activities.

If you have any questions or comments concerning this request, please contact Jack Byars at (423) 751-2666, in Chattanooga, Tennessee.

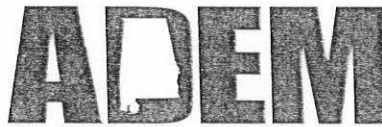
Based on the information and belief formed after reasonable inquiry, I certify that the statements and information in this submittal are true, accurate, and complete.

Sincerely,


James R. Dalrymple
Senior Vice President
Power Operations

JUN 2016
RECEIVED
ADEM
AIR DIVISION

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

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June 16, 2016

MR JAMES R DALRYMPLE
SENIOR VICE PRESIDENT
POWER OPERATIONS
TENNESSEE VALLEY AUTHORITY
1101 MARKET STREET
LP 3K-C
CHATTANOOGA TN 37402-2801

RE: Widows Creek Fossil Plant
Air Facility No.: 705-0008

Dear Mr. Dalrymple:

The Department has reviewed your June 8, 2016 letter, in which TVA states that electricity generation at the Widows Creek Fossil Plant (WCF) has permanently ceased as of September 24, 2015. Therefore, the Major Source Operating Permit No. 705-0008 is considered void. Please return TVA's signed copy of the permit to the Department.

If you have any questions regarding this matter, please contact Amy Graham at (334) 271-7867.

Sincerely,

A handwritten signature in dark ink, appearing to be "R. Gore", written over a horizontal line.

Ronald W. Gore, Chief
Air Division

Enclosure

RWG:AEG

Birmingham Branch
110 Vulcan Road
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(205) 942-6168
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