



# Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 97.405, 97.505, 97.605, 97.705, 97.805, and 97.905, or a comparable state regulation, as applicable.

This submission is:  New  Revised

## STEP 1

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

Plant (Source) Name	State	Plant Code	Unit ID#

## STEP 2

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

- |   |  |
|---|--|
| <input type="checkbox"/> Acid Rain                                  | <input type="checkbox"/> CSAPR SO <sub>2</sub> Group 1 |
| <input type="checkbox"/> CSAPR NO <sub>x</sub> Annual               | <input type="checkbox"/> CSAPR SO <sub>2</sub> Group 2 |
| <input type="checkbox"/> CSAPR NO <sub>x</sub> Ozone Season Group 1 | <input type="checkbox"/> Texas SO <sub>2</sub>         |
| <input type="checkbox"/> CSAPR NO <sub>x</sub> Ozone Season Group 2 |  |

## STEP 3

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

## 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).

Calendar year starting January 1, \_\_\_\_\_

## STEP 5 Read the applicable 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 parts 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 parts 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.

#### CSAPR NO<sub>x</sub> Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.405 shall not emit any NO<sub>x</sub>, 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 under 40 CFR 97.405 shall comply with the requirements of the CSAPR NO<sub>x</sub> 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 40 CFR part 97 subpart AAAAA, as a unit that commences commercial operation on the first date on which the unit resumes operation.

#### CSAPR NO<sub>x</sub> Ozone Season Group 1 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.505 shall not emit any NO<sub>x</sub>, 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 CSAPR NO<sub>x</sub> Ozone Season 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 97.505 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 40 CFR part 97 subpart BBBBB, as a unit that commences commercial operation on the first date on which the unit resumes operation.

#### CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.805 shall not emit any NO<sub>x</sub>, 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 97.805 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 97.805 shall comply with the requirements of the CSAPR NO<sub>x</sub> Ozone Season 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 97.805 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 40 CFR part 97 subpart EEEEE, as a unit that commences commercial operation on the first date on which the unit resumes operation.

#### CSAPR SO<sub>2</sub> Group 1 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.605 shall not emit any SO<sub>2</sub>, 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 CSAPR SO<sub>2</sub> 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 40 CFR part 97 subpart CCCCC, as a unit that commences commercial operation on the first date on which the unit resumes operation.

#### CSAPR SO<sub>2</sub> Group 2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.705 shall not emit any SO<sub>2</sub>, 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 CSAPR SO<sub>2</sub> 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 40 CFR part 97 subpart DDDDD, as a unit that commences commercial operation on the first date on which the unit resumes operation.

#### Texas SO<sub>2</sub> Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.905 shall not emit any SO<sub>2</sub>, 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 97.905 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 97.905 shall comply with the requirements of the Texas SO<sub>2</sub> 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 97.905 shall lose its exemption on the first date on which the unit resumes operation. A retired unit that resumes operation will not receive an allowance allocation under 40 CFR 97.911. The unit may receive allowances from the Supplemental Allowance Pool pursuant to 40 CFR 97.912. All other provisions of 40 CFR part 97 subpart FFFFF regarding monitoring, reporting, recordkeeping and compliance will apply on the first date on which the unit resumes operation.

**STEP 6** Read the statement of compliance and the applicable certification statements, 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 applicable Special Provisions listed at STEP 5.

**Certification by designated representatives or alternate designated representatives**

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	Title
Owner Company Name	
Email	Phone
Signature	Date

**Certification by certifying officials of units subject only to the Acid Rain Program for which no designated representative has been authorized**

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	
Email	Phone
Signature	Date



## Instructions for the Retired Unit Exemption Notice

Please type or print. If you have any questions regarding the submission of the Retired Unit Exemption notice, contact Craig Hillock at [hillock.craig@epa.gov](mailto:hillock.craig@epa.gov) or (202) 343-9105, or contact your local, State, or EPA Regional contact for the Acid Rain Program (ARP), Cross-State Air Pollution Rule (CSAPR), or Texas SO<sub>2</sub> Trading Program (TXSO<sub>2</sub>), as appropriate. You may also call EPA's Acid Rain Hotline at (202) 343-9620.

**Submission Deadline:** For units subject only to the ARP, submit the Retired Unit Exemption notice by December 31 of the first year the unit is to be exempt. For units subject to the CSAPR or TXSO<sub>2</sub> programs (including units also subject to the ARP), submit the Retired Unit Exemption notice no later than 30 days after the date the unit is permanently retired (i.e., within 30 days of the date entered at STEP 3).

**STEP 1** Enter the plant name and state where the unit is located, the Plant Code for the facility, and the Unit ID for the unit, consistent with the data listed on the most current Certificate of Representation for the facility. A Plant Code is a number assigned by the Department of Energy's (DOE) Energy Information Administration (EIA) to facilities that generate electricity. For older facilities, "Plant Code" is synonymous with "ORISPL" and "Facility" codes. If the facility generates electricity but no Plant Code has been assigned, or if there is uncertainty regarding what the Plant Code is, contact EIA at (202) 586-1029. For facilities that do not produce electricity, use the facility identifier assigned by EPA (beginning with "88"). If the facility does not produce electricity and has not been assigned a facility identifier, contact Craig Hillock at [hillock.craig@epa.gov](mailto:hillock.craig@epa.gov) or (202) 343-9105.

**STEP 2** Identify the programs to which the unit is subject.

**STEP 3** Enter the date on which the unit was (or will be) permanently retired.

**STEP 4** If the unit is subject to the ARP, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

**STEP 5** Read the applicable special provisions.

**STEP 6** Read the statement of compliance and the applicable certification statements, sign, and date. For units subject only to the ARP, if no designated representative has been authorized, a certifying official for each owner of the unit must read the certification at STEP 6 labeled "certifying officials of units subject only to the Acid Rain Program", enter his or her name, title, name of the owner company for which he or she is the certifying official, phone number, email address, and then sign and date. A certifying official is not required to submit a Certificate of Representation. If there is more than one owner of a unit for which no designated representative has been authorized, each owner of the unit must have a certifying official sign the appropriate certification at STEP 6.

Submit the original Retired Unit Exemption notice to the title V permitting authority for the facility, and a copy to EPA:

**For regular/certified mail:**

U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Mail Code 6204M  
Attention: Retired Unit Exemption  
Washington, DC 20460

**For overnight mail:**

U.S. Environmental Protection Agency  
1201 Constitution Ave. NW  
7th Floor, Room # 7421F  
Attention: Retired Unit Exemption  
Washington, DC 20004  
(202) 343-9105

## **Paperwork Burden Estimate**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control Nos. 2060-0258 and 2060-0667). Responses to this collection of information are mandatory (40 CFR 72.8, 97.405, 97.505, 97.605, 97.705, 97.805, and 97.905). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 3.5 hours per response annually. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.