



FOR APPLICANT'S USE	
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Application For Budget Permit For Non-Electrical Generating Units (Non-EGU)	FOR AGENCY USE ONLY
	ID NUMBER:
	PERMIT #:
	DATE:

This application form is to be used to request the budget permit required by the NOx trading program for non-electrical generating units (Non-EGU) subject to the provisions of 35 IAC Part 217, Subpart U. If a source is not a CAAPP source, this form may still be used in conjunction with other applicable state application forms to apply for a budget permit.

SECTION 1: SOURCE AND UNIT INFORMATION		
1) COMPANY NAME:		
2) PLANT OR FACILITY NAME:		
3) DATE FORM PREPARED: ___ / ___ / _____	4) SOURCE ID NO.:	5) ORIS / FACILITY CODE:

6) NON-ELECTRICAL GENERATING UNITS:		
UNIT DESIGNATION	UNIT DESCRIPTION	APPLICABILITY
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)
		<input type="checkbox"/> Existing Unit listed in 35 IAC Part 217, Appendix E <input type="checkbox"/> New Unit (Date commenced Operation: ___ / ___ / _____) <input type="checkbox"/> Opt-In Unit @ <input type="checkbox"/> Other Unit (Attach explanation of Applicability)

@ - Attach information demonstrating that the Criteria of 35 IAC 217.474 for Opt-In units are satisfied.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF AIR POLLUTION CONTROL -- PERMIT SECTION
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7) DETERMINATION OF NO_x EMISSIONS:	
List each budget unit that is not currently equipped with a "Part 75 Approved" continuous emissions monitoring system (CEMS) for NO _x	
(a) NO _x CEMS installed but not certified:	
1. _____	4. _____
2. _____	5. _____
3. _____	6. _____
(b) NO _x CEMS yet to be installed:	
1. _____	4. _____
2. _____	5. _____
3. _____	6. _____
(c) NO _x emissions to be determined by the alternative protocol for peaker units (40 CFR 75, subpart E):	
1. _____	4. _____
2. _____	5. _____
3. _____	6. _____
(d) NO _x emissions to be determined by the low mass emissions (LME) methodology (40 CFR 75.19):	
1. _____	4. _____
2. _____	5. _____
3. _____	6. _____
(e) NO _x emissions proposed to be determined by a source specific protocol approved by the Illinois EPA and USEPA in accordance with 35 IAC 217.456(c)(3)(B):	
1. _____	4. _____
2. _____	5. _____
3. _____	6. _____

8) CERTIFICATION:	
I am authorized to make this submission on behalf of the owners and operators of the NO _x Budget sources or NO _x Budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.	
NAME: _____	
SIGNATURE: _____	DATE: _____

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SECTION 2: COMPLIANCE REQUIREMENTS

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 217, Subpart U and 40 CFR 96, excluding 40 CFR 96.4(b), 96.55(c) and Subparts C, E, and I, as incorporated by reference in 35 IAC, Section 217.104. To the extent that 35 IAC Part 217, Subpart U contains provisions which are inconsistent with any provisions of 40 CFR 96, the owner or operator of budget units subject to 35 IAC Part 217, Subpart U shall comply with the provisions of the Subpart in lieu of those provisions which were incorporated by reference.

(b) BUDGET PERMIT REQUIREMENTS:

- 1) The owner or operator of each source with one or more budget units at the source subject to 35 IAC Part 217, Subpart U must submit a complete permit application for a budget permit in accordance with the provisions of 35 IAC 217.458(a)(4), (a)(5) or (a)(6), as applicable, to be issued by the Agency with federally enforceable conditions covering the NO_x Trading Program ("budget permit"), and that complies with the requirements of 35 IAC 217.458.
- 2) The owner or operator of one or more budget units subject to 35 IAC Part 217, Subpart U must operate each such budget unit in compliance with such budget permit or complete budget permit application, as applicable.
- 3) The owner or operator of one or more budget units subject to 35 IAC Part 217, Subpart U, at the time of filing an application for a budget permit under 35 IAC 217.456, must submit a complete application for either a permit incorporating a source-wide overdraft account (as such term is defined in 40 CFR 96.2), or a permit incorporating unit specific compliance accounts for each budget unit at the source subject to 35 IAC Part 217, Subpart U. This election is at the sole discretion of the owner or operator of the source and the Agency shall incorporate such election into the budget permit issued to the source. Note: The Agency will consider that the owner or operator of a source has elected for a source-wide overdraft account if the application does not request unit-specific compliance accounts for each of the budget units at a source.

(c) MONITORING REQUIREMENTS:

- 1) For budget units subject to the requirements of 35 IAC Part 217, Subpart U, and which commence operation on and after January 1, 2000, the owner or operator of each such budget unit at the source must comply with the monitoring requirements of 40 CFR 96, Subpart H. The account representative of each such budget unit at the source shall comply with those sections of the monitoring requirements of 40 CFR 96, Subpart H, applicable to an account representative.
- 2) The compliance of each budget unit subject to the requirements of 35 IAC 217.456 (c)(1) or (c)(3)(A) of Section 217.456 with the control period NO_x emissions limitation under 35 IAC 217.456 (d) shall be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, Subpart H.
- 3) For budget units which commenced operation prior to January 1, 2000:
 - A) The owner or operator of each such budget unit at the source must comply with the requirements of 40 CFR 96, Subpart H; or
 - B) If the monitoring requirements of 40 CFR 96, Subpart H, are demonstrated by the source to be technically infeasible as applied to a budget unit subject to the requirements of 35 IAC Part 217, Subpart U, the owner or operator of such budget unit may monitor by an alternative monitoring procedure for the budget unit approved by the Agency and the Administrator of USEPA pursuant to the provisions of 40 CFR 75, Subpart E. Such alternative monitoring procedures must be contained as federally enforceable conditions in the unit's permit.
- 4) The compliance of each budget unit subject to the requirements of 35 IAC 217.456(c)(3)(B) shall be determined by the emissions measurements recorded and reported in accordance with the federally enforceable conditions in the budget unit's permit addressing monitoring as required by 35 IAC 217.456(c)(3)(B).

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(d) ALLOWANCE REQUIREMENTS:

- 1) As of November 30 of each year, the allowance transfer deadline, the account representative of each source subject to the requirements of 35 IAC Part 217, Subpart U must hold allowances available for compliance deductions under 40 CFR 96.54 for each budget unit at the source subject to 35 IAC Part 217, Subpart U in the budget unit's compliance accounts, or the source's overdraft account. The number of allowances held in these accounts shall not be less than the total NO_x emissions for the control period (rounded to the nearest whole ton), as determined in accordance with Section 217.456(c), plus any number of allowances necessary to account for actual utilization (e.g., for testing, start-up, malfunction, and shut down) under 40 CFR 96.42(e) for all budget units at the source subject to 35 IAC Part 217, Subpart U. Compliance with this provision shall be demonstrated if, as of the allowance transfer deadline, the sum of the allowances available for compliance deductions for all budget units at the source subject to 35 IAC Part 217, Subpart U is equal to or greater than the total NO_x emissions (rounded to the nearest whole ton) from all budget units at the source subject to 35 IAC Part 217, Subpart U.
- 2) Allowances shall be held in, deducted from, or transferred among allowance accounts in accordance with 35 IAC Part 217, Subpart U and 40 CFR 96, Subparts F and G.
- 3) Each ton of NO_x emitted by a source with one or more budget units subject to 35 IAC Part 217, Subpart U in any control period in excess of the NO_x allowances held by the owner or operator for each budget unit at the source subject to 35 IAC Part 217, Subpart U for each control period shall constitute a separate violation of 35 IAC Part 217, Subpart U and the Act.
- 4) In order to comply with the requirements of subsection (d)(1) of the Section 217.456, an allowance may not be utilized for a control period in a year prior to the year for which the allowance was allocated.
- 5) An allowance allocated by the Agency or USEPA under the NO_x Trading Program is a limited authorization to emit one ton of NO_x. No provision of the NO_x Trading Program, any permit issued or permit application submitted pursuant to 35 IAC Part 217, Subpart U, or an exemption under 40 CFR 96.5 and no provision of law shall be construed to limit the authority of the United States or the State to terminate or limit this authorization.
- 6) An allowance allocated by the Agency or USEPA under the NO_x Trading Program or pursuant to 35 IAC Part 217, Subpart U does not constitute a property right.
- 7) Upon recordation by USEPA under 40 CFR 96, Subpart F or G, every allocation, transfer, or deduction of an allowance to or from a budget unit's compliance account or to or from the source's general or overdraft account where the budget unit is located is deemed to amend automatically and become a part of any budget permit of the budget unit. This automatic amendment of the budget permit shall occur by operation of law and will not require any further review.

(e) RECORDKEEPING AND REPORTING REQUIREMENTS:

- 1) Unless otherwise provided, the owner or operator of a source subject to the requirements of 35 IAC Part 217, Subpart U must keep at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(D) of Section 217.456 for a period of 5 years from the date the document is created. This period may be extended for cause at any time prior to the end of 5 years in writing by the Agency or USEPA.
 - A) The account certificate of representation for the account representative for the source and each budget unit at the source subject to the requirements of 35 IAC Part 217, Subpart U and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 40 CFR 96.13, provided that the certificate and such supporting documents must be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the account representative.
 - B) All emissions monitoring information, in accordance with subsection (c) of Section 217.456, provided that to the extent that 40 CFR 96, Subpart H, provides for a three-year period for recordkeeping, the three-year period shall apply.

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- C) Copies of all reports, compliance certifications, and other submissions and all records made or required under 35 IAC Part 217, Subpart U or the NO_x Trading Program or documents necessary to demonstrate compliance with the requirements of 35 IAC Part 217, Subpart U or the NO_x Trading Program.
- D) Copies of all documents used to complete a budget permit application and any other submission under 35 IAC Part 217, Subpart U or under the NO_x Trading Program.
- 2) The account representative of a source and each budget unit at the source subject to the requirements of 35 IAC Part 217, Subpart U must submit to the Agency and USEPA the reports and compliance certifications required under 35 IAC Part 217, Subpart U and the NO_x Trading Program, including those under 40 CFR 96, Subparts D and H.
- f) LIABILITY:
 - 1) No revision of a budget permit shall excuse any violation of the requirements of the NO_x Trading Program or 35 IAC Part 217, Subpart U that occurs prior to the date that the revision under such budget permit takes effect.
 - 2) Each budget source and each budget unit at the source shall meet the requirements of the NO_x Trading Program.
 - 3) Any provision of 35 IAC Part 217, Subpart U or the NO_x Trading Program that applies to a source subject to the requirements of 35 IAC Part 217, Subpart U (including a provision applicable to the account representative of the source) shall also apply to the owner and operator of such source and to the owner and operator of the budget units subject to the requirements of 35 IAC Part 217, Subpart U at the source.
 - 4) Any provision of 35 IAC Part 217, Subpart U or the NO_x Trading Program that applies to a budget unit subject to the requirements of 35 IAC Part 217, Subpart U (including a provision applicable to the account representative of such budget unit) shall also apply to the owner and operator of such budget unit. Except with regard to the requirements applicable to budget units with a common stack under 40 CFR 96, Subpart H, the owner and operator and the account representative of one budget unit shall not be liable for any violation by any other budget unit of which they are not an owner or operator or the account representative and that is located at a source of which they are not an owner or operator or the account representative.
 - 5) Excess emissions requirements: The account representative of a source that has excess emissions in any control period shall surrender the allowances as required for deduction under 40 CFR 96.54(d)(1).
 - 6) The owner or operator of a budget UNIT that has excess emissions in any control period shall pay any fine, penalty, or assessment or comply with any other remedy imposed under 40 CFR 96.54(d)(3) and the Act.
- g) EFFECT ON OTHER AUTHORITIES:

No provision of 35 IAC Part 217, Subpart U, the NO_x Trading Program, a budget permit application, a budget permit, or a retired budget unit exemption under 40 CFR 96.5 shall be construed as exempting or excluding the owner or operator and, to the extent applicable, the account representative of a source or budget unit from compliance with any other regulations promulgated under the CAA, the Act, an approved State implementation plan, or a federally enforceable permit.

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SECTION 3: SOURCES WITH OPT-IN UNITS

9) For each unit listed under item 6) of Section 1 of this application form that is an opt-in unit, re-enter the unit designation and description, and check appropriate box for Initial budget permit.

UNIT DESIGNATION	UNIT DESCRIPTION	INITIAL BUDGET PERMIT
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO

10) CERTIFICATION FOR SOURCES WITH OPT-IN UNITS	
I certify that each unit for which this permit application is submitted under 35 IAC 217.474 is not a budget unit under 35 IAC 217.454 and is not covered by a retired unit exemption that is in effect under 40 CFR 96.5.	
NAME: _____	
SIGNATURE: _____	DATE: _____

11) CERTIFICATION FOR SOURCES SUBMITTING AN INITIAL BUDGET OPT-IN PERMIT APPLICATION	
I certify that each unit for which this permit application is submitted under 35 IAC 217.474, and has documented heat input for more than 876 hours in the six months immediately preceding the submission of an application for an initial budget permit under 35 IAC 217.474(d).	
NAME: _____	
SIGNATURE: _____	DATE: _____

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