



FOR APPLICANT'S USE	
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<h2>Application For Budget Permit For Electrical Generating Units (EGU)</h2>	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 electrical generating units (EGU) subject to the provisions of 35 IAC Part 217, Subpart W. 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 EGU INFORMATION		
1) COMPANY NAME:		
2) PLANT OR FACILITY NAME:		
3) DATE FORM PREPARED: ___ / ___ / _____	4) SOURCE ID NO.:	5) ORIS / FACILITY CODE:

6) ELECTRICAL GENERATING UNITS:		
GENERATING UNIT / EGU DESIGNATION	EGU DESCRIPTION	APPLICABILITY
		<input type="checkbox"/> Existing EGU listed in 35 IAC Part 217, Appendix F <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 EGU listed in 35 IAC Part 217, Appendix F <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 EGU listed in 35 IAC Part 217, Appendix F <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 EGU listed in 35 IAC Part 217, Appendix F <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 EGU listed in 35 IAC Part 217, Appendix F <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 EGU listed in 35 IAC Part 217, Appendix F <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 217.774 for Opt-In units are satisfied.

The Illinois EPA is authorized to require, and you must disclose, the requested information on this form pursuant to Section 39.5 of the Environmental Protection Act ("Act") 415 ILCS 5/39.5. This information shall be provided using either this form or in an alternative manner at your discretion. Failure to disclose the information may result in your application being denied and/or penalties as provided for in the Act, 415 ILCS 5/42-45. This form has been approved by the Forms Management Center.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF AIR POLLUTION CONTROL -- PERMIT SECTION
 P.O. BOX 19506
 SPRINGFIELD, ILLINOIS 62794-9506

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

7) DETERMINATION OF NO _x EMISSIONS:		
List each EGU 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. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(b) NO _x CEMS yet to be installed:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(c) NO _x emissions to be determined by the alternative protocol for peaker units:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____

8) CERTIFICATION:	
<p>I am authorized to make this submission on behalf of the owners and operators of the NO_x Budget sources or NO_x Budget EGUs 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.</p>	
NAME: _____	
SIGNATURE: _____	DATE: _____

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SECTION 2: COMPLIANCE REQUIREMENTS

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 217, Subpart W and 40 CFR 96 (excluding 40 CFR 96.4(b), 96.55(c) and excluding 40 CFR 96, Subparts C, E, and I) as incorporated by reference in 35 IAC, Section 217.104.

(b) BUDGET PERMIT REQUIREMENTS:

- 1) The owner or operator of each source with one or more budget EGUs at the source subject to 35 IAC Part 217, Subpart W must apply for a permit issued by the Agency with federally enforceable conditions covering the NO_x Trading Program ("budget permit") that complies with the requirements of 35 IAC 217.758.
- 2) The owner or operator of each budget source and each budget EGU at the source subject to 35 IAC Part 217, Subpart W must operate the budget EGU in compliance with such budget permit.

(c) MONITORING REQUIREMENTS:

- 1) The owner or operator of each budget source and each budget EGU at the source must comply with the monitoring requirements of 40 CFR 96, Subpart H. The account representative of each budget source and each budget EGU at the source must 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 EGU with the budget emissions limitation under 35 IAC 217.756 (d) shall be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, Subpart H.

(d) NO_x REQUIREMENTS:

- 1) By November 30 of each year, the allowance transfer deadline, the account representative of each budget source and each budget EGU at the source shall hold allowances available for compliance deductions under 40 CFR 96.54 in the budget EGU's compliance account or the source's overdraft account. The number of allowances held shall not be less than the budget EGU's total tons of NO_x emissions for the control period, rounded to the nearest whole ton, as determined in accordance with 40 CFR 96, Subpart H, plus any number necessary to account for actual utilization (e.g., for testing, start-up, malfunction, and shut down) under 40 CFR 96.42(e) for the control period.
- 2) Each ton of NO_x emitted in excess of the number of NO_x allowances held by the owner or operator for each budget EGU for each control period shall constitute a separate violation of 35 IAC Part 217 and the Act.
- 3) A budget EGU shall be subject to the monitoring and NO_x requirements of 35 IAC Part 217.756(c)(1) and (d)(1) starting on the later of May 31, 2004, the date on which the EGU commences or the first day of the control season subsequent to the calendar year in which all of the other states subject to the provisions of the NO_x SIP call (63 Fed. Reg. 57355 (October 27, 1998)) that are located in USEPA Region V or that are contiguous to Illinois have adopted regulations to implement NO_x trading programs and other required reductions of NO_x emissions pursuant to the NO_x SIP call, and such regulations have received final approval by USEPA as part of the respective states' SIPs for Ozone, or a final FIP for Ozone promulgated by USEPA is effective. [415 ILCS 5/9.9(f)]
- 4) Allowances shall be held in, deducted from, or transferred among allowance accounts in accordance with 35 IAC Part 217, Subpart W and 40 CFR 96, Subparts F and G, and 35 IAC 217.774 through 217.782.
- 5) In order to comply with the requirements of 35 IAC 217.756(d)(1), an allowance may not be utilized for a control period in a year prior to the year for which the allowance was allocated.
- 6) 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 in accordance with NO_x Trading Program. No provision of the NO_x Trading Program, the budget permit application, the budget permit, or a retired unit 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.
- 7) An allowance allocated by the Agency or USEPA under the NO_x Trading Program does not constitute a property right.

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8) Upon recordation by USEPA under 40 CFR 96, Subpart F or G, or 35 IAC 217.782, every allocation, transfer, or deduction of an allowance to or from a budget EGU's compliance account or to or from the overdraft account of the budget source where the budget EGU is located is deemed to amend automatically and become a part of any budget permit of the budget EGU. This automatic amendment of the budget permit shall be deemed an operation of law and will not require any further review.

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

- 1) Unless otherwise provided, the owner or operator of the budget source and each budget EGU at the source shall keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(D) of Section 217.756 for a period of five years from the date the document is created. This period may be extended for cause at any time prior to the end of five years in writing by the Agency or USEPA.
 - A) The account certificate of representation for the account representative for the source and each budget EGU at the source 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 40 CFR 96, Subpart H, 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.
 - C) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Trading Program or documents necessary to demonstrate compliance with the requirements of the NO_x Trading Program or with the requirements of 35 IAC Part 217, Subpart W.
 - 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 budget source and each budget EGU at the source must submit to the Agency and USEPA the reports and compliance certifications required under the NO_x Trading Program, including those under 40 CFR 96, Subparts D and H, and 35 IAC 217.774, Subpart W.

f) LIABILITY:

- 1) No revision of a permit for a budget EGU shall excuse any violation of the requirements of the NO_x Trading Program that occurs prior to the date that the revision to such budget permit takes effect.
- 2) Each budget source and each budget EGU shall meet the requirements of the NO_x Trading Program.
- 3) Any provision of the NO_x Trading Program that applies to a budget source (including any provision applicable to the account representative of a budget source) shall also apply to the owner and operator of such budget source and to the owner and operator of each budget EGU at the source.
- 4) Any provision of the NO_x Trading Program that applies to a budget EGU (including a provision applicable to the account representative of a budget EGU) shall also apply to the owner and operator of such budget EGU. Except with regard to the requirements applicable to budget EGUs with a common stack under 40 CFR 96, Subpart H, the owner and operator and the account representative of one budget EGU shall not be liable for any violation by any other budget EGU of which they are not an owner or operator or the account representative.
- 5) The account representative of a budget EGU 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 EGU 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 the NO_x Trading Program, a budget permit application, a budget permit, a low-emitter 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 budget source or budget EGU, 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 EGU listed under item 6) of Section 1 of this application form that is an opt-in unit, re-enter the EGU designation and description, and check appropriate box for Initial budget Permit.

GENERATING UNIT / EGU DESIGNATION	EGU 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
		<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 EGU for which this permit application is submitted under 35 IAC 217.774 is not a budget EGU under 35 IAC 217.754 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 EGU for which this permit application is submitted under 35 IAC 217.774, 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 217.774(d).

NAME:

SIGNATURE:

DATE:

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