



FOR APPLICANT'S USE	
Revision #:	_____
Date:	____ / ____ / ____
Page	_____ of _____

<h2>Application For CAIR Permit For Electrical Generating Units (EGU)</h2>	FOR AGENCY USE ONLY
	ID NUMBER:
	PERMIT No.:
	DATE:

This application form is to be used to request the Clean Air Act Interstate Rule (CAIR) permit required by the CAIR SO₂ trading program, CAIR NO_x annual trading program, CAIR NO_x ozone season trading program for EGU subject to the provisions of 35 IAC Part 225, Subpart C, D, and E, respectively.

SECTION 1: SOURCE AND EGU INFORMATION		
1) COMPANY NAME:		
2) PLANT OR FACILITY NAME:		
3) SOURCE ID NO.:	4) ORIS FACILITY CODE:	
5) CONTACT NAME:	6) PHONE NO.:	7) E-MAIL ADDRESS:

8) ELECTRICAL GENERATING UNITS:		
GENERATING UNIT / EGU DESIGNATION	EGU DESCRIPTION	APPLICABILITY (Mark all applicable boxes)
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> <input type="checkbox"/> CAIR NO _x ozone season trading program

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.

APPLICATION PAGE _____

FOR APPLICANT'S USE

9) DETERMINATION OF SO₂ EMISSIONS:		
List each EGU that is not currently equipped with a "Part 75 Approved" continuous emissions monitoring system (CEMS) for SO ₂		
(a) EGUs for which SO ₂ CEMS installed but not certified:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(b) EGUs for which SO ₂ CEMS yet to be installed:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(c) EGUs for which SO ₂ emissions to be determined by the alternative protocol for peaker units:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____

10) 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) EGUs for which NO _x CEMS installed but not certified:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(b) EGUs for which NO _x CEMS yet to be installed:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(c) EGUs for which NO _x emissions to be determined by the alternative protocol for peaker units:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____

11) CERTIFICATION:	
(a) Has a complete Certificate of Representation for the designated representatives for the source been submitted to USEPA, with a copy provided to the Illinois EPA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
(b) I am authorized to make this submission on behalf of the owners and operators of the source or 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 (Designated Representative):	
SIGNATURE (Designated Representative):	DATE:

APPLICATION PAGE _____

FOR APPLICANT'S USE

SECTION 2: CAIR SO₂ TRADING PROGRAM
COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.310

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart C and 40 CFR 96, subpart AAA (excluding 40 CFR 96.204, and 96.206), subpart BBB, subpart FFF, subpart GGG and subpart HHH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

- 1) The owner or operator of each source with one or more CAIR SO₂ units at the source subject to 35 IAC Part 225, Subpart C must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR SO₂ Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.320.
- 2) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source subject to 35 IAC Part 225, Subpart C must operate the CAIR SO₂ unit in compliance with such CAIR permit.

(c) MONITORING REQUIREMENTS:

- 1) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHH. The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the CAIR SO₂ source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHH, applicable to the CAIR designated representative.
- 2) The compliance of each CAIR SO₂ source with the emissions limitation pursuant to 35 IAC 225.310(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHH and 40 CFR 75.

(d) EMISSION REQUIREMENTS:

- 1) By the allowance transfer deadline, midnight of March 1, 2011, and by midnight of March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must hold a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions pursuant to 40 CFR 96.254(a) and (b) in the CAIR SO₂ source's CAIR SO₂ compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held on the allowance transfer deadline may not be less than the total tonnage equivalent of the tons of SO₂ emissions for the control period from all CAIR SO₂ units at the CAIR SO₂ source, as determined in accordance with 40 CFR 96, subpart HHH.
- 2) Each ton of excess emissions of SO₂ emitted by a CAIR SO₂ source for each day of control period, starting in 2010 will constitute a separate violation of 35 IAC Part 225, Subpart C, the Clean Air Act, and the Act.
- 3) Each CAIR SO₂ unit will be subject to the requirements of 35 IAC 225.310(d)(1) for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
- 4) CAIR SO₂ allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart C, and 40 CFR 96, subparts FFF and GGG.
- 5) In order to comply with the requirements of 35 IAC 225.310(d)(1), a CAIR SO₂ allowance may not be deducted for compliance according to 35 IAC 225.310(d)(1) for a control period in a calendar year before the year for which the allowance is allocated.
- 6) A CAIR SO₂ allowance is a limited authorization to emit SO₂ in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.205, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.
- 7) A CAIR SO₂ allowance does not constitute a property right.
- 8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FFF or subpart GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR SO₂ source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

APPLICATION PAGE _____

FOR APPLICANT'S USE

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

- 1) Unless otherwise provided, the owner or operator of the CAIR SO₂ source and each CAIR SO₂ unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(D) of 35 IAC 225.310 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 certificate of representation for the CAIR designated representative for the source and each CAIR SO₂ unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.213, changing the CAIR designated representative.
 - B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HHH.
 - C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR SO₂ Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program or with the requirements of 35 IAC Part 225, Subpart C.
 - D) Copies of all documents used to complete a CAIR permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR SO₂ Trading Program.
- 2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR SO₂ Trading Program, including those pursuant to 40 CFR 96, subpart HHH.

f) LIABILITY:

- 1) No revision of a permit for a CAIR SO₂ unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart C or the requirements of the CAIR SO₂ Trading Program.
- 2) Each CAIR SO₂ source and each CAIR SO₂ unit must meet the requirements of the CAIR SO₂ Trading Program.
- 3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source (including any provision applicable to the CAIR designated representative of a CAIR SO₂ source) will also apply to the owner and operator of the CAIR SO₂ source and to the owner and operator of each CAIR SO₂ unit at the source.
- 4) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit (including any provision applicable to the CAIR designated representative of a CAIR SO₂ unit) will also apply to the owner and operator of the CAIR SO₂ unit.
- 5) The CAIR designated representative of a CAIR SO₂ unit that has excess SO₂ emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.254(d)(1).
- 6) The owner or operator of a CAIR SO₂ unit that has excess SO₂ emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.254(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR SO₂ Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.205 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR SO₂ source or a CAIR SO₂ unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

APPLICATION PAGE _____

FOR APPLICANT'S USE

**SECTION 3: CAIR NO_x ANNUAL TRADING PROGRAM
COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.410**

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart D and 40 CFR 96, subpart AA (excluding 40 CFR 96.104, 96.105(b)(2), and 96.106), subpart BB, subpart FF, subpart GG and subpart HH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

- 1) The designated representative of each source with one or more CAIR NO_x units at the source subject to 35 IAC Part 225, Subpart D must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Annual Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.420.
- 2) The owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must operate the CAIR NO_x unit in compliance with its CAIR permit.

(c) MONITORING REQUIREMENTS:

- 1) The owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HH and 35 IAC 225.450. The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the CAIR NO_x source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HH, applicable to a CAIR designated representative.
- 2) The compliance of each CAIR NO_x source with the emissions limitation pursuant to 35 IAC 225.410(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HH.

(d) EMISSION REQUIREMENTS:

- 1) By the allowance transfer deadline, midnight of March 1, 2010, and by midnight of March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must hold CAIR NO_x allowances available for compliance deductions pursuant to 40 CFR 96.154(a) in the CAIR NO_x source's CAIR NO_x compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held on the allowance transfer deadline may not be less than the tons of NO_x emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with 40 CFR 96, subpart HH.
- 2) Each ton of excess emissions of a CAIR NO_x source for each day in a control period, starting in 2009 will constitute a separate violation of 35 IAC Part 225, Subpart D, the Act, and the CAA.
- 3) Each CAIR NO_x unit will be subject to the requirements 35 IAC 225.410(d)(1) for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.170(b)(1) or (b)(2) and for each control period thereafter.
- 4) CAIR NO_x allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart D, and 40 CFR 96, subparts FF and GG.
- 5) In order to comply with the requirements of 35 IAC 225.410(d)(1), a CAIR NO_x allowance may not be deducted for compliance according to 35 IAC 225.410(d)(1) for a control period in a year before the calendar year for which the allowance is allocated.
- 6) A CAIR NO_x allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Trading Program. No provision of the CAIR NO_x Trading Program, the CAIR NO_x permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.105, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.
- 7) A CAIR NO_x allowance does not constitute a property right.
- 8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FF or subpart GG, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is deemed to amend automatically, and become a part of, any CAIR NO_x permit of the CAIR NO_x source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

APPLICATION PAGE _____

FOR APPLICANT'S USE

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

- 1) Unless otherwise provided, the owner or operator of the CAIR NO_x source and each CAIR NO_x unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(E) of 35 IAC 225.410 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 certificate of representation for the CAIR designated representative for the source and each CAIR NO_x unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.113, changing the CAIR designated representative.
 - B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HH.
 - C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR NO_x Annual Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program or with the requirements of 35 IAC Part 225, Subpart D.
 - D) Copies of all documents used to complete a CAIR NO_x permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR NO_x Annual Trading Program.
 - E) Copies of all records and logs for gross electrical output and useful thermal energy required by 35 IAC 225.450.
- 2) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR NO_x Annual Trading Program, including those pursuant to 40 CFR 96, subpart HH.

f) LIABILITY:

- 1) No revision of a permit for a CAIR NO_x unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart D or the requirements of the CAIR NO_x Annual Trading Program.
- 2) Each CAIR NO_x source and each CAIR NO_x unit must meet the requirements of the CAIR NO_x Annual Trading Program.
- 3) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source (including any provision applicable to the CAIR designated representative of a CAIR NO_x source) will also apply to the owner and operator of the CAIR NO_x source and to the owner and operator of each CAIR NO_x unit at the source.
- 4) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x unit (including any provision applicable to the CAIR designated representative of a CAIR NO_x unit) will also apply to the owner and operator of the CAIR NO_x unit.
- 5) The CAIR designated representative of a CAIR NO_x unit that has excess NO_x emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.154(d)(1).
- 6) The owner or operator of a CAIR NO_x unit that has excess NO_x emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.154(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR NO_x Annual Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.105 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR NO_x source or a CAIR NO_x unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

APPLICATION PAGE _____

FOR APPLICANT'S USE

**SECTION 4: CAIR NO_x OZONE SEASON TRADING PROGRAM
COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.510**

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart E and 40 CFR 96, subpart AAAA (excluding 40 CFR 96.304, 96.305(b)(2), and 96.306), subpart BBBB, subpart FFFF, subpart GGGG and subpart HHHH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

- 1) The designated representative of each source with one or more CAIR NO_x Ozone Season units at the source subject to 35 IAC Part 225, Subpart E must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Ozone Season Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.520.
- 2) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must operate the CAIR NO_x Ozone Season unit in compliance with its CAIR permit.

(c) MONITORING REQUIREMENTS:

- 1) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHHH, 40 CFR 75 and 35 IAC 225.550. The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHHH, applicable to a CAIR designated representative.
- 2) The compliance of each CAIR NO_x Ozone Season source with the CAIR NO_x Ozone Season emissions limitation pursuant to 35 IAC 225.510(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHHH.

(d) EMISSION REQUIREMENTS:

- 1) By the allowance transfer deadline, midnight of November 30, 2009, and by midnight of November 30 of each subsequent year if November 30 is a business day, the owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must hold CAIR NO_x allowances available for compliance deductions pursuant to 40 CFR 96.354(a) in the CAIR NO_x Ozone Season source's compliance account. If November 30 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held may not be less than the tons of NO_x emissions for the control period from all CAIR NO_x Ozone Season units at the CAIR NO_x Ozone Season source, as determined in accordance with 40 CFR 96, subpart HHHH.
- 2) Each ton of excess emissions of a CAIR NO_x Ozone Season source for each day in a control period, starting in 2009 will constitute a separate violation of 35 IAC Part 225, Subpart E, the Act, and the CAA.
- 3) Each CAIR NO_x Ozone Season unit will be subject to the requirements 35 IAC 225.510(d)(1) for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.370(b)(1), (b)(2) or (b)(3) and for each control period thereafter.
- 4) CAIR NO_x Ozone Season allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart E, and 40 CFR 96, subparts FFFF and GGGG.
- 5) In order to comply with the requirements of 35 IAC 225.510(d)(1), a CAIR NO_x Ozone Season allowance may not be deducted for compliance according to 35 IAC 225.510(d)(1) for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance is allocated.
- 6) A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.305, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.
- 7) A CAIR NO_x Ozone Season allowance does not constitute a property right.

APPLICATION PAGE _____

FOR APPLICANT'S USE

- 8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR NO_x Ozone Season source. This automatic amendment of the CAIR permit will 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 CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(E) of 35 IAC 225.510 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 certificate of representation for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.313, changing the CAIR designated representative.
- B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HHHH.
- C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR NO_x Ozone Season Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program or with the requirements of 35 IAC Part 225, Subpart E.
- D) Copies of all documents used to complete a CAIR permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR NO_x Ozone Season Trading Program.
- E) Copies of all records and logs for gross electrical output and useful thermal energy required by 35 IAC 225.550.
- 2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR NO_x Ozone Season Trading Program, including those pursuant to 40 CFR 96, subpart HHHH and 35 IAC 225.550.

f) LIABILITY:

- 1) No revision of a permit for a CAIR NO_x Ozone Season unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart E or the requirements of the CAIR NO_x Ozone Season Trading Program.
- 2) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit must meet the requirements of the CAIR NO_x Ozone Season Trading Program.
- 3) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source (including any provision applicable to the CAIR designated representative of a CAIR NO_x Ozone Season source) will also apply to the owner and operator of the CAIR NO_x Ozone Season source and to the owner and operator of each CAIR NO_x Ozone Season unit at the source.
- 4) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season unit (including any provision applicable to the CAIR designated representative of a CAIR NO_x Ozone Season unit) will also apply to the owner and operator of the CAIR NO_x Ozone Season unit.
- 5) The CAIR designated representative of a CAIR NO_x Ozone Season unit that has excess emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.354(d)(1).
- 6) The owner or operator of a CAIR NO_x Ozone Season unit that has excess NO_x emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.354(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR NO_x Ozone Season Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.305 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR NO_x Ozone Season source or a CAIR NO_x Ozone Season unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

APPLICATION PAGE _____

FOR APPLICANT'S USE