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JUL 27 2010

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AIR REGULATION

July 20<sup>th</sup>, 2010

Mr. David McNeal  
USEPA, Region 4  
Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-3104

**Re: Submittal of Retired Unit Exemption  
FPL Cape Canaveral Unit 1  
ORIS Code 609  
Unit ID PCC1**

Dear Mr. McNeal:

Attached is a Retired Unit Exemption Form (40 CFR 72.8) for the above referenced PCC1 which is submitted for your approval. This unit was taken out of service in July of 2010. I am therefore submitting the attached for your record files.

If further information is desired please contact me via telephone at 561-691-2287 or Elisa Ostertag at 561-691-2341.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheila M. Wilkinson", written over a horizontal line.

Sheila M. Wilkinson  
Designated Representative  
Florida Power & Light

Attachment

Cc: Trina Vielhauer, Bureau of Air Regulation FDEP  
USEPA, Clean Air Markets Division  
Tammy Pratt, Cape Canaveral Environmental Specialist  
File



# Retired Unit Exemption

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

This submission is:  New  Revised

**STEP 1**

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

Facility (Source) Name <b>CAPE CANAVERAL</b>	State <b>FL</b>	ORIS/Plant Code <b>000609</b>	Unit ID# <b>PCC1</b>
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**STEP 2**

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

- ~ Acid Rain
- ~ CAIR NO<sub>x</sub> Annual
- ~ CAIR SO<sub>2</sub>
- ~ CAIR NO<sub>x</sub> Ozone Season

**STEP 3**

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

JULY 1, 2010

**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, 2011

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**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.

Plant Name (from STEP 1) CAPE CANAVERAL

### CAIR NO<sub>x</sub> 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<sub>x</sub> 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<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.
- (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 SO<sub>2</sub> 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 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 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.

Plant Name (from STEP 1) CAPE CANAVERAL

### CAIR NO<sub>x</sub> 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 permitting authority will allocate CAIR NO<sub>x</sub> 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<sub>x</sub> 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 40 CFR 96.322 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 40 CFR 96.305(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 96.305(b)(5);
  - (ii) The date on which the CAIR designated representative is required under 40 CFR 96.305(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 HHHH, a unit that loses its exemption under 40 CFR 96.305(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Plant Name (from STEP 1) CAPE CANAVERAL
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**STEP 6**

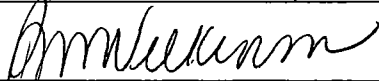
Read the statement of compliance and the appropriate certification statements and sign and date.

**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 or CAIR designated representatives or alternate Acid Rain or CAIR 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 SHEILA M. WILKINSON		Title DESIGNATED REPRESENTATIVE	
Owner Company Name FLORIDA POWER & LIGHT			
Phone 561-691-2287		Email sheila.m.wilkinson@fpl.com	
Signature 		Date 7/20/10	

**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	