0330045

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

Division of Air Resources Management

AUG 16 1993

RECEIVED
AUG 19 1993

4APT-AE

Mr. Earl B. Parson, Jr.
Designated Representative
Gulf Power Company
P.O. Box 1151
Pensacola, Florida 32520-0100

Dear Mr. Parson:

I am writing to send you important information regarding the Acid Rain Program. Based on review of Phase I permit applications, a petition for reconsideration, and issues raised in litigation challenging the January 11, 1993, Acid Rain Program rules (40 C.F.R. 72, et al.), the U.S. Environmental Protection Agency (EPA) is planning to revise the substitution and reduced utilization provisions of the rules. A notice proposing revision will appear in the Federal Register in the near future. The enclosed fact sheet and draft press advisory provide more information about this decision and its effects.

Additionally, on July 16, 1993, EPA published in the Federal Register a notice for the issuance of several draft Acid Rain permits. Many of the published draft permits contained substitution plans and/or reduced utilization plans with compensating units. EPA explained in the notice that the substitution plans and reduced utilization plans with compensating units would only be approved for 1995. In order to be eligible for the one year approval, the substitution or reduced utilization plan had to be consistent with the January 11, 1993, Acid Rain Program rules, had to be submitted before July 16, 1993, and could not be revised on or after July 16, 1993, in order to add units. EPA is deferring action on such plans for 1996 through 1999. Plans submitted or revised on or after July 16, 1993, will not receive the one-year approval and action on them will be deferred for 1995 through 1999. After completion of the planned rulemaking proceeding, action will be taken on any plans or portions of plans that EPA has deferred action on.

If you have any questions or comments, please contact Kevin Taylor or me at (404) 347-5014.

Sincerely,

Brian L. Beals, Chief
Source Evaluation Unit
Air Enforcement Branch
Air, Pesticides, and Toxics
Management Division

Enclosures

cc: Thomas Cascio, FDER
James Vick, Gulf Power Co.
Dwain Waters, Gulf Power Co.
Danny Herrin, Southern Company Services, Inc.

Avon Lake in Ohio: 33,413 Table 1 allowances in each year 1995–1999 to unit 12; 12,771 Table 1 allowances in each year 1995–1999 to unit 11; 9,849 substitution allowances in 1995 to unit 9; 8,648 substitution allowances in 1995 to unit 10; two conditional substitution plans for 1995, one for each substitution unit, in which unit 12 designates units 9 and 10 as substitution units; two conditional reduced utilization plans, for units 9 and 10, that rely on energy conservation and improved unit efficiency measures, and sulfur-free generation; a reduced utilization plan for unit 12 that relies on energy conservation and improved unit efficiency measures, and sulfur-free generation; and a reduced utilization plan for unit 11 that relies on energy conservation measures and sulfur-free generation. The designated representative is Fred J. Lange, Jr.

Addresses

The administrative records for each plant may be viewed during normal operating hours at the following locations:

Region 1

For plants in Massachusetts and New Hampshire: EPA Region 1, JFK Federal Bldg., One Congress St., Boston, MA 02203.

Region 5

For plants in Indiana: EPA Region 5, Ralph H. Metcalfe Federal Bldg., room 1822, 77 West Jackson Blvd., Chicago, IL 60604.

For plants in Michigan and Ohio: EPA Region 5, Ralph H. Metcalfe Federal Bldg., 17th Floor, 77 West Jackson Blvd., Chicago, IL 60604.

Dated: July 26, 1993.

Brian McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–18230 Filed 7–29–93; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4685–7]

Draft Acid Rain Permits Public Comment Period; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction.

SUMMARY: In notice document 93–16898 beginning on page 38370 in the issue of Friday, July 16, 1993, make the following correction:

On page 38373, in the second column, in lines 14 and 15 of the first full paragraph, Conesville unit 3 should not be listed as a transfer unit for Gibson in Indiana.

On page 38374, in the second column, in line 13 of the third full parsgraph, the word "and" should be deleted. In the second to the last line of the same paragraph, after the word "unit" and before the period, a semicolon and the following phrase should be added: and a conditional reduced utilization plan for 1995–1999 for unit 1 that relies on energy conservation measures.

On page 38374, in the third column, lines 14 and 15 of the first full paragraph should read "unit 1, Muskingum River units 1, 2, 3, and 4, Picway unit 9, and".

On page 38375, in the first column, in line 7 of the first full paragraph, after the word "units", the following phrase should be added: "a Phase I extension plan in which unit 9 is a transfer unit for Gen J M Gavin units 1 and 2;".

Comments on the draft permits for Cardinal in Ohio, Gen J M Gavin in Ohio, and Picway in Ohio must be received no later than 30 days after the date of this notice or the publication date of the notice of these draft permits in local newspapers.

Dated: July 26, 1993.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–18229 Filed 7–29–93; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4685–3]

Request for Suggestions of Candidates for Membership on the National Advisory Council for Environmental Policy and Technology

SUMMARY: The U.S. Environmental Protection Agency (EPA) hereby requests suggestions of candidates for membership on the National Advisory Council for Environmental Policy and Technology (NACEPT), an Advisory Council to EPA's Administrator established under the Federal Advisory Committee Act (FACA), as amended (Public Law 92–463, 5 U.S.C., App.). The Advisory Council provides advice and counsel to the Administrator on broad, cross-cutting domestic and international environmental policy and technology issues. The membership of the Advisory Council is comprised of senior officials drawn from business and industry; Federal, State and local government organizations; academic, education and training institutions; Non-governmental associations, environmental, trade and labor organizations and public interest groups.

DATES: Submit suggestions of candidates no later than August 30, 1993. Any interested person or organization may submit the names of qualified persons. Suggested candidates should be identified by name, occupation, position, organization, address and telephone number. Candidates must submit a resume of their background, experience and other relevant information.

ADDRESSES: Submit suggestion for candidates to: Office of Cooperative Environmental Management (A–101 F6), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, Attn: Abby J. Pirnie.

FOR FURTHER INFORMATION CONTACT: Abby J. Pirnie or Gordon Schisler at the above address or call 202–260–7567. The Agency will not formally acknowledge or respond to suggestions.

SUPPLEMENTARY INFORMATION: Copies of the Advisory Council Charter, current membership list and annual report are available upon request. The Advisory Council provides advice, consultation and makes recommendations on a continuing basis to the Administrator. The Council is focusing on improving domestic and global environmental protection with sustainable development as a primary theme. The Council is also involved in advancing innovative pollution control technology and pollution prevention activities; cooperative, mutually supportive partnerships and increasing communication among all levels of government, the business community, industry and the academic institutions to improve the effectiveness of Federal and non-Federal resources directed at solving environmental problems. NACEPT conducts meetings, analyzes problems, presents findings and makes recommendations and performs other necessary activities at the Administrator's request. The Advisory Council is constituted into the following standing committees: Policy Integration, Technology Innovation and Economics, State and Local Environment, Superfund Evaluation, Trade and Environment, Environmental Information and Assessments. Each member sits on at least one committee. The Advisory Council meets at least annually and standing committees meet as necessary. Members are appointed as representatives of non-federal interests. No honoraria or salaries are provided for members of the Advisory Council. Compensation for travel and per diem expenses while attending meetings may

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

PHASE I ACID RAIN PERMIT

Issued to: Gulf Power Company-Crist Electric Generating Plant
Operated by: Gulf Power Company
Effective: January 1, 1995 to December 31, 1999

The Acid Rain Permit comprises the following:

1. The statement of basis prepared by EPA containing:

   Part A, with references to statutory and regulatory authorities, and comments, notes and justifications that apply to the source in general; and

   Part B, for each unit at this source:
   - a table of SO_2 allowances to be allocated under this permit during Phase I, and
   - comments, notes and justifications regarding permit decisions and changes made to the permit application during the review process, and any additional requirements.

2. The permit application that this source submitted, as corrected by EPA. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

Draft Permit Approval: _____ _____
Signature *Date*

Final Permit Approval: _____ _____
Signature *Date*

Winston A. Smith
Director, Air, Pesticides and Toxics Management Division
U.S. Environmental Protection Agency, Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365
Telephone: (404) 347-3043 Facsimile: (404) 347-5207

Plant Name: Crist Electric Generating Plant
State: Mississippi
ORIS Code: 0641

Statutory and Regulatory Authorities. In accordance with Title IV of the Clean Air Act Amendments of 1990, the U. S. Environmental Protection Agency issues this permit pursuant to 40 CFR part 72, subparts E and F.

Comments, notes and justifications that apply to the source in general:

Due to a typographical error on the Phase I Permit Application form, the reference on the Phase I Permit Application form at Step 2, "Hold allowances in accordance with 40 CFR 72.9(d)(1)," has been changed to "Hold allowances in accordance with 40 CFR 72.9(c)(1)."

KEVIN I. TAYLOR		
Permit Reviewer	*Signature*	*Date*
BEVERLY A. SPAGG		
Regional Manager	*Signature*	*Date*

Plant Name: Crist Electric Generating Plant
State: Florida
ORIS Code: 0641
Boiler ID#: 0006

Phase I SO_2 Allowance Allocation

	1995	1996	1997	1998	1999
Table 1 *40 CFR 73.10*	18,695	18,695	18,695	18,695	18,695
Phase I Extension *40 CFR 72.42*	*6,570	*6,570	0	0	0
Substitution *40 CFR 72.41*	N/A	N/A	N/A	N/A	N/A
Reduced Utilization *40 CFR 72.43*	N/A	N/A	N/A	N/A	N/A

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:

See changes made to the Permit Application form on Statement of Basis, page 2.

Pursuant to 40 CFR 72.42 and the ranking of Phase I Extension Early Ranking applications determined by lottery on March 31, 1993, the Phase I Extension plan for Indianapolis Power and Light Company-Petersburg, naming this unit as a transfer unit, has not been approved. It was not approved because unallocated allowances did not remain in the Phase I Extension reserve at the time EPA acted on this plan.

* If Phase I Extension reserve allowances become available in the future, this application is eligible to receive the allocations specified above by administrative amendment to this permit if the Phase I Extension plan continues to meet the requirements of 40 CFR 72.42. Pursuant to 40 CFR 72.42 and the attached Phase I Extension Early Ranking application forms, this unit would have an Acid Rain emissions reduction requirement limiting SO_2 emissions to a maximum of 33,194 tons per year for 1997, 1998, and 1999. Corrections were made to the Phase I Extension application at steps 8, 36, and 39 pursuant to a letter from the designated representative, dated March 30, 1993. The corrections did not affect the number of allowances for which this unit would be eligible. (Continued on page 4)

KEVIN I. TAYLOR

Permit Reviewer | *Signature* | *Date*

BEVERLY A. SPAGG

Regional Manager | *Signature* | *Date*

Plant Name: Crist Electric Generating Plant
State: Florida
ORIS Code: 0641
Boiler ID#: 0006

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:

* If Phase I Extension allowances became available for this unit prior to January 1, 1995, this unit will also receive an extension of the deadline for compliance with regulations implementing Section 407 of the Clean Air Act (nitrogen oxides).

KEVIN I. TAYLOR		
Permit Reviewer	*Signature*	*Date*
BEVERLY A. SPAGG		
Regional Manager	*Signature*	*Date*

Plant Name: Crist Electric Generating Plant
State: Florida
ORIS Code: 0641
Boiler ID#: 0007

Phase I SO_2 Allowance Allocation

	1995	1996	1997	1998	1999
Table 1 *40 CFR 73.10*	30,846	30,846	30,846	30,846	30,846
Phase I Extension *40 CFR 72.42*	19,857	19,857	0	0	0
Substitution *40 CFR 72.41*	N/A	N/A	N/A	N/A	N/A
Reduced Utilization *40 CFR 72.43*	N/A	N/A	N/A	N/A	N/A

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:

See changes made to the Permit Application form on Statement of Basis, page 2.

Pursuant to 40 CFR 72.42 and the ranking of Phase I Extension Early Ranking applications determined by lottery on March 31, 1993, the Phase I Extension plan for Virginia Electric & Power Company-Mount Storm, naming this unit as a transfer unit, has been approved. Pursuant to 40 CFR 72.42 and the attached Phase I Extension Early Ranking application forms, this unit has an Acid Rain emissions reduction requirement limiting SO_2 emissions to a maximum of 48,702 tons per year for 1997, 1998, and 1999. The Phase I Extension Early Ranking forms were modified to correct rounding errors at steps 35, 38, and 41 pursuant to a letter from the designated representative, dated March 11, 1993. This unit has also been granted an extension, until January 1, 1997, of the deadline for compliance with regulations implementing Section 407 of the Clean Air Act (nitrogen oxides).

KEVIN I. TAYLOR

Permit Reviewer *Signature* *Date*

BEVERLY A. SPAGG

Regional Manager *Signature* *Date*

FACSIMILE TRANSMISSION COVER SHEET

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IV - ATLANTA, GA
345 COURTLAND STREET, NE
ATLANTA, GA 30365

AIR, PESTICIDES & TOXICS MANAGEMENT DIVISION
AIR ENFORCEMENT BRANCH
SOURCE EVALUATION & ASBESTOS SECTION

TELEPHONE: (404) 347-5014 FAX: (404) [illegible]

DATE: 7/28/93 TOTAL NUMBER OF PAGES:

TO: Tom Cascio

ORGANIZATION: EDER

FAX: 914/922-6977 PHONE: 914/[illegible]

REMARKS:

Tom, Sorry for the delay. If you have any questions, please give me a call.

FROM: Kelly T. Taylor

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258
Expires 3-30-93

EPA Phase I Extension Early Ranking

received
2/16/93

For more information, see instructions and refer to 40 CFR 72.42

This submission is: [X] New [ ] Revised

Page 1 of 1

STEP 1
Identify the control units' source by plant name and State from NADB

Plant Name	State
PETERSBURG	IN

STEP 2
Identify each control unit by boiler ID# from NADB. For Type, enter T1 for Table 1 unit, S for substitution unit or C for compensating unit. Enter date when qualifying Phase I technology will commence operation

Control Units

	Boiler ID#	Type	Commence Operation Date
a	1	T1	January 1, 1996
b	2	T1	January 1, 1996
c			

STEP 3
Mark one of the first two boxes and the third box to indicate that the required documents are included

[ ] A copy of the executed contract or contracts for the design engineering and construction of qualifying Phase I technology at each control unit is included.

OR

[X] A binding letter of agreement for each executed contract for the design engineering and construction of qualifying Phase I technology at each control unit is included, in accordance with 40 CFR 72.42(c)(11). The actual contracts are on file and will be submitted to the Administrator upon written request.

[X] A vendor certification of the sulfur dioxide removal efficiency guaranteed to be achievable by the qualifying Phase I technology for the type and range of fossil fuels (before any treatment prior to combustion) that will be used at the control unit is included. The vendor certification shall not be a defense against a control unit's failure to achieve 90% control of sulfur dioxide

STEP 4
Identify each transfer unit by plant name, State, and boiler ID# from NADB

Transfer Units

	Plant Name	State	Boiler ID
d	Elmer W. Stout	IN	50
e	Elmer W. Stout	IN	70
f	H. T. Pritchard	IN	6
g	Jack Watson	MS	4
h	Jack Watson	MS	5
i	Crist	FL	6
j			
k			
l			

Plant Name (from Step 1) Petersburg

STEP 5
Complete Steps 6 through 46. Read the special provisions and certification, and print the name of the designated representative for each source identified in this plan. Each designated representative must sign and date

Special Provisions

Sulfur Dioxide Emissions Limitations.

(i) If a control or transfer unit governed by an approved Phase I extension plan emits in 1997, 1998, or 1999 sulfur dioxide in excess of the projected controlled emissions for the unit specified for the year under 40 CFR 72.42(c)(7) as adjusted under 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan, the Administrator will deduct allowances equal to such exceedance from the unit's annual allowance allocation in the following calendar year.
(ii) Failure to demonstrate at least a 90% reduction of sulfur dioxide in 1997, 1998, or 1999 in accordance with 40 CFR part 75 of a control unit governed by an approved Phase I extension plan shall be a violation of 40 CFR 72.42. In the event of any such violation, in addition to any other liability under the Act, the Administrator will deduct allowances from the control unit's compliance subaccount for the year of the violation. The deduction will be calculated in accordance with 40 CFR 72.42(f)(1)(ii)(B).

Nitrogen Oxides Emissions Limitations.

(i) Beginning on January 1, 1997, each control and transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides.
(ii) Notwithstanding 40 CFR 72.42(f)(1)(ii)(A), a transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides, under section 407 of the Act and regulations implementing section 407 of the Act, beginning on January 1 of any year for which a transfer unit is allocated fewer Phase I extension reserve allowances than the maximum amount that the designated representative could have requested in accordance with 40 CFR 72.42(c)(5) (as adjusted under paragraph 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan) unless the transfer unit is the last unit allocated Phase I extension reserve allowances under the plan.

Monitoring Requirements. Each control unit shall comply with the special monitoring requirements for Phase I extension plans in accordance with 40 CFR part 75.

Reporting Requirements. Each control and transfer unit shall comply with the special reporting requirements for Phase I extension plans in accordance with 40 CFR 72.93.

Liability. The owners and operators of a control or transfer unit governed by an approved Phase I extension plan shall be liable for any violation of the plan or 40 CFR 72.42 at that or any other unit governed by the plan, including liability for fulfilling the obligations specified in 40 CFR part 77 and section 411 of the Act.

Termination. A Phase I extension plan shall be in effect only in Phase I, and no Phase I extension plan shall be terminated before the end of Phase I. The designated representative may, however, withdraw a Phase I extension plan at any time prior to issuance of the Phase I Acid Rain permit that includes the Phase I extension plan, as adjusted.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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 Robert A. McKnight - Designated Representative	
Signature Robert A McKnight	Date 2/10/93
Name ROBERT G. DAWSON - Designated Representative MISSISSIPPI POWER COMPANY	
Signature Robert G Dawson	Date 2/10/93
Name Earl B. Parsons, Jr.	
Signature Earl B. Parsons Jr.	Date 2/10/93
Name	
Signature	Date

Plant Name (from Step 1): Petersburg

ANNUAL AVERAGE TONS OF SO_2 FOR 1988 AND 1989

	Control Units			Transfer Units		
	a	b	c	D	E	F
STEP 6 Identify transfer units. Enter total 1988 SO_2 emissions for control and transfer units	25125 tons	38263 tons	tons	4300 tons	32517 tons	11373 tons
STEP 7 Enter total 1989 SO_2 emissions for each unit	25194 tons	40672 tons	tons	4607 tons	32221 tons	9234 tons
STEP 8 Add Step 6 entry to Step 7 entry, divide by 2 and enter result	25160 tons	39468 tons	tons	4454 tons	32369 tons	10304 ~~10303~~ tons

KK 3/30/93 see fax.

PROJECTED SO_2 EMISSIONS 1995

STEP 9 Enter projected utilization for 1995 rounded to the nearest mmBtu	16,861,633 mmBtu	29,082,887 mmBtu	mmBtu	4,729,565 mmBtu	21,079,130 mmBtu	5,356,667 mmBtu
STEP 10 Enter projected uncontrolled SO_2 emission rate for 1995 to 4 decimal places	3.8700 lbs/mmBtu	3.8700 lbs/mmBtu	lbs/mmBtu	3.4600 lbs/mmBtu	3.4600 lbs/mmBtu	2.5700 lbs/mmBtu
STEP 11 Multiply Step 9 entry by Step 10 entry, divide by 2000 and enter result	32627 tons	56275 tons	tons	8182 tons	36467 tons	6883 tons

PROJECTED SO_2 EMISSIONS 1996

STEP 12 Enter projected utilization for 1996 rounded to the nearest mmBtu	16,861,633 mmBtu	29,082,857 mmBtu	mmBtu	4,729,565 mmBtu	21,079,130 mmBtu	5,356,667 mmBtu
STEP 13 Enter projected uncontrolled SO_2 emission rate for 1996 to 4 decimal places	3.8700 lbs/mmBtu	3.8700 lbs/mmBtu	lbs/mmBtu	3.4600 lbs/mmBtu	3.4600 lbs/mmBtu	2.5700 lbs/mmBtu
STEP 14 Multiply Step 12 entry by Step 13 entry, divide by 2000, round to the nearest ton, and enter result	32627 tons	56275 tons	tons	8182 tons	36467 tons	6883 tons

Plant Name (from Step 1): Petersburg

RESERVE ALLOWANCE CALCULATIONS

	Control Units a	Control Units b	Control Units c	Transfer Units D	Transfer Units E	Transfer Units F
STEP 15 Enter baseline (see special instructions)	13,147,690 mmBtu	25,906,160 mmBtu	mmBtu	3,107,209 mmBtu	18,885,930 mmBtu	4,614,221 mmBtu
STEP 16 Multiply Step 15 entry by 2.5, divide by 2000, round to the nearest ton, and enter result	16435 tons	32383 tons	tons	3884 tons	23607 tons	5768 tons

ALLOWANCES AVAILABLE FOR 1995

STEP 17 Subtract Step 16 entry from lesser of Step 8 or Step 11 entry and enter result	8725 allowances	7085 allowances	allowances	570 allowances	8762 allowances	1115 allowances

TRANSFER CAPACITY CHECK FOR 1995

STEP 18 (Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	18498 allowances	36455 allowances	allowances
STEP 19 Multiply value at Step 11 by .1, round to the nearest ton, and enter result	3263 tons	5628 tons	tons
STEP 20 Subtract Step 19 entry from Step 18 entry and enter result	15236 allowances	30827 allowances	allowances

STEP 21
Enter total of all Step 20 entries: 46062 allowances

STEP 22
Enter total of all transfer unit entries in Step 17, including entries on copies, if any: 59607 allowances

ALLOWANCES REQUESTED FOR 1995

STEP 23
If Step 22 entry equals Step 21 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 17. Enter those numbers here and on copies, if any. If Step 22 entry is greater than or less than Step 21 entry, adjust requested allowances as provided in the special instructions.

570 allowances	8762 allowances	1115 allowances

STEP 24
Add entries at Step 17 columns (a), (b), and (c) only and Step 23, including entries on copies, if any

TOTAL: 61872 allowances

Plant Name (from Step 1): Petersburg

ANNUAL AVERAGE TONS OF SO_2 FOR 1988 AND 1989

	Control Units			Transfer Units		
	a	b	c	G	H	I
STEP 6 Identify transfer units. Enter total 1988 SO_2 emissions for control and transfer units	tons	tons	tons	30444 tons	58796 tons	39985 tons
STEP 7 Enter total 1989 SO_2 emissions for each unit	tons	tons	tons	31973 tons	46093 tons	38653 tons
STEP 8 Add Step 6 entry to Step 7 entry, divide by 2 and enter result	tons	tons	tons	31209 tons	52445 tons	39319 tons

PROJECTED SO_2 EMISSIONS 1995

STEP 9 Enter projected utilization for 1995 rounded to the nearest mmBtu	mmBtu	mmBtu	mmBtu	17,088,116 mmBtu	31,219,775 mmBtu	22,374,363 mmBtu
STEP 10 Enter projected uncontrolled SO_2 emission rate for 1995 to 4 decimal places	lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	3.8425 lbs/mmBtu	3.8425 lbs/mmBtu	4.6750 lbs/mmBtu
STEP 11 Multiply Step 9 entry by Step 10 entry, divide by 2000 and enter result	tons	tons	tons	32831 tons	59981 tons	52300 tons

PROJECTED SO_2 EMISSIONS 1996

STEP 12 Enter projected utilization for 1996 rounded to the nearest mmBtu	mmBtu	mmBtu	mmBtu	17,088,116 mmBtu	31,219,775 mmBtu	22,374,363 mmBtu
STEP 13 Enter projected uncontrolled SO_2 emission rate for 1996 to 4 decimal places	lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	3.8425 lbs/mmBtu	3.8425 lbs/mmBtu	4.6750 lbs/mmBtu
STEP 14 Multiply Step 12 entry by Step 13 entry, divide by 2000, round to the nearest ton, and enter result	tons	tons	tons	32831 tons	59981 tons	52300 tons

Plant Name (from Step 1): Petersburg

RESERVE ALLOWANCE CALCULATIONS

	Control Units a	Control Units b	Control Units c	Transfer Units G	Transfer Units H	Transfer Units I
STEP 15 Enter baseline (see special instructions)	mmBtu	mmBtu	mmBtu	14,329,813 mmBtu	29,357,704 mmBtu	15,362,937 mmBtu
STEP 16 Multiply Step 15 entry by 2.5, divide by 2000, round to the nearest ton, and enter result	tons	tons	tons	17912 tons	36697 tons	19204 tons

ALLOWANCES AVAILABLE FOR 1995

STEP 17 Subtract Step 16 entry from lesser of Step 8 or Step 11 entry and enter result	allowances	allowances	allowances	13297 allowances	15748 allowances	20115 allowances

TRANSFER CAPACITY CHECK FOR 1995

STEP 18 (Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	allowances	allowances	allowances
STEP 19 Multiply value at Step 11 by .1, round to the nearest ton, and enter result	tons	tons	tons
STEP 20 Subtract Step 19 entry from Step 18 entry and enter result	allowances	allowances	allowances

STEP 21
Enter total of all Step 20 entries: allowances

STEP 22
Enter total of all transfer unit entries in Step 17, including entries on copies, if any: allowances

ALLOWANCES REQUESTED FOR 1995

STEP 23
If Step 22 entry equals Step 21 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 17. Enter those numbers here and on copies, if any. If Step 22 entry is greater than or less than Step 21 entry, adjust requested allowances as provided in the special instructions.

13297 allowances	15748 allowances	6570 allowances

STEP 24
Add entries at Step 17 columns (a), (b), and (c) only and Step 23, including entries on copies, if any

TOTAL: allowances

Early Ranking - Page 5

Plant Name (from Step 1): Petersburg

ALLOWANCES AVAILABLE FOR 1996

	Control Units a	Control Units b	Control Units c	Transfer Units D	Transfer Units E	Transfer Units F
STEP 25 Subtract Step 16 entry from lesser of Step 8 or Step 14 entry and enter result	8725 allowances	7085 allowances	allowances	570 allowances	3762 allowances	1115 allowances

TRANSFER CAPACITY CHECK FOR 1996

STEP 26 (For Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	18498 allowances	36455 allowances	allowances
STEP 27 Multiply value at Step 14 by .1, round to the nearest ton, and enter result	3263 tons	5628 tons	tons
STEP 28 Subtract Step 27 entry from Step 26 entry and enter result	15235 allowances	30827 allowances	allowances

STEP 29 Enter total of all Step 28 entries: 46062 allowances

STEP 30 Enter total of all transfer unit entries in Step 25, including entries on copies, if any: 59607 allowances

ALLOWANCES REQUESTED FOR 1996

STEP 31 If Step 30 entry equals Step 29 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 25. Enter those numbers here and on copies, if any. If Step 30 entry is greater than or less than Step 29 entry, adjust requested allowances as provided in the special instructions.

D	E	F
570 allowances	3762 allowances	1115 allowances

STEP 32 Add entries at Step 25 columns (a), (b), and (c) only and Step 31, including entries on copies, if any

TOTAL: 61872 allowances

PROJECTED SO_2 EMISSIONS 1997

STEP 33 Enter projected utilization for 1997 rounded to the nearest mmBtu	16,625,000 mmBtu	28,591,000 mmBtu	mmBtu	5,115,000 mmBtu	22,097,000 mmBtu	5,417,000 mmBtu
STEP 34 Enter projected SO_2 emissions rate for 1997 -- to 4 decimal places	0.2450 lbs/mmBtu	0.2450 lbs/mmBtu	lbs/mmBtu	3.4700 lbs/mmBtu	3.4700 lbs/mmBtu	2.5700 lbs/mmBtu
STEP 35 Multiply Step 33 entry by Step 34 entry, divide by 2000, round to the nearest ton, and enter result	2037 tons	3502 tons	tons	8875 tons	38338 tons	6961 tons

NOTE – The entries at Step 35 are your enforceable limit for 1997

Petersburg
Plant Name (from Step 1)

PROJECTED SO_2 EMISSIONS 1998

	Control Units a	Control Units b	Control Units c	Transfer Units D	Transfer Units E	Transfer Units F
STEP 36 Enter projected utilization for 1998 rounded to the nearest mmBtu	16,625,000 mmBtu	28,591,000 mmBtu	mmBtu	5,115,000 mmBtu	22,097,040 mmBtu	~~5,419,000~~ 5,417,000 mmBtu
STEP 37 Enter projected SO_2 emission rate for 1998 to 4 decimal places	0.2450 lbs/mmBtu	0.2450 lbs/mmBtu	lbs/mmBtu	3.4700 lbs/mmBtu	3.4700 lbs/mmBtu	2.5700 lbs/mmBtu
STEP 38 Multiply Step 36 entry by Step 37 entry, divide by 2000, round to the nearest ton, and enter result	2037 tons	3502 tons	tons	8875 tons	38338 tons	6961 tons

NOTE – The entries at Step 38 are your enforceable limit for 1998

KK 7/30/93 See Fax

PROJECTED SO_2 EMISSIONS 1999

KK 7/30/93 5,417,000 See Fax

STEP 39 Enter projected utilization for 1999 rounded to the nearest mmBtu	16,625,000 mmBtu	28,591,000 mmBtu	mmBtu	5,115,000 mmBtu	22,097,000 mmBtu	~~5,419,000~~ mmBtu
STEP 40 Enter projected SO_2 emission rate for 1999 to 4 decimal places	0.2450 lbs/mmBtu	0.2450 lbs/mmBtu	lbs/mmBtu	3.4700 lbs/mmBtu	3.4700 lbs/mmBtu	2.5700 lbs/mmBtu
STEP 41 Multiply Step 39 entry by Step 40 entry, divide by 2000, round to the nearest ton, and enter result	2037 tons	3502 tons	tons	8875 tons	38338 tons	6961 tons

NOTE – The entries at Step 41 are your enforceable limit for 1999

RESERVE ALLOWANCE CALCULATION 1997, 1998, AND 1999

				TOTAL
STEP 42 For control units only, multiply baseline entered at Step 15 by 1.2, then divide by 2000	7889 tons	15544 tons	tons	
STEP 43 (1997) Subtract Step 35 entry from Step 42 entry, round to the nearest ton, then total the entries	5852 allowances	12041 allowances	allowances	17893 allowances
STEP 44 (1998) Subtract Step 38 entry from Step 42 entry, round to the nearest ton, then total the entries	5852 allowances	12041 allowances	allowances	17893 allowances
STEP 45 (1999) Subtract Step 41 entry from Step 42 entry, round, to the nearest ton, then total the entries	5852 allowances	12041 allowances	allowances	17893 allowances

TOTAL RESERVE ALLOWANCES

STEP 46
Add together totals at Steps 24, 32, 43, 44, and 45, and enter result: 177,423 allowances

Plant Name (from Step 1): Petersburg

ALLOWANCES AVAILABLE FOR 1996

	Control Units			Transfer Units		
	a	b	c	G	H	I
STEP 25 Subtract Step 16 entry from lesser of Step 8 or Step 14 entry and enter result	allowances	allowances	allowances	13297 allowances	15748 allowances	20,115 allowances

TRANSFER CAPACITY CHECK FOR 1996

STEP 26 (For Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	allowances	allowances	allowances
STEP 27 Multiply value at Step 14 by .1, round to the nearest ton, and enter result	tons	tons	tons
STEP 28 Subtract Step 27 entry from Step 26 entry and enter result	allowances	allowances	allowances

STEP 29
Enter total of all Step 28 entries: allowances

STEP 30
Enter total of all transfer unit entries in Step 25, including entries on copies, if any: allowances

ALLOWANCES REQUESTED FOR 1996

STEP 31
If Step 30 entry equals Step 29 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 25. Enter those numbers here and on copies, if any. If Step 30 entry is greater than or less than Step 29 entry, adjust requested allowances as provided in the special instructions.

13297 allowances	15748 allowances	6570 allowances

STEP 32
Add entries at Step 25 columns (a), (b), and (c) only and Step 31, including entries on copies, if any

TOTAL: allowances

PROJECTED SO_2 EMISSIONS 1997

STEP 33 Enter projected utilization for 1997 rounded to the nearest mmBtu	mmBtu	mmBtu	mmBtu	12,173,891 mmBtu	23,617,000 mmBtu	14,266,961 mmBtu
STEP 34 Enter projected SO_2 emissions rate for 1997 to 4 decimal places	lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	3.8425 lbs/mmBtu	3.8425 lbs/mmBtu	4.6750 lbs/mmBtu
STEP 35 Multiply Step 33 entry by Step 34 entry, divide by 2000, round to the nearest ton, and enter result	tons	tons	tons	23389 tons	45374 tons	33304 tons

NOTE: The entries at Step 35 are your enforceable limit for 1997

Plant Name (from Step 1): Petersburg

Early Banking Page A

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PROJECTED SO_2 EMISSIONS 1998

	Control Units a	Control Units b	Control Units c	Transfer Units G	Transfer Units H	Transfer Units I
STEP 36 Enter projected utilization for 1998 rounded to the nearest mmBtu	mmBtu	mmBtu	mmBtu	12,173,891 mmBtu	23,617,006 mmBtu	14,200,501 mmBtu
STEP 37 Enter projected SO_2 emission rate for 1998 to 4 decimal places	lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	3.8425 lbs/mmBtu	3.8425 lbs/mmBtu	4.6750 lbs/mmBtu
STEP 38 Multiply Step 36 entry by Step 37 entry, divide by 2000, round to the nearest ton, and enter result	tons	tons	tons	23389 tons	45374 tons	33194 tons

NOTE – The entries at Step 38 are your enforceable limit for 1998

PROJECTED SO_2 EMISSIONS 1999

STEP 39 Enter projected utilization for 1999 rounded to the nearest mmBtu	mmBtu	mmBtu	mmBtu	12,173,891 mmBtu	23,617,006 mmBtu	14,200,501 mmBtu
STEP 40 Enter projected SO_2 emission rate for 1999 to 4 decimal places	lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	3.8425 lbs/mmBtu	3.8425 lbs/mmBtu	4.6750 lbs/mmBtu
STEP 41 Multiply Step 39 entry by Step 40 entry, divide by 2000, round to the nearest ton, and enter result	tons	tons	tons	23389 tons	45374 tons	33194 tons

NOTE – The entries at Step 41 are your enforceable limit for 1999

RESERVE ALLOWANCE CALCULATION 1997, 1998, AND 1999

				TOTAL
STEP 42 For control units only, multiply baseline entered at Step 15 by 1.2, then divide by 2000	tons	tons	tons	
STEP 43 (1997) Subtract Step 35 entry from Step 42 entry, round to the nearest ton, then total the entries	allowances	allowances	allowances	allowances
STEP 44 (1998) Subtract Step 38 entry from Step 42 entry, round to the nearest ton, then total the entries	allowances	allowances	allowances	allowances
STEP 45 (1999) Subtract Step 41 entry from Step 42 entry, round to the nearest ton, then total the entries	allowances	allowances	allowances	allowances

TOTAL RESERVE ALLOWANCES

STEP 46 Add together totals at Steps 24, 32, 43, 44, and 45, and enter result	allowances

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0221
Expires 6-30-95

EPA Phase I Extension Early Ranking

For more information, see instructions and refer to 40 CFR 72.42

This submission is: [X] New [ ] Revised

STEP 1
Identify the control units' source by plant name and State from NADB

Plant Name	State
Mt. Storm	WV

STEP 2
Identify each control unit by boiler ID# from NADB. For Type, enter T1 for Table 1 unit, S for substitution unit or C for compensating unit. Enter date when qualifying Phase I technology will commence operation

Control Units

	Boiler ID#	Type	Commence Operation Date
a	3	T1	November 1, 1994
b			
c			

STEP 3
Mark one of the first two boxes and the third box to indicate that the required documents are included

[X] A copy of the executed contract or contracts for the design engineering and construction of qualifying Phase I technology at each control unit is included.

OR

[ ] A binding letter of agreement for each executed contract for the design engineering and construction of qualifying Phase I technology at each control unit is included, in accordance with 40 CFR 72.42(c)(11). The actual contracts are on file and will be submitted to the Administrator upon written request.

[X] A vendor certification of the sulfur dioxide removal efficiency guaranteed to be achievable by the qualifying Phase I technology for the type and range of fossil fuels (before any treatment prior to combustion) that will be used at the control unit is included. The vendor certification shall not be a defense against a control unit's failure to achieve 90% control of sulfur dioxide.

STEP 4
Identify each transfer unit by plant name, State, and boiler ID# from NADB

Transfer Units

	Plant Name	State	Boiler ID#
d	Mt. Storm	WV	1
e	Mt. Storm	WV	2
f	Crist	FL	7
g			
h			
i			
j			
k			
l			

Plant Name (from Step 1): Mt. Storm

STEP 5
Complete Steps 6 through 46. Read the special provisions and certification, and print the name of the designated representative for each source identified in this plan. Each designated representative must sign and date

Special Provisions

Sulfur Dioxide Emissions Limitations.

(i) If a control or transfer unit governed by an approved Phase I extension plan emits in 1997, 1998, or 1999 sulfur dioxide in excess of the projected controlled emissions for the unit specified for the year under 40 CFR 72.42(c)(7) as adjusted under 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan, the Administrator will deduct allowances equal to such exceedence from the unit's annual allowance allocation in the following calendar year.
(ii) Failure to demonstrate at least a 90% reduction of sulfur dioxide in 1997, 1998, or 1999 in accordance with 40 CFR part 75 at a control unit governed by an approved Phase I extension plan shall be a violation of 40 CFR 72.42. In the event of any such violation, in addition to any other liability under the Act, the Administrator will deduct allowances from the control unit's compliance subaccount for the year of the violation. The deduction will be calculated in accordance with 40 CFR 72.42(f)(1)(i)(B).

Nitrogen Oxides Emissions Limitations.

(i) Beginning on January 1, 1997, each control and transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides.
(ii) Notwithstanding 40 CFR 72.42(f)(1)(ii)(A), a transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides, under section 407 of the Act and regulations implementing section 407 of the Act, beginning on January 1 of any year for which a transfer unit is allocated fewer Phase I extension reserve allowances than the maximum amount that the designated representative could have requested in accordance with 40 CFR 72.42(c)(5) (as adjusted under paragraph 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan) unless the transfer unit is the last unit allocated Phase I extension reserve allowances under the plan.

Monitoring Requirements. Each control unit shall comply with the special monitoring requirements for Phase I extension plans in accordance with 40 CFR part 75.

Reporting Requirements. Each control and transfer unit shall comply with the special reporting requirements for Phase I extension plans in accordance with 40 CFR 72.93.

Liability. The owners and operators of a control or transfer unit governed by an approved Phase I extension plan shall be liable for any violation of the plan or 40 CFR 72.42 at that or any other unit governed by the plan, including liability for fulfilling the obligations specified in 40 CFR part 77 and section 411 of the Act.

Termination. A Phase I extension plan shall be in effect only in Phase I, and no Phase I extension plan shall be terminated before the end of Phase I. The designated representative may, however, withdraw a Phase I extension plan at any time prior to issuance of the Phase I Acid Rain permit that includes the Phase I extension plan, as adjusted.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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: John A. Ahladas	
Signature: John A. Ahladas	Date: 2/8/93
Name: Earl B. Parsons, Jr.	
Signature: Earl B. Parsons Jr.	Date: 2/10/93
Name:	
Signature:	Date:
Name:	
Signature:	Date:

Plant Name (from Step 1): Mt. Storm

ANNUAL AVERAGE TONS OF SO_2 FOR 1988 AND 1989

	Control Units			Transfer Units		
	a	b	c	d	e	f
STEP 6 Identify transfer units. Enter total 1988 SO_2 emissions for control and transfer units	48118 tons	tons	tons	46011 tons	53444 tons	64,161 tons
STEP 7 Enter total 1989 SO_2 emissions for each unit	53825 tons	tons	tons	55257 tons	49714 tons	60,148 tons
STEP 8 Add Step 6 entry to Step 7 entry, divide by 2 and enter result	50972 tons	tons	tons	50634 tons	51579 tons	62,155 tons

PROJECTED SO_2 EMISSIONS 1995

STEP 9 Enter projected utilization for 1995 rounded to the nearest mmBtu	35176612 mmBtu	mmBtu	mmBtu	39118174 mmBtu	38210587 mmBtu	32,490,351 mmBtu
STEP 10 Enter projected uncontrolled SO_2 emission rate for 1995 to 4 decimal places	2.9015 lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	2.9092 lbs/mmBtu	2.9102 lbs/mmBtu	4.6550 lbs/mmBtu
STEP 11 Multiply Step 9 entry by Step 10 entry, divide by 2000 and enter result	51033 tons	tons	tons	56901 tons	55600 tons	75,621 tons

PROJECTED SO_2 EMISSIONS 1996

STEP 12 Enter projected utilization for 1996 rounded to the nearest mmBtu	35176612 mmBtu	mmBtu	mmBtu	39118174 mmBtu	38210587 mmBtu	32,490,351 mmBtu
STEP 13 Enter projected uncontrolled SO_2 emission rate for 1996 to 4 decimal places	2.9015 lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	2.9092 lbs/mmBtu	2.9102 lbs/mmBtu	4.6550 lbs/mmBtu
STEP 14 Multiply Step 12 entry by Step 13 entry, divide by 2000, round to the nearest ton, and enter result	51032 tons	tons	tons	56901 tons	55600 tons	75,621 tons

Plant Name (from Step 1) Mt. Storm

RESERVE ALLOWANCE CALCULATIONS

	Control Units			Transfer Units		
	a	b	c	[illegible]	[illegible]	[illegible]
STEP 15 Enter baseline (see special instructions)	33941590 mmBtu	mmBtu	mmBtu	34078581 mmBtu	32815818 mmBtu	22,528,658 mmBtu
STEP 16 Multiply Step 15 entry by 2.5, divide by 2000, round to the nearest ton, and enter result	42427 tons	tons	tons	43723 tons	41020 tons	28,161 tons

ALLOWANCES AVAILABLE FOR 1995

STEP 17 Subtract Step 16 entry from lesser of Step 8 or Step 11 entry and enter result	8545 allowances	allowances	allowances	6911 allowances	10559 allowances	33,994 allowances

TRANSFER CAPACITY CHECK FOR 1995

STEP 18 (Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	42430 allowances	allowances	allowances
STEP 19 Multiply value at Step 11 by .1, round to the nearest ton, and enter result	5103 tons	tons	tons
STEP 20 Subtract Step 19 entry from Step 18 entry and enter result	37327 allowances	allowances	allowances

STEP 21
Enter total of all Step 20 entries: 37327 allowances

STEP 22
Enter total of all transfer unit entries in Step 17, including entries on copies, if any: 51464 allowances

ALLOWANCES REQUESTED FOR 1995

STEP 23
If Step 22 entry equals Step 21 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 17. Enter those numbers here and on copies, if any. If Step 22 entry is greater than or less than Step 21 entry, adjust requested allowances as provided in the special instructions.

6911 allowances	10559 allowances	19,857 allowances

*

STEP 24
Add entries at Step 17 columns (a), (b), and (c) only and Step 23, including entries on copies, if any

TOTAL: 45872 allowances

Plant Name (from Step 1) Mt. Storm

ALLOWANCES AVAILABLE FOR 1996

	Control Units a	Control Units b	Control Units c	Transfer Units d	Transfer Units e	Transfer Units f
STEP 25 Subtract Step 16 entry from lesser of Step 8 or Step 14 entry and enter result	8545 allowances	allowances	allowances	6911 allowances	10559 allowances	33,994 allowances

TRANSFER CAPACITY CHECK FOR 1996

	a	b	c
STEP 26 (For Control Units Only) For Table 1 units, enter allowance allocation from Table 1. For non-Table 1 units, enter allocation from the substitution or reduced utilization plan	42430 allowances	allowances	allowances
STEP 27 Multiply value at Step 14 by .1, round to the nearest ton, and enter result	5103 tons	tons	tons
STEP 28 Subtract Step 27 entry from Step 26 entry and enter result	37327 allowances	allowances	allowances

STEP 29 Enter total of all Step 28 entries: 37327 allowances

STEP 30 Enter total of all transfer unit entries in Step 25, including entries on copies, if any: 51464 allowances

ALLOWANCES REQUESTED FOR 1996

STEP 31 If Step 30 entry equals Step 29 entry, you may request the number of reserve allowances calculated for each transfer unit at Step 25. Enter those numbers here and on copies, if any. If Step 30 entry is greater than or less than Step 29 entry, adjust requested allowances as provided in the special instructions

d	e	f
6911 allowances	10559 allowances	* 19,857 allowances

STEP 32 Add entries at Step 25 columns (a), (b), and (c) only and Step 31, including entries on copies, if any

TOTAL: 45872 allowances

PROJECTED SO_2 EMISSIONS 1997

	a	b	c	d	e	f
STEP 33 Enter projected utilization for 1997 rounded to the nearest mmBtu	38985804 mmBtu	mmBtu	mmBtu	39495502 mmBtu	38470583 mmBtu	[illegible] mmBtu
STEP 34 Enter projected SO_2 emissions rate for 1997 to 4 decimal places	.2611 lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	2.9091 lbs/mmBtu	2.9102 lbs/mmBtu	4.6550 lbs/mmBtu
STEP 35 Multiply Step 33 entry by Step 34 entry, divide by 2000, round to the nearest ton, and enter result	5090 tons	tons	tons	~~57449~~ 57,448 tons	55979 tons	48,702 tons

KK 4/12/97 see 3/[illegible] letter

NOTE – The entries at Step 35 are your enforceable limit for 1997

EPA Form 7610-2 (11-92)

Plant Name (from Step 1): Mt. Storm

PROJECTED SO_2 EMISSIONS 1998

	Control Units a	b	c	Transfer Units d	e	f
STEP 36 Enter projected utilization for 1998 rounded to the nearest mmBtu	illegible mmBtu	mmBtu	mmBtu	illegible mmBtu	illegible mmBtu	illegible mmBtu
STEP 37 Enter projected SO_2 emission rate for 1998 to 4 decimal places	.2611 lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	2.9091 lbs/mmBtu	2.9102 lbs/mmBtu	4.6550 lbs/mmBtu
STEP 38 Multiply Step 36 entry by Step 37 entry, divide by 2000, round to the nearest ton, and enter result	5090 tons	tons	tons	~~57449~~ 57,448 tons	55979 tons	48,702 tons

NOTE -- The entries at Step 38 are your enforceable limit for 1998.

PROJECTED SO_2 EMISSIONS 1999

STEP 39 Enter projected utilization for 1999 rounded to the nearest mmBtu	38985804 mmBtu	mmBtu	mmBtu	39495502 mmBtu	38470553 mmBtu	20,924,523 mmBtu
STEP 40 Enter projected SO_2 emission rate for 1999 to 4 decimal places	.2611 lbs/mmBtu	lbs/mmBtu	lbs/mmBtu	2.9091 lbs/mmBtu	2.9102 lbs/mmBtu	4.6550 lbs/mmBtu
STEP 41 Multiply Step 39 entry by Step 40 entry, divide by 2000, round to the nearest ton, and enter result	5090 tons	tons	tons	~~57449~~ 57,448 tons	55979 tons	48,702 tons

NOTE -- The entries at Step 41 are your enforceable limit for 1999.

RESERVE ALLOWANCE CALCULATION 1997, 1998, AND 1999

				TOTAL
STEP 42 For control units only, multiply baseline entered at Step 15 by 1.2, then divide by 2000	28983 tons	tons	tons	
STEP 43 (1997) Subtract Step 35 entry from Step 42 entry, round to the nearest ton, then total the entries	15275 allowances	allowances	allowances	15275 allowances
STEP 44 (1998) Subtract Step 38 entry from Step 42 entry, round to the nearest ton, then total the entries	15275 allowances	allowances	allowances	15275 allowances
STEP 45 (1999) Subtract Step 41 entry from Step 42 entry, round to the nearest ton, then total the entries	15275 allowances	allowances	allowances	15275 allowances

TOTAL RESERVE ALLOWANCES

STEP 46 Add together totals at Steps 24, 32, 43, 44, and 45, and enter result: 137569 allowances

PART 2—DELEGATIONS OF AUTHORITY

1. The authority citation for part 2 continues to read as follows:

Authority: 72 Stat. 1114; 38 U.S.C. 501, unless otherwise noted.

2. In § 2.6, paragraph (e)(1) is revised to read as follows:

§ 2.6 Secretary's delegations of authority to certain officials (38 U.S.C. 512).

* * * * *

(e) *General Counsel.* (1) Under the Federal Tort Claims Act, pursuant to the provisions of 28 U.S.C. 2672; Pub. L. 100–322; 38 U.S.C. 515, and the delegation of authority from the Attorney General in 28 CFR appendix to part 14:

(i) Authority is delegated to the General Counsel, Deputy General Counsel, Assistant General Counsel, or those authorized to act for them, to consider, ascertain, adjust, determine, compromise, and settle any claim accruing on and after January 18, 1967, and asserted under the Federal Tort Claims Act, as amended by Pub. L. 89–506 (80 Stat. 306), and to execute an appropriate voucher and other necessary instruments in connection therewith; provided that any award, compromise, or settlement in excess of $200,000 shall be effected only with the prior written approval of the Attorney General or his designee; provided, further, that whenever a settlement is effected in an amount in excess of $100,000, a memorandum fully explaining the basis for the action taken shall be sent to the Department of Justice.

(ii) Authority is delegated to the District Counsels or those authorized to act for them and the Deputy Assistant General Counsel (Professional Staff Group I) to consider, ascertain, adjust, determine, compromise, and settle any claim under the Federal Tort Claims Act and to execute an appropriate voucher and other necessary instruments in connection therewith; provided that any award, compromise, or settlement does not exceed $100,000; provided, further, that whenever a settlement is effected by a District Counsel in an amount in excess of $50,000 a memorandum fully explaining the basis for the action taken shall be sent to the Assistant General Counsel (Professional Staff Group I).

* * * * *

PART 14—LEGAL SERVICES, GENERAL COUNSEL

3. The authority citation for part 14 continues to read as follows:

Authority: 38 U.S.C. 501(a), 5502, 5902–5905, unless otherwise noted.

4. In § 14.602, paragraph (a) introductory text, (a)(4), and (b)(2) are revised to read as follows:

§ 14.602 Scope and authority to consider claims.

(a) The Secretary and those delegated such authority in § 2.6(e) of this chapter are authorized to consider, ascertain, adjust, determine, compromise, and settle claims for money damages against the United States in accordance with regulations prescribed by the Attorney General (38 CFR 14.1 et seq.). Any award, compromise, or settlement exceeding $200,000 shall be effected only with the prior written approval of the Attorney General or designee. In addition, a claim may be compromised or settled only after consultation with the Department of Justice when:

(Authority: 38 U.S.C. 515; 28 CFR appendix to part 14)

* * * * *

(4) For any reason, the compromise of a particular claim, as a practical matter, will, or may, control the disposition of a related claim in which the amount to be paid may exceed $200,000; or

(Authority: 38 U.S.C. 515; 28 CFR appendix to part 14)

* * * * *

(b) * * *

(2) Where full development of a claim indicates that liability exists and the potential settlement value exceeds $100,000, the District Counsel who received the claim will submit the case to the General Counsel for consideration. Whenever a settlement is effected in an amount in excess of $50,000 a memorandum fully explaining the basis for the action taken shall be sent to the Assistant General Counsel (Professional Staff Group I).

(Authority: 38 U.S.C. 515; 28 CFR appendix to part 14)

* * * * *

[FR Doc. 93–18166 Filed 7–29–93; 8:45 am]
BILLING CODE 8320–01–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 72, 73, and 75

[FRL–4666–9]

Acid Rain Program: Permits, Allowance System, and Continuous Emission Monitoring; Corrections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: The Acid Rain Program was established under Title IV of the Clean Air Act, as amended on November 15, 1990. In order to implement this statutory mandate, EPA codified the Acid Rain Program in five (of seven total) regulations including: Permits, Allowance System, Continuous Emissions Monitoring, Excess Emissions Penalties, and Administrative Appeals. This action contains corrections to the Permits, Allowance System, and Continuous Emission Monitoring final regulations (FRL–4666–9) that were published on Monday, January 11, 1993 (58 FR 3590).

DATES: These corrections become effective on July 30, 1993. The revised incorporation by reference of certain publications listed in the regulations was approved by the Director of the Federal Register as of February 10, 1993.

FOR FURTHER INFORMATION CONTACT: Brian McLean, Director, Acid Rain Division (6204J) US Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, 202–233–9150.

SUPPLEMENTARY INFORMATION:

I. Background

The final regulations that are the subject of this action correct portions of 40 CFR Parts 72, 73, and 75 effective on July 30, 1993. 40 CFR parts 72, 73, and 75 were added to the CFR pursuant to Title IV of the Clean Air Act, 42 USC 7401, *et seq.*, as amended by Public Law 101–549 (November 15, 1990).

II. Need For Correction

During the process of implementing the Acid Rain Program, many individuals and organizations requested clarification on various aspects of the Acid Rain Core Rules. Representatives from industry, state and local governments, environmental groups, and the general public requested clarification of typographical errors, unclear wording, incorrect citations, and conflicting requirements in different locations of the regulations. Today's action resolves these requests for clarification.

III. Correction of Publication

Accordingly, the publication on January 11, 1993, of the Final Regulations [FRL–4543–5], which were the subject of FR Doc. 93–1, is corrected as follows:

PART 72—[CORRECTED]

§ 72.2 [Corrected]

1. On page 3652, in the third column, § 72.2, paragraph (2) of the definition of

Calibration gas, "A NIST/EPA-approved certified reference material" is corrected to read "A NIST Traceable Reference Material (NTRM)".

§ 72.2 [Corrected]

2. On page 3653, in the first column, § 72.2, in the last line of paragraph (2) under the definition of *Coal fired,* "PRIMEFUEL" is corrected to read "PRIMFUEL".

§ 72.2 [Corrected]

3. On page 3656, in the first column, § 72.2, in the last line of the definition of *Maximum potential NO_X emission rate,* "part 77" is corrected to read "part 75".

§ 72.2 [Corrected]

4. On page 3657, in the third column, § 72.2, the last line of the definition of *Protocol 1 gas,* "of this chapter)", is corrected to read "of this chapter) or such revised procedure as approved by the Administrator".

§ 72.8 [Corrected]

1. On page 3661, in the second column, § 72.8(c)(2)(ii), line 3, the word "proposed" is corrected to read "draft".

§ 72.41 [Corrected]

1. On page 3669, in the first column, § 72.41(e)(3)(iii), line 2, the reference "(e)(2)(ii)" is corrected to read "(e)(3)(ii)".

§ 72.41 Corrected

2. On page 3669, in the first column, § 72.41(e)(3)(iii), line 6, the reference "(e)(2)(ii)(B)" is corrected to read "(e)(3)(ii)(B)".

§ 72.41 [Corrected]

3. On page 3669, in the second column, § 72.41(e)(3)(iv), line 6, the reference (e)(2)(ii) is corrected to read "(e)(3)(ii)".

§ 72.74 [Corrected]

1. On page 3680, in the first column, § 72.74(b)(1)(iii), line 8, the phrase "governs a under" is corrected to read "governs a unit under".

§ 72.91 [Corrected]

1. On page 3682, in the first column, § 72.91(a) introductory text, line 3, "Adjusted utilization-baseline" is corrected to read "Adjusted utilization = baseline".

§ 72.91 [Corrected]

2. On page 3682, in the third column, § 72.91(a)(3)(iii), line 12, "Shift to sulfur-free generator-actual" is corrected to read "Shift to sulfur-free generator = actual".

§ 72.92 [Corrected]

1. On page 3685, in the second column, § 72.92(c)(2)(v)(C), line 2, "weighted average rate" is corrected to read "weighted average emissions rate".

PART 73—[CORRECTED]

§ 73.10 [Corrected]

1. On pages 3687 through 3691, the header for Table 1 of § 73.10 (a) is corrected to read "Table 1—Phase I Allowance Allocations".

§ 73.101 [Corrected]

2. On page 3688, in Table 1 of § 73.10 (a), under "Illinois" for "Kincaid" boiler 1, the value in Column A is corrected to read "34564".

§ 73.30 [Corrected]

1. On page 3691, in the third column, § 73.30(a), line 6 is corrected by replacing the word "reordered" with the word "recorded".

§ 73.31 [Corrected]

1. On page 3691, third column, § 73.31(c)(1) introductory text, in line 8, is corrected by removing the word "General".

§ 73.32 [Corrected]

1. On page 3692, second column, § 73.32(a)(1), line 3, the citation "§ 72.25(a)(3)" is corrected to read "§ 72.24(a)(3)".

§ 73.72 [Corrected]

1. On page 3695, third column, under "Subpart E—[Amended]," line 1, correct amendatory instruction 4 to read as follows: "4. Paragraph (c) of § 73.72 is revised to read as follows:

§ 73.80 [Corrected]

1. On page 3695, second column, § 73.80(b), line 6, the year is corrected to read "1992".

§ 73.81 [Corrected]

1. On page 3695, third column, § 73.81(b)(4), line 1, the language "Loan management" is corrected to read "Load management".

§ 73.82 [Corrected]

1. On page 3696, first column, the section heading for § 73.82 is corrected to read "Application for allowances from reserve program.".

PART 75—[CORRECTED]

§ 75.1 [Corrected]

1. On page 3702, first column, § 75.1(b), the first subparagraph is designated as paragraph (b)(1) and the second subparagraph is designated as paragraph (b)(2). In paragraph (b)(2), last line, the reference "appendix C" is corrected to read "appendix G".

§ 75.5 [Corrected]

1. On page 3703, first column, in § 75.5(b), line 5, the reference "appendices A through G" is corrected to read "appendices A through I".

§ 75.6 [Corrected]

1. On page 3703, second column, § 75.6(a)(4), line 3, is corrected by removing the words "incorporation by reference".

§ 75.7 [Corrected]

1. On page 3704, first column, § 75.7, line 4, is corrected by replacing the words "reference monitor variance" with the words "reference method variance".

§ 75.11 [Corrected]

1. On page 3705, second column, § 75.11(c), introductory text, line 7, is corrected by adding a comma between the words "unit" and "or", and by adding the word "where" between the words "or" and "installation".

§ 75.15 [Corrected]

1. On page 3706, third column, § 75.15(a), introductory text, lines 9 and 10, "SO_X-diluent continuous emission monitoring" is corrected to read "SO_2-diluent continuous emission monitoring system".

§ 75.15 [Corrected]

2. On page 3706, third column, § 75.15(a), introductory text, lines 13 and 14 from the bottom of the paragraph, "December 31, 1991" is corrected to read "December 31, 1999".

§ 75.15 [Corrected]

3. On page 3707, first column, § 75.15 (a)(2), line 8, is corrected by replacing the reference "appendix F to this part" with the reference "section 5.5.3 of appendix F of this part".

§ 75.15 [Corrected]

4. On page 3707, third column, § 75.15(b)(1), in Equations 5 and 7, the references "Appendix G, Section 2.5.4 of this part" is corrected to read "Appendix F, section 5.5.3, of this part".

§ 75.16 [Corrected]

1. On page 3709, first column, § 75.16(e), line 6 from the bottom of the paragraph, is corrected by replacing the word "or" with the word "and" between the phrases "SO_2 mass emissions" and "emissions".

§ 75.17 [Corrected]

1. On page 3709, second column, § 75.17, the paragraph designation

(a)(2)(iii)(a) is corrected to read (a)(2)(iii)(A).

§ 75.17 [Corrected]

2. On page 3709, second column, § 75.17(a)(2)(iii)(B), line 9, is corrected by adding the words "the combined" before the phrase "NO_X emission rate".

§ 75.17 [Corrected]

3. On page 3709, second column, § 75.17(b)(2), line 9, is corrected by adding the words "the combined" before the phrase "NO_X emission rate".

§ 75.20 [Corrected]

1. On page 3711, second column, § 75.20(b)(3), line 9, is corrected by adding the words "except that" after the comma which immediately follows the word "section".

§ 75.20 [Corrected]

2. On page 3711, second column, § 75.20(c), introductory text, lines 9 and 22, are corrected by adding the word "thereof" after the word "components".

§ 75.20 [Corrected]

3. On page 3711, third column, § 75.20(c)(5), paragraph (c)(5)(iv) is correctly added after paragraph (c)(5)(iii) to read as follows:

* * * * *

(c) * * *

(5) * * *

(iv) A cycle time/response time test.

§ 75.20 [Corrected]

4. On page 3712, first column, § 75.20(c)(9)(i), introductory text, last line, is corrected by replacing the word "including" with the words "such that".

§ 75.20 [Corrected]

5. On page 3712, first column, § 75.20(c)(9)(i)(B), line 2, is corrected by adding the words "is available" between the word "tests" and the following comma.

§ 75.20 [Corrected]

6. On page 3712, first column, § 75.20(d), lines 10 and 11, the reference to "paragraphs (a) and (c) of this section" is corrected to read "paragraphs (a), (b) and (c) of this section".

§ 75.31 [Corrected]

1. On page 3714, second and third columns, § 75.31(b)(2), line 6, and § 75.31(c)(3), line 9, are corrected by adding the phrase "of this part" after the reference "appendix A".

§ 75.31 [Corrected]

2. On page 3714, second column, § 75.31(c)(2), lines 3 and 4, is corrected by replacing the phrase "owner and operator" with the phrase "owner or operator".

§ 75.31 [Corrected]

3. On page 3714, third column, § 75.31(c)(3), line 3, is corrected by replacing the words "any load range," with the words "the corresponding load range, or any higher load range,".

§ 75.31 [Corrected]

4. On page 3714, third column, § 75.31(c)(3), line 8, the reference to "section 2.1 of" is corrected to read "§ 72.2 of this chapter and section 2.1 of".

§ 75.32 [Corrected]

1. On page 3714, second and third column, § 75.32(b) is corrected to read:

* * * * *

(b) The monitor data availability need not be recorded during the missing data period. The owner or operator shall record the percent monitor data availability at the end of each missing data period, (and thereafter continue to record monitor data availability hourly, pursuant to § 75.50).

§ 75.34 [Corrected]

1. On page 3716, third column, § 75.34(b)(1), lines 1 and 2 are corrected by replacing the phrase "monitoring data availability" with the phrase "monitor data availability".

§ 75.41 [Corrected]

1. On page 3717, third column, § 75.41(a)(9)(i), line 5, is corrected by adding the phrase "(or reference method)" after the words "continuous emission monitoring system".

§ 75.41 [Corrected]

2. On page 3717, in the third column, § 75.41(a)(9)(ii), lines 2 and 3 are corrected by replacing the phrase "continuous emissions monitoring system" with "continuous emission monitoring system (or reference method)".

§ 75.41 [Corrected]

3. On page 3718, first column, § 75.41(a)(9)(ii), line 6 from the top, and § 75.41(b)(1)(i), lines 3, 4, and 5, are corrected by adding the phrase "(or reference method)" after the phrases "certified continuous emission monitoring system or certified flow monitoring system".

§ 75.41 [Corrected]

4. On page 3718, in the first column, § 75.41(b)(1)(i), lines 5 and 17 respectively, are corrected by adding the captions "(Eq. 11)" after "using the following equation:" and "(Eq. 12)" after "lognormalized data values lp:".

§ 75.41 [Corrected]

5. On page 3718, second column, § 75.41(b)(2)(i), line 7, is corrected by moving the word "where," from directly before Equation 13 to directly after the caption "(Eq. 13)", and by adding the word "where," after each caption for Equations 14 through 18.

§ 75.41 [Corrected]

6. On page 3719, first column, § 75.41(b)(2)(iv)(A), lines 4 and 5, and § 75.41(c)(1)(i), lines 3 and 4, are corrected by adding the phrase "(or reference method)" after the phrases "or certified flow monitoring system" and "or certified flow monitor".

§ 75.41 [Corrected]

7. On page 3719, second column, § 75.41(b)(2)(iv)(C), line 5, and § 75.41(c)(1)(ii), line 5, are corrected by adding the phrase "(or reference method)" after the phrases "or certified flow monitoring system" and "or certified flow monitor".

§ 75.41 [Corrected]

8. On page 3719, third column, in § 75.41(b)(2)(v)(A), line 1 of the column, "original variance in the F-test Equation 23 of this section" is corrected to read "original variance, as calculated using Equation 23 of this section, in the F-test (Equation 24) of this section."

§ 75.41 [Corrected]

9. On page 3719, third column, § 75.41(b)(2)(v)(B), line 4, is corrected by adding the phrase "of this part" after the reference "Appendix A".

§ 75.41 [Corrected]

10. On page 3719, third column, § 75.41(c)(2)(i), line 11, is corrected by adding the phrase "(or reference method)" after the phrase "continuous emission monitoring system".

§ 75.48 [Corrected]

1. On page 3720, third column, and on page 3721, in the first column, § 75.48(a)(3), all references to equations from § 75.41(c) are corrected by using the next higher equation number, to read as follows:

a. In paragraph (a)(3)(iv), "Equation 24" is corrected to read "Equation 25", and "Equation 25" is corrected to read "Equation 26".

b. In paragraph (a)(3)(viii), "Equation 22" is corrected to read "Equation 23".

c. In paragraph (a)(3)(ix), "Equation 23" is corrected to read "Equation 24".

d. In paragraph (a)(3)(xi), "Equation 26" is corrected to read "Equation 27".

§ 75.48 [Corrected]

2. On page 3720, third column, § 75.48(a)(3)(iii), lines 2 and 3, and

§ 75.48(a)(3)(viii), line 4 and 5, are corrected by replacing the phrase "continuous emissions monitoring system" with the phrase "continuous emission monitoring system (or reference method)".

§ 75.50 [Corrected]

1. On page 3721, second column, § 75.50(b), introductory text, lines 8 and 9, and § 75.50(b)(6), line 1, "gas-fired units" is corrected to read "when units combust gas."

§ 75.50 [Corrected]

2. On page 3721, second column, § 75.50(c)(1)(iii), line 1, § 75.50(c)(1)(iv), line 1, and § 75.50(c)(1)(vi), line 2, are corrected by replacing the phrase "Average hourly SO_2 concentration" with the phrase "Hourly average SO_2 concentration".

§ 75.50 [Corrected]

3. On page 3721, third column, § 75.50(c)(2)(iii), line 1, § 75.50(c)(2)(iv), line 1, § 75.50(c)(2)(v), line 1, § 75.50(c)(2)(vii), line 2, § 75.50(c)(3)(ii), line 1, and § 75.50(c)(3)(iii), line 1 are corrected by replacing the words "Average hourly" with the words "Hourly average".

§ 75.50 [Corrected]

4. On page 3721, second and third columns, § 75.50(c)(1)(vi), line 3 and § 75.50(c)(2)(vii), lines 2 and 3, are corrected by replacing the reference "using Codes 1–12 in Table 3" with the reference "using Codes 1–13 in Table 3".

§ 75.50 [Corrected]

5. On page 3722, first and second columns, § 75.50(d)(8), line 3 and § 75.50(e)(1)(vii), line 3, are corrected by replacing the reference "using Codes 1–12 in Table 3" with the reference "using Codes 1–13 in Table 3".

§ 75.50 [Corrected]

6. On page 3721, third column, § 75.50 Table 3, Code 4, is corrected by adding a line to read "CO_2 or O_2: Method 3, 3A or 3B" below the last line "NO_x: method 7, 7A, 7C, 7D, or 7E".

§ 75.50 [Corrected]

7. On page 3722, first column, § 75.50(d), introductory text, line 7, is corrected by replacing the word "option" with the word "optional".

§ 75.50 [Corrected]

8. On page 3722, first column, § 75.50(d)(3), line 1, 75.50(d)(4), line 1, § 75.50(d)(5), line 1, § 75.50(d)(6), line 1, § 75.50(d)(8), line 2, and § 75.50(d)(9), line 3, are corrected by replacing the words "Average hourly" with the words "Hourly average".

§ 75.50 [Corrected]

9. On page 3722, second column, § 75.50(e)(1)(iii), line 1, § 75.50(e)(1)(iv), line 1, § 75.50(e)(1)(v), line 1, § 75.50(e)(vii), line 2, and § 75.50(e)(1)(viii), line 2, are corrected by replacing the words "Average hourly" with the words "Hourly average".

§ 75.50 [Corrected]

10. On page 3722, second column, § 75.50(e)(2)(ii), line 1, § 75.50(e)(2)(iv), line 3, and § 75.50(e)(2)(v), line 3 are corrected by removing the word "average".

§ 75.51 [Corrected]

1. On page 3722, third column, § 75.51(a)(1)(iii), line 1, § 75.51(a)(1)(iv), line 1, § 75.51(a)(1)(v), line 1, and § 75.51(a)(1)(vi), line 1, are corrected by replacing the words "Average hourly" with the words "Hourly average".

§ 75.51 [Corrected]

2. On page 3722, third column, § 75.51(a)(1)(viii), lines 2 and 3 are corrected by replacing the phrase "average hourly SO_2 mass emissions" with the phrase "hourly average inlet and outlet SO_2 emission rates".

§ 75.51 [Corrected]

3. On page 3722, third column, § 75.51(a)(2)(i), lines 2 and 3 are corrected by replacing the phrase "SO_2 continuous emission monitoring system" with the phrase "SO_2-diluent continuous emission monitoring system".

§ 75.51 [Corrected]

4. On page 3723, first column, § 75.51(a)(2)(iii), line 1, is corrected by replacing the words "Average hourly" with the words "Hourly average".

§ 75.51 [Corrected]

5. On page 3723, first column, § 75.51(b), introductory text, line 5, is corrected by replacing the words "NO_x emission data" with the words "NO_x emissions data".

§ 75.51 [Corrected]

6. On page 3723, first column, § 75.51(b), introductory text, lines 12 and 13 are corrected by removing the phrase "then the owner or operator".

§ 75.51 [Corrected]

7. On page 3723, first column, § 75.51(b), the second paragraph referred to as "vii" is corrected to read "viii". This paragraph § 75.51(b)(1)(viii) is corrected by adding the words "For a unit with a dry flue gas desulfurization system," as the first line of the paragraph, directly before the words "The slurry feed rate (gal/min) to the atomizer nozzle; and".

§ 75.51 [Corrected]

8. On page 3723, first column, § 75.51(b)(1)(ix), line 3, is corrected by replacing the words "Codes 1–12" with the words "Codes 1–13".

§ 75.51 [Corrected]

9. On page 3723, second column, § 75.51(c)(1)(ii), line 1 and § 75.51(c)(1)(vi), line 1, are corrected by replacing the words "Average hourly" with the word "Hourly".

§ 75.51 [Corrected]

10. On page 3723, third column, § 75.51(d)(1)(ii), line 1, is corrected by replacing the word "daily" with "hourly".

§ 75.51 [Corrected]

11. On page 3723, third column, § 75.51(d)(1)(ii), line 3 is corrected by replacing both occurrences of the word "day" with the word "hour".

§ 75.51 [Corrected]

12. On page 3723, third column, § 75.51(d)(1)(iv), line 1, is corrected by replacing the word "daily" with "hourly".

§ 75.52 [Corrected]

1. On page 3724, second column, § 75.52(a)(5)(iv)(G) and § 75.52(a)(5)(iv)(H) are corrected by redesignating the paragraphs as § 75.52(a)(5)(v) and § 75.52(a)(5)(vi) respectively.

§ 75.53 [Corrected]

1. On page 3724, second column, § 75.53(a), introductory text, lines 4 and 5, is corrected by replacing the reference to "paragraphs (c) and (d) of this section" with the reference "paragraph (d) of this section".

§ 75.53 [Corrected]

2. On page 3724, third column, § 75.53(c)(2) introductory text is corrected to read as follows:

* * * * *

(e) * * *

(2) *Unit table.* A table identifying ORISPL numbers developed by the Department of Energy and used in the National Allowance Database, for all affected units involved in the monitoring plan, with the following information for each unit:

* * * * *

§ 75.53 [Corrected]

3. On page 3725, first column, § 75.53(c)(4)(vi), line 3, is corrected by replacing the reference "§ 75.10(g)" with the reference "§ 75.10(e)".

§ 75.53 [Corrected]

4. On page 3725, second column, § 75.53(c)(8), lines 3 and 4 are corrected by replacing the phrase "dimensions, and also showing location" with the phrase "dimensions and location".

§ 75.53 [Corrected]

5. On page 3725, second column, § 75.53(c)(9), lines 1 and 2 are corrected by replacing the words "at flue exit." with the words "at flow monitor location.".

§ 75.53 [Corrected]

6. On page 3725, second column, § 75.53(c)(10), § 75.53(c)(10)(i), § 75.53(c)(10)(ii), § 75.53(c)(10)(ii)(A), and § 75.53(c)(10)(ii)(B) are correctly redesignated as § 75.53(d), § 75.53(d)(1), § 75.53(d)(2), § 75.53(d)(2)(i), and § 75.53(d)(2)(ii) respectively.

PART 75, APPENDIX A [CORRECTED]

Appendix A, Section 1.1 [Corrected]

1. On page 3727, second column, Appendix A, Section 1.1, line 16, is corrected by replacing the parenthetical statement "(see section 6)" with the parenthetical statement "(see section 6 of this Appendix)".

Appendix A, Section 1.2.2 [Corrected]

1. On page 3728, first column, Appendix A, Section 1.2.2, line 5 of the first full paragraph is corrected by changing the word "and" to the word "or".

Appendix A, Section 2.1.4 [Corrected]

1. On page 3729, at the bottom of the page, Appendix A, Section 1.2.2, the equation is corrected by adding the label "(Eq. A–3a)".

Appendix A, Section 5.1.2 [Corrected]

1. On page 3731, second column, Appendix A, Section 5.1.2, the heading, is corrected to read as follows: "NIST Traceable Reference Materials (NTRM)".

Appendix A, Section 6.2 [Corrected]

1. On page 3731, third column, Appendix A, Section 6.2, lines 5 and 6 are corrected by replacing the phrase "/EPA-approved certified" with the word "Traceable".

Appendix A, Section 6.3.1 [Corrected]

1. On page 3732, first column, Appendix A, Section 6.3.1, third paragraph, the last sentence is corrected to read as follows: "Use only NIST Traceable Reference Material (NTRM), standard reference material, Protocol 1 calibration gases certified by the vendor to be within 2 percent of the label value, or where applicable, zero ambient air material as defined in § 72.2 of this part."

Appendix A, Section 6.3.2 [Corrected]

1. On page 3732, second column, Appendix A, Section 6.3.2, fourth paragraph, lines 8–12, is corrected by replacing the parenthetical statement "(i.e., less than or equal to 3 percent error each day and does not require corrective maintenance, repair, replacement, or manual adjustment during the 7-day test period)" with the parenthetical statement: "(i.e., less than or equal to 3 percent error each day and requiring no corrective maintenance, repair, replacement or manual adjustment during the 7-day test period)".

Appendix A, Section 7.3.1 [Corrected]

1. On page 3734, first column, Appendix A, Section 7.3.1, Equation A–7, the variable definitions for Equation A–7 are corrected by placing "i=1" as a subscript under the sigma (summation sign).

Appendix A, Section 7.3.4 [Corrected]

1. On page 3734, second column, Appendix A, Section 7.3.4, Equation A–10, the definitions for the variables for Equation A–10 are corrected by revising "|d|" to read "|$\bar{d}$|" and by revising "RM" to read "RM".

Appendix A, Section 7.6.5 [Corrected]

1. On page 3735, first and second columns, Appendix A, Section 7.6.5, Equation A–12, the definitions for the variables for Equation A–12 are corrected to read as follows: |$\bar{d}$|=Absolute value of the arithmetic mean of the difference obtained during the failed bias test using Equation A–7" and CEM=means of the data valves provided by the monitor during the failed bias test.

Part 75, Appendix B [Corrected]

Appendix B, Section 2.3.1 [Corrected]

1. On page 3739, second column, Appendix B, "Section 23.1" is corrected by replacing the current label of "section 23.1" and with the label "section 2.3.1".

Appendix B, Section 2.3.1 [Corrected]

2. On page 3739, second column, Appendix B, Section 2.3.1, first paragraph, lines 4 through 7, are corrected by replacing the word "for" with the word "or" between the phrases "NO_x continuous emission monitoring system" and "SO_2-diluent continuous emission monitoring system".

Appendix B, Section 2.3.1 [Corrected]

3. On page 3739, third column, Appendix B, Section 2.3.1, third paragraph, lines 13 through 21 from the top of the page, are corrected by revising phrase (5) to read as follows: (5) on low SO_2 emitting units (SO_2 concentration ≤250.0 ppm, or equivalent lb/mmBtu value for SO_2-diluent continuous emission monitoring systems), when the monitor or monitoring system mean is within ±8.0 ppm (or equivalent in lb/mmBtu for SO_2-diluent continuous emission monitoring systems) of the reference method mean or achieves a relative accuracy of 7.5 percent or less during the previous audit; or.

Appendix B, Section 2.3.2 [Corrected]

1. On page 3739, third column, Appendix B, Section 2.3.2, first paragraph, lines 15 through 19, is corrected by adding "(or ±0.03 lb/mmBtu for SO_2-diluent monitors from January 1, 1997 through December 31, 1999)" following the words "exceeds ±15.0 ppm" in statement (5).

Appendix B, Section 2.3.3 [Corrected]

1. On page 3740, first column, Appendix B, Section 2.3.3, is corrected by adding section 2.3.3 to read as follows:

* * * * *

2.3.3 Bias Adjustment Factor. If an SO_2 pollutant concentration monitor, flow monitor, or NO_x continuous emission monitoring system fails the bias test specified in Section 7.6 of Appendix A of this part, use the bias adjustment factor given in Equations A–11 and A–12 of Appendix A of this part to adjust the monitored data.

* * * * *

Appendix B, Figure 1 [Corrected]

1. On page 3740, second column, Appendix B, Figure 1 is corrected by deleting the check mark ("√") from the quarterly column for the row labelled "Interference (flow).", and by adding a new row labelled "Leak (flow)." with a check mark ("√") in the quarterly column.

Appendix B, Figure 2 [Corrected]

1. On page 3740, last column of Figure 2, Appendix B, is corrected by replacing the annual relative accuracy requirement for SO_2 of "RA ≤7.7% or ±8ppm" with "RA ≤7.5% or ±8ppm".

Part 75, Appendix C [Corrected]

Appendix C, Section 1.4 [Corrected]

1. On page 3741, first column, Appendix C, Section 1.4.1, line 13, and Appendix C, Section 1.4.2, line 14, are

corrected by replacing the reference "section 1.2" in the definition of variable E with the reference "section 1.3".

Appendix C, Section 2.2.1 [Corrected]

1. On page 3741, second column, Appendix C, Section 2.2.1, lines 5 through 7, are corrected by moving the parenthetical statement "(that is, load resulting from all combustion of fuel, including internal usage and generation for sale)" after the phrase "gross load of the unit" and before the comma following that phrase.

Part 75, Appendix D [Corrected]

Appendix D, Section 1.3 [Corrected]

1. On page 3742, first column, Appendix D, Section 1.3, lines 4 through 6, is corrected by removing the phrase "for the certification of continuous emission monitoring system".

Appendix D, Section 2.1.1 [Corrected]

1. On page 3742, first column, Appendix D, Section 2.1.1, line 9, is corrected by deleting the words "for use".

Appendix D, Section 2.2.6 [Corrected]

1. On page 3742, third column, Appendix D, Section 2.2.6, line 4 is corrected by removing the "1" before the word "Reapproved".

2. On page 3742, third column, Appendix D, Section 2.2.6, line 7, is corrected by replacing the citation for "ASTM D1382–88" with the citation "ASTM D2382–88".

Appendix D, Section 3.1.1 [Corrected]

1. On page 3743, first column, Appendix D, Section 3.1.1, line 5, is corrected by replacing the caption "(Eq. D–1)" with the caption "(Eq. D–2)".

Appendix D, Section 3.2.3 [Corrected]

1. On page 3743, second column, Appendix D, Section 3.2.3, line 7, is corrected by replacing the caption "(Eq. D–2)" with the caption "(Eq. D–3)".

Part 75, Appendix E [Corrected]

Appendix E, Section 1.3.1 [Corrected]

1. On page 3743, second column, Appendix E, Section 1.3.1, line 3, is corrected by replacing the word "installation" with the word "certification".

Appendix E, Section 2.1.3.1 [Corrected]

1. On page 3744, first column, Appendix E, Section 2.1.3.1, line 16, is corrected by replacing "ASME MFC–7N–1987" with "ASME MFC–7M–1987".

Appendix E, Section 3.4.3 [Corrected]

1. On page 3745, third column, Appendix E, Section 3.4.3, line 1, is corrected by replacing the phrase "quarterly average" with the phrase "annual average".

Part 75, Appendix F [Corrected]

Appendix F, Section 3.3.1 [Corrected]

1. On page 3746, third column, Appendix F, Section 3.3.1 is corrected to read "K=1.194x10 – 7 (lb/dscf)/ppm NO_x.".

Appendix F, Section 3.4 [Corrected]

1. On page 3747, second column, Appendix F, Section 3.4, Equations F–9 and F–10, are corrected by replacing both occurrences of "No_x" with "NO_x".

Appendix F, Section 4.3 [Corrected]

1. On page 3747, third column, Appendix F, Section 4.3, Equation F–12, is corrected by substituting "E_{co24}" with "E_{CO2q}" in the definitions for the variables.

Appendix F, Section 4.4.1 [Corrected]

1. On page 3748, first column, Appendix F, Section 4.4.1, line 5 from the top of the page is corrected by removing "Q02".

Part 75, Appendix G [Corrected]

Appendix G, Section 2.1 [Corrected]

1. On page 3749, second column, Appendix G, Section 2.1, Equation G–1, is corrected by replacing "W_{o2}" with "MW_{O2}" in the definitions for the variables.

Appendix G, Section 2.2 [Corrected]

1. On page 3749, second column, Appendix G, Section 2.2, lines 5 and 6, is corrected by replacing "section 2.21–2.23 or Section 2.24 of the appendix." with the phrase "sections 2.2.1 through 2.2.3 or section 2.2.4 of this appendix."

Appendix G, Section 2.3 [Corrected]

1. On page 3749, third column, Appendix G, Section 2.3, Equation G–4, the variable definitions are corrected by replacing "W_{CO2} emitted" with "W_{CO2} = CO_2 emitted" and by adding "MW_{CO2} = Molecular weight of carbon dioxide (44.0)." as the last variable for Equation G–4.

Appendix G, Section 3.1.2 [Corrected]

1. On page 3750, first column, Appendix G, Section 3.1.2, Equation G–6, the definition for the variables are corrected by replacing "SE=" with "SE_{CO2}=".

Part 75, Appendix H [Corrected]

Appendix H, Table 7.1 [Corrected]

1. On page 3751, Appendix H, Table 7.1, the heading "Balancegas" is corrected to read "Balance gas [1]".

Appendix H, Table 7.1 [Corrected]

2. On page 3751, Appendix H, Table 7.1, in the heading in the fourth column, "Al or SS" is corrected to read "Passivated Aluminum".

Appendix H, Table 7.1 [Corrected]

3. On page 3751, Appendix H, Table 7.1, in the row for Carbon monoxide, the third column is corrected by replacing "5" with "8" and in the fourth column replacing "18" with "36".

Appendix H, Table 7.1 [Corrected]

4. On page 3751, Appendix H, Table 7.1, in the row for Nitric oxide, the third column is corrected by replacing "10" with "5" and in the fourth column replacing "18" with "24".

Appendix H, Table 7.1 [Corrected]

5. On page 3751, Appendix H, Table 7.1, in the row for Sulfur dioxide, the second column is corrected by adding the words "or air" following "N_2", in the third column, replacing "≥10" with "50–499" and in the fourth column, replacing "18" with "24".

Appendix H, Table 7.1 [Corrected]

6. On page 3751, Appendix H, Table 7.1, immediately following the row for Sulfur dioxide, add two rows as follows: for the first row, in the first column, add "Sulfur dioxide", in the second column add "N_2 or air", in the third column add "≥500 ppm", in the fourth column add "36" and in the fifth column, add "6"; for the second row, in the first column, add "Oxides of nitrogen", in the second column add "Air", in the third column add "≥100 ppm", in the fourth column add "24" and in the fifth column, add "6".

Appendix H, Table 7.1 [Corrected]

7. On page 3751, Appendix H, Table 7.1, the row for Nitrogen dioxide is corrected in the second column by removing "N_2 or" so that the column reads "Air", in the third column, replacing "10" with "1000", and in the fourth column, replacing "6" with "24".

Appendix H, Table 7.1 [Corrected]

8. On page 3751, Appendix H, Table 7.1, the row for Carbon dioxide is corrected in the fourth column by replacing the number "18" with the number "36".

Appendix H, Table 7.1 [Corrected]

9. On page 3751, Appendix H, Table 7.1, is corrected by adding a row immediately following the row for Carbon dioxide as follows: in the first column, add "Carbon dioxide and oxygen, (i.e. blood gas)", in the second column, add "N_2", in the third column, add "≥5% CO_2, ≥0% O_2", in the fourth column add "36", and in the fifth column, add "6".

Appendix H, Table 7.1 [Corrected]

10. On page 3751, Appendix H, Table 7.1, is corrected in the row for Oxygen, in the fourth column by replacing the number "18" with the number "36".

Appendix H, Table 7.1 [Corrected]

11. On page 3751, Appendix H, Table 7.1, is corrected in the first column in the row for Sulfur dioxide and carbon dioxide, by revising the column to read "Carbon dioxide and nitrous oxide", in the second column, replacing "N_2" with "Air", in the third column, replacing "≥200 ppm SO_2, 10 percent CO_2" with "≥300 ppm CO_2, ≥300 ppb N_2O", and in the fourth column replacing "18" with "36".

Appendix H, Table 7.1 [Corrected]

12. On page 3751, Appendix H, Table 7.1, is corrected by removing the entire row beginning in the first column with "Propane".

Appendix H, Table 7.1 [Corrected]

13. On page 3751, Appendix H, Table 7.1, is corrected by adding 2 rows immediately following "Others not specifically listed", as follows: for the first row, in the first column, adding "Multicomponent mixtures", in the second column, adding "____", in the third column, adding "____", in the fourth column adding "See [2]", and in the fifth column, adding "6"; for the second row, in the first column, adding "Mixtures with lower concentrations", in the second column, adding "____", in the third column, adding "____", in the fourth column, adding "See [3]", and in the fifth column, adding "6".

Appendix H, Table 7.1 [Corrected]

14. On page 3751, Appendix H, Table 7.1, is corrected by adding footnotes 1, 2, and 3 as follows:

[1] When used as a balance gas, "air" is defined as a mixture of O_2 and N_2 where the minimum concentration of O_2 is 10% and the concentration of N_2 is greater than 60%.

[2] This protocol may be used to assay and certify individual components of multicomponent standards, provided that none of the components interferes with the analysis of other components and provided that individual components must not react with each other or with the balance gas. A multicomponent standard can be certified for a period of time equal to that of its most briefly certifiable component. For example, a standard containing 250 ppm sulfur dioxide and 100 ppm carbon monoxide in nitrogen can be certified for 24 months because the shortest certification period is 24 months.

[3] This protocol may be used for the certification of standards with concentrations that may be lower than those listed in Table 7.1. The initial certification period for such a lower concentration standard is 6 months. After this period, the standards may be recertified. If the recertification demonstrates that the standard is not unstable, the second certification period for this lower concentration standard is the same time period as indicated for the corresponding concentration standard listed in Table 7.1.

Dated: June 18, 1993.

Brian McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–15194 Filed 7–29–93; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

42 CFR Part 1001

Medicare and State Health Care Programs: Fraud and Abuse; Amendments to OIG Exclusion and CMP Authorities Resulting From the Medicare and Medicaid Patient and Program Protection Act

AGENCY: Office of Inspector General (OIG), HHS.

ACTION: Final rule.

SUMMARY: This document amends a technical error that appeared in the final rule, which amends the OIG exclusion and CMP authorities, published on January 29, 1992 designed to implement section 2 of the Medicare and Medicaid Patient and Program Protection Act, along with other conforming amendments. The final rule is designed to protect program beneficiaries from unfit health care practitioners, and otherwise improve the anti-fraud provisions of the Department's Medicare and State health care programs.

EFFECTIVE DATE: July 30, 1993.

FOR FURTHER INFORMATION CONTACT: Joel Schaer, (202) 619–0089.

SUPPLEMENTARY INFORMATION:

Background

On January 29, 1992, a final rule, Amendments to OIG Exclusion and CMP Authorities Resulting From Public Law 100–93, was published in the **Federal Register** (57 FR 3298). Specifically, the final rule is designed to protect program beneficiaries from unfit health care practitioners, and otherwise to improve the anti-fraud provisions of the Department's health care programs under titles V, XVIII, XIX, and XX of the Social Security Act. In the final regulations, a new § 1001.1301—Failure to grant immediate access—was codified in 42 CFR part 1001 to permit, among other things, the exclusion of individuals or entities who fail to grant immediate access to the OIG or State Medicaid Fraud Control Units (MFCUs) for the purpose of reviewing documents to determine if a statutory or regulatory violation has occurred.

Technical Amendment to § 1001.1301

Section 1128(b)(12)(D) of the Social Security Act, the statutory authority upon which this regulatory provision is based, specifically allows for the exclusion of any individual or entity from Medicare and State health care program participation if that "individual or entity fails to grant immediate access, upon reasonable request, * * * to a State Medicaid Fraud Control Unit (as defined in section 1903(q)), for the purpose of conducting activities described in that section." The regulations at § 1001.1301(a)(3) went on to define the term "reasonable request" to mean "* * * a written request for documents, *signed by the IG or a delegatee,* and made by a properly identified agent of the OIG or a State Medicaid Fraud Control Unit during reasonable business hours * * *" (emphasis added). As currently drafted, however, this definition now inadvertently bars the State MFCU from directly carrying out one of its statutorily-allowed functions in the absence of a written request signed by an OIG official.

Since the IG cannot under this provision delegate to State MFCUs its authority to issue "reasonable request," the current definition for "reasonable request" in § 1001.1301(a)(3) unintentionally restricts the State MFCUs' authority to request access to documents by requiring the IG or a delegatee to sign such a request. To correct this definition of "reasonable request," we are modifying § 1001.1301(a)(3) to have it read consistent with the statutory language contained in section 1128(b)(12)(D) of the Act.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JUL 16 1993

4APT-AE

Mr. Earl B. Parson, Jr.
Designated Representative
Gulf Power Company
P.O. Box 1151
Pensacola, Florida 32520-0100

Dear Mr. Parson:

Enclosed you will find for your review a copy of the draft acid rain permit which has been prepared by the U.S. Environmental Protection Agency (EPA) for Gulf Power Company-Crist, pursuant to 40 C.F.R. Part 72. Additionally, you will also find enclosed a copy of the public notice which will be published in a local newspaper of general circulation for your facility. We are scheduled to publish a public notice for Crist in the Federal Register on July 16, 1993. The enclosed public notice is expected to be published in a local newspaper on or shortly after July 16, 1993.

If you should have any questions regarding the public notice, the actual date of publication for the public notice, or the draft permit, please feel free to contact Kevin Taylor or me at (404) 347-5014. Your cooperation is greatly appreciated.

Sincerely yours,

Brian L. Beals, Chief
Source Evaluation Unit
Air, Pesticides, and Toxics
Management Division

cc: Thomas Cascio, FDER
James Vick, Gulf Power Co.
Dwain Waters, Gulf Power Co.

FAX TRANSMITTAL # of pages ▷ 3

To Tom Cascio | From Kevin Taylor
[illegible] | 404/347-5614
404/922-[illegible] | 404/347-3059

EPA

July 1993

EPA's Proposed Response to Substitution and Reduced Utilization Compliance Plan Litigation

[illegible]

[illegible] designed to achieve a 10 million ton reduction in [illegible] sulfur dioxide emissions through a system of marketable emission credits called "allowances", which are each worth one ton of sulfur dioxide. The program is implemented in 2 phases, with 110 plants required to make reductions in Phase I (1995 through 1999), and 812 plants, most of the electric capacity in the U.S., complying with emission limitations in Phase II (beginning in 2000), and subject to a permanent emissions cap.

Most of the Acid Rain rules were promulgated in January of 1993, covering the Allowance Trading System, Permitting and Continuous Emissions Monitoring. In mid-February EPA received permit applications containing compliance plans under Phase I of the program. On March 12, petitions for review of the January rules were filed in the U.S. Court of Appeals, including petitions from the Environmental Defense Fund, the Natural Resources Defense Council, the State of New York, and the Adirondack Council regarding substitution and reduced utilization provisions in Phase I.

THE ISSUE

The Acid Rain rules for Phase I of the program, where only a fraction of the electric utility plants are covered and there is no emissions cap, allow the use of two flexible compliance options which are at issue: substitution plans and reduced utilization plans. In each case, the compliance options were intended to be "emissions neutral", i.e. the resulting emissions would be no higher with the option than without it.

SUBSTITUTION PLANS	
WHAT WAS INTENDED: Substitution plans were designed to allow Phase I units to transfer their emission reduction obligations during 1995-1999 to Phase II units that otherwise would not need to comply until 2000 under the Acid Rain Program. These plans were meant to allow Phase I plants to cost-effectively reduce emissions at another plant instead of the Phase I plant, achieving the same overall emission reductions that would have occurred without the plan.	RESULTING PLANS: Many substitution plans rely on emissions reductions at Phase II units that after 1985, but prior to passage of the Clean Air Act: (1) had already reduced their emissions or (2) were required to reduce their emissions in response to State laws. Therefore, relying on these reductions in substitution plans does not achieve new emissions reductions in response to the Act. Rather, because these plans create new authorizations to emit sulfur dioxide, projected total emissions are higher with such plans, including the allocated allowances, than without.

REDUCED UTILIZATION PLANS	
WHAT WAS INTENDED: During Phase I, only a small number of Phase I plants are required to make reductions. To account for possible shifts in emissions associated with shifts in electricity generation from Phase I units to Phase II units during this period, utilities must identify Phase II units providing compensating generation or surrender allowances equal to emissions resulting from the shifted energy generation. Reductions in generation from Phase I units due to increases in energy conservation or sulfur free generation (such as wind power) do not require surrender.	RESULTING PLANS: Some reduced utilization plans designate Phase II units providing compensating generation that after 1985, but prior to passage of the Clean Air Act: (1) had already reduced their emissions or (2) were required to reduce their emissions response to State laws. The allocations to these units are at the higher 1985 rate of emissions. Because these plans create new authorizations to emit sulfur dioxide, projected total emissions are higher with such plans (including the allocated allowances) than without. In many cases, multiple units are designated even though only one unit, at best, is needed to be a compensating unit.

WHAT IS AT STAKE?

EPA estimates that approximately 1 million new allowances could be generated by the use of the rules. The generation of these allowances (1) frustrate the achievement of the emission reductions envisioned by Congress when it passed the Clean Air Act, and (2) thwart the Congressional intent that these alternative compliance plans were to be emissions neutral. The credibility of the Acid Rain Program and its market-based approach is threatened when allowances can be created which erode the emission reduction goals of the Act.

PROPOSED EPA ACTIONS

EPA believes it is important to take action immediately on this issue rather than to wait for the results of the litigation. Such action is important to maintain the credibility of the program to ensure that the public retains confidence in market-based mechanisms for pollution control. Immediate implementation will also provide more certainty to the industry. Two major actions to address this issue are underway: (1) revisions of the rules promulgated for substitution and reduced utilization plans, and (2) issuance of draft Phase I permits containing partial approval of such compliance plans.

Action 1 -- Revise Rules

EPA plans to propose revisions to the rules for substitution and reduced utilization compliance plans by fall of this year, and expects promulgation in early 1994.

BEST AVAILABLE COPY

[illegible]

[illegible] Compliance plans [illegible]

[illegible]

[illegible] Phase I compliance strategy.

FOR FURTHER INFORMATION

Status of EPA litigation on reduced utilization and substitution plans:	Status of EPA [illegible]
[illegible] Office of [illegible] Counsel U.S. Environmental Protection Agency [illegible] Washington, D.C. [illegible]	[illegible] Acid Rain Division [illegible] U.S. Environmental Protection Agency [illegible] Washington, D.C. [illegible]
Status of [illegible] plans for Phase I [illegible]	General Questions on the Acid Rain Program:
[illegible] Regional Offices	Acid Rain Hotline (617) 674-7377

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV
345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

Clair
Howard
7/20

JUL 16 1993

RECEIVED
JUL 19 1993
Division of Air
Resources Management

4APT-AE

Mr. Howard L. Rhodes, Interim Director
Air Resources Management Division
Florida Department of
Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Rhodes:

Please find enclosed the administrative records for the draft acid rain permits which are proposed for Gulf Power Company-Crist Electric Generating Plant and Tampa Electric Company-Big Bend. Included in the administrative records are the draft permits and other information submitted to, or otherwise considered by, the U.S. Environmental Protection Agency (EPA) in preparing the draft permits. However, it should be noted that any information which was determined by EPA to be confidential has been excluded from the administrative records. Please make these administrative records available to the public for inspection beginning on the date of receipt and continuing until August 31, 1993.

Also enclosed are copies of the "Notices of Draft Permit and Public Comment Period" that were submitted for publication in the Pensacola News-Journal (Crist) and in The Tampa Tribune (Big Bend).

Thank you for your assistance. If you should need additional information, do not hesitate to call me at (404) 347-5014.

Sincerely yours,

Brian L. Beals, Chief
Source Evaluation Unit
Air Enforcement Branch
Air, Pesticides and Toxics
Management Division

Enclosures

7/21
Title IV

John Brown –

Please note. I would think there should be a copy at local office near where the facilities are. Pls. ask Beals if sent to district/local. If not we should send them a copy & a copy of Brian's letter.

Thanks.

Clan

Copy sent to locals by B. Beals

1 copy

Needs to send to

1. NW District
2. SW District

Sheraton Tucson El Conquistador
Golf & Tennis Resort
10000 NORTH ORACLE ROAD, TUCSON, ARIZONA 85737
The hospitality people of ITT
(602) 742-7000

Plant Name: Crist Electric Generating Plant
State: Mississippi — ?
ORIS Code: 0641

Statutory and Regulatory Authorities. In accordance with Title IV of the Clean Air Act Amendments of 1990, the U. S. Environmental Protection Agency issues this permit pursuant to 40 CFR part 72, subparts E and F.

Comments, notes and justifications that apply to the source in general:

Due to a typographical error on the Phase I Permit Application form, the reference on the Phase I Permit Application form at Step 2, "Hold allowances in accordance with 40 CFR 72.9(d)(1)," has been changed to "Hold allowances in accordance with 40 CFR 72.9(c)(1)."

Kevin Taylor 404-347-5014

Called Kevin 7-26-93
Discussed needs
Phase I Extension
Early Ranking
Appl Forms.

KEVIN I. TAYLOR

Permit Reviewer	*Signature*	*Date*

BEVERLY A. SPAGG

Regional Manager	*Signature*	*Date*

Plant Name: Crist Electric Generating Plant
State: Florida
ORIS Code: 0641
Boiler ID#: 0006

Phase I SO_2 Allowance Allocation

	1995	1996	1997	1998	1999
Table 1 *40 CFR 73.10*	18,695	18,695	18,695	18,695	18,695
Phase I Extension *40 CFR 72.42*	*6,570	*6,570	0	0	0
Substitution *40 CFR 72.41*	N/A	N/A	N/A	N/A	N/A
Reduced Utilization *40 CFR 72.43*	N/A	N/A	N/A	N/A	N/A

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:

See changes made to the Permit Application form on Statement of Basis, page 2.

Pursuant to 40 CFR 72.42 and the ranking of Phase I Extension Early Ranking applications determined by lottery on March 31, 1993, the Phase I Extension plan for Indianapolis Power and Light Company-Petersburg, naming this unit as a transfer unit, has not been approved. It was not approved because unallocated allowances did not remain in the Phase I Extension reserve at the time EPA acted on this plan.

* If Phase I Extension reserve allowances become available in the future, this application is eligible to receive the allocations specified above by administrative amendment to this permit if the Phase I Extension plan continues to meet the requirements of 40 CFR 72.42. Pursuant to 40 CFR 72.42 and the attached Phase I Extension Early Ranking application forms, this unit would have an Acid Rain emissions reduction requirement limiting SO_2 emissions to a maximum of 33,194 tons per year for 1997, 1998, and 1999. Corrections were made to the Phase I Extension application at steps 8, 36, and 39 pursuant to a letter from the designated representative, dated March 30, 1993. The corrections did not affect the number of allowances for which this unit would be eligible. (Continued on page 4)

KEVIN I. TAYLOR

Permit Reviewer *Signature* *Date*

BEVERLY A. SPAGG

Regional Manager *Signature* *Date*

Plant Name: Crist Electric Generating Plant
State: Florida
ORIS Code: 0641
Boiler ID#: 0007

Phase I SO_2 Allowance Allocation

	1995	1996	1997	1998	1999
Table 1 *40 CFR 73.10*	30,846	30,846	30,846	30,846	30,846
Phase I Extension *40 CFR 72.42*	19,857	19,857	0	0	0
Substitution *40 CFR 72.41*	N/A	N/A	N/A	N/A	N/A
Reduced Utilization *40 CFR 72.43*	N/A	N/A	N/A	N/A	N/A

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:

See changes made to the Permit Application form on Statement of Basis, page 2.

Pursuant to 40 CFR 72.42 and the ranking of Phase I Extension Early Ranking applications determined by lottery on March 31, 1993, the Phase I Extension plan for Virginia Electric & Power Company-Mount Storm, naming this unit as a transfer unit, has been approved. Pursuant to 40 CFR 72.42 and the attached Phase I Extension Early Ranking application forms, this unit has an Acid Rain emissions reduction requirement limiting SO_2 emissions to a maximum of 48,702 tons per year for 1997, 1998, and 1999. The Phase I Extension Early Ranking forms were modified to correct rounding errors at steps 35, 38, and 41 pursuant to a letter from the designated representative, dated March 11, 1993. This unit has also been granted an extension, until January 1, 1997, of the deadline for compliance with regulations implementing Section 407 of the Clean Air Act (nitrogen oxides).

KEVIN I. TAYLOR

Permit Reviewer *Signature* *Date*

BEVERLY A. SPAGG

Regional Manager *Signature* *Date*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

4APT-AE

JUL 13 1993

Mr. Thomas Cascio
Air Resources Management Division
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Cascio:

Enclosed is a copy of the draft acid rain permit which has been prepared for issuance to Gulf Power Company-Crist, which is subject to the Acid Rain Program, as specified in 40 C.F.R. Part 72. This draft permit is presently being reviewed by our regional and headquarters offices. In accordance with the team approach for final issuance of the acid rain permits, the enclosed draft permit is being sent for your concurrent review.

If you should have any questions regarding the Acid Rain Program's permitting procedures or have any comments concerning the enclosed draft permit, please feel free to contact Kevin Taylor or me at (404) 347-5014. Your cooperation is greatly appreciated.

Sincerely yours,

Brian L. Beals, Chief
Source Evaluation Unit
Air Enforcement Branch
Air, Pesticides, and Toxics
Management Division

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

MAR 15 1993

4APT-AE

Mr. Earl B. Parsons, Jr., Vice President
Power Generation and Transmission
Gulf Power Company
P.O. Box 1151
Pensacola, Florida 32520-0100

Dear Mr. Parsons:

Thank you for your timely submission of the Acid Rain Permit Application for Gulf Power Company-Crist Electric Generating Plant in Pensacola, Florida. We have reviewed the application and have found it to be complete.

We have not yet concluded the substantive review required to make a decision regarding the adequacy of your application. There is a chance we may request clarification or additional information during this review period. We will contact you if we need such assistance.

If you have any questions during this process, please contact Kevin Taylor or me at (404) 347-5014. We look forward to working with you and are committed to making this program a success.

Sincerely yours,

Brian L. Beals, Chief
Source Evaluation Unit
Air Enforcement Branch
Air, Pesticides, and Toxics
Management Division

cc: Tom Cascio, FDER
Jim Vick, Gulf Power Company
Dwain Waters, Gulf Power Company
Danny Herrin, Southern Company Services, Inc.

08-08-93 18:57 U.S. - E.P.A. AIR DIV.

BEST AVAILABLE COPY

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IV ATLANTA, GEORGIA
AIR, PESTICIDES & TOXICS MANAGEMENT DIVISION

AIR ENFORCEMENT BRANCH
FACSIMILE TRANSMISSION SHEET

DATE: 8/9/93 # OF PAGES: 14

TO: Tom C[illegible] PHONE #: [illegible]

ADDRESS: FDEP FAX: [illegible]

FROM: Kevin T. Taylor

If the following pages are received poorly, please call Kevin at (404) [illegible]

SPECIAL INSTRUCTIONS FOR RECEIVER:
Attached are the [illegible] permit applications which are included in the [illegible]

345 COURTLAND STREET, NE
ATLANTA, GEORGIA 30365
FAX (404) [illegible]

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0221
Expires 6-30-95

EPA Phase I Permit Application

received
2/16/93 KAP

For more information, see instructions and refer to 40 CFR 72.60 and 72.61

This submission is: [X] New [ ] Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Plant Name: Mt. Storm State: WV ORIS Code: 3954

COMPLIANCE PLAN

STEP 2
Specify a compliance plan for the source by identifying each Table 1 unit at the source that is subject to Acid Rain Program emissions limitations during Phase I. Identify each unit by boiler ID# from NADB, and mark one or more boxes if you wish to identify additional methods of compliance for each unit

Table 1 Units

ID# 3

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Substitution plan (include Substitution Plan form)
[ ] Reduced utilization plan (include Reduced Utilization Plan form)
[X] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form; if this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name State

ID# 1

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Substitution plan (include Substitution Plan form)
[ ] Reduced utilization plan (include Reduced Utilization Plan form)
[X] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form; if this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name State

ID# 2

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Substitution plan (include Substitution Plan form)
[ ] Reduced utilization plan (include Reduced Utilization Plan form)
[X] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form; if this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name State

ID#

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Substitution plan (include Substitution Plan form)
[ ] Reduced utilization plan (include Reduced Utilization Plan form)
[ ] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form; if this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name State

Plant Name (from Step 1) Mt. Storm

Non-Table 1 Units

ID#

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [ ] Control unit (include Phase I Extension Plan form)
- [ ] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

- [ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
- [ ] Compensating unit (if this is a compensating unit for one or more units at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

ID#

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [ ] Control unit (include Phase I Extension Plan form)
- [ ] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

- [ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
- [ ] Compensating unit (if this is a compensating unit for one or more Table 1 units at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

ID#

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [ ] Control unit (include Phase I Extension Plan form)
- [ ] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

- [ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
- [ ] Compensating unit (if this is a compensating unit for one or more Table 1 units at other source(s), enter plant name and State of other source(s))

Plant Name _____ State _____

Plant Name _____ State _____

Mt. Storm

Plant Name (from Step 1)

STEP 3
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

(1) The [illegible] source and each affected unit at the source shall:
(a) Submit a complete Acid Rain permit application (including a compliance plan) under this part in accordance with the deadlines specified in 40 CFR 72.30;
(b) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
(2) The owners and operators of each affected source and each affected unit at the source shall:
(a) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
(b) Have an Acid Rain Permit.

Monitoring Requirements.

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR part 75 and regulations implementing section 407 of the Act shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

(1) The owners and operators of each source and each affected unit at the source shall:
(a) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
(b) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An affected unit shall be subject to the requirements under 40 CFR 72.9(c)(1) as follows:
(a) Starting January 1, 1995, an affected unit under 40 CFR 72.6(a)(1);
(b) Starting on or after January 1, 1995 in accordance with 40 CFR 72.41 and 72.43, an affected unit under 40 CFR 72.6(a)(2) that is a substitution or compensating unit; or
(c) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3) that is not a substitution or compensating unit.
(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of this section prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR [illegible] and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen oxides requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

(1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
(2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
(a) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
(b) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents 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 Administrator or permitting authority.
(a) The certificate of representation for the designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
(b) All emissions monitoring information, in accordance with 40 CFR part 75;
(c) Copies of all reports, [illegible] and other submissions and all records made or required under the Acid Rain Program.

Plant Name (from Step 1) Mt. Storm

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(ii) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(i) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to [illegible]
(ii) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
(iii) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(iv) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
(v) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
(vi) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.41 (substitution plans), 40 CFR 72.42 (Phase I extension plans), 40 CFR 72.43 (reduced utilization plans), 40 CFR 72.44 (Phase II repowering extension plans), and section 407 of the Act and regulations implementing section 407 of the Act, and except with regard to the requirements applicable to units with a common stack under part 75 of this chapter (including sections 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative [illegible]
(vii) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78, and regulations implementing sections 407 and 410 of the Act by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(i) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
(ii) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
(iii) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
(iv) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or
(v) [illegible] program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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 John A. Ahladas

Signature [signature] Date 2/8/93

STEP 4 (optional)
Enter the source AIRS and FINDS identification numbers, if known

AIRS

FINDS

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0221
Expires 6-30-95

EPA Phase I Extension Plan

received
3/16/93

For more information, see instructions and refer to 40 CFR 72.42(e)

STEP 1
Identify the control units' source by plant name and State from NADB. Check the box(es) to indicate whether a Phase I Extension Early Ranking form was submitted and, if so, whether there are any changes

Plant Name: Mt. Storm | State: WV

[X] A Phase I Extension Early Ranking form was submitted for this source and is incorporated by reference as modified by this submission. There are:

- [X] No changes entered on this form (skip to Step 5; do not complete pages 3-6)
- [ ] Changes entered on this form (complete only those steps where there are changes)

[ ] No Phase I Extension Early Ranking form was submitted for this source or for this control unit (complete all steps)

STEP 2
Identify each control unit by boiler ID# from NADB. For Type, enter T1 for Table 1 unit, S for substitution unit or C for compensating unit. Enter date when qualifying Phase I technology will commence operation

Control Units

	Boiler ID#	Type	Commence Operation Date
a			
b			
c			

STEP 3
Mark one of the first two boxes and the third box to indicate that the required documents are included

[ ] A copy of the executed contract or contracts for the design engineering and construction of qualifying Phase I technology at each control unit is included.

OR

[ ] A binding letter of agreement for each executed contract for the design engineering and construction of qualifying Phase I technology at each control unit is included, in accordance with 40 CFR 72.42(e)(1)(i). The actual contracts are on file and will be submitted to the Administrator upon written request.

[ ] A vendor certification of the sulfur dioxide removal efficiency guaranteed to be achievable by the qualifying Phase I technology for the type and range of fossil fuels (before any treatment and/or combustion) that will be used at the control unit is included. The vendor certification shall not be a defense against a control unit's failure to achieve 90% control of sulfur dioxide.

STEP 4
Identify each transfer unit by plant name, State, and boiler ID# from NADB

Transfer Units

	Plant Name	State	Boiler ID
d			
e			
f			
g			
h			
i			
j			
k			
l			

Mt. Storm
Plant Name (from Step 1)

STEP 5
Complete Steps 6 through 46. Read the special provisions and certification, and print the name of the designated representative for each source identified in this plan. Each designated representative must sign and date

Special Provisions

Sulfur Dioxide Emissions Limitations.

(i) If a control or transfer unit governed by an approved Phase I extension plan emits in 1997, 1998, or 1999 sulfur dioxide in excess of the projected controlled emissions for the unit specified for the year under 40 CFR 72.42(c)(7) as adjusted under 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan, the Administrator will deduct allowances equal to such exceedence from the unit's annual allowance allocation in the following calendar year.
(ii) Failure to demonstrate at least a 90% reduction of sulfur dioxide in 1997, 1998, or 1999 in accordance with 40 CFR part 75 at a control unit governed by an approved Phase I extension plan shall be a violation of 40 CFR 72.9(g). In the event of such a violation, in addition to any other liability under the Act, the Administrator will deduct allowances from the control unit's compliance subaccount for the year of the violation. The deduction will be calculated in accordance with 40 CFR 72.42(b)(1)(ii)(B).

Nitrogen Oxides Emissions Limitations.

(i) Beginning on January 1, 1997, each control and transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides.
(ii) Notwithstanding 40 CFR 72.42(b)(1)(ii)(A), a transfer unit shall be subject to the Acid Rain emissions limitations for nitrogen oxides, under section 407 of the Act and regulations implementing section 407 of the Act, beginning on January 1 of any year for which a transfer unit is allocated fewer Phase I extension reserve allowances than the designated representative could have certified in accordance with 40 CFR 72.42(c)(6) as adjusted under paragraph 40 CFR 72.42(d) and by the Administrator in approving the Phase I extension plan) unless the transfer unit is the last unit allocated Phase I extension reserve allowances under the plan.

Monitoring Requirements. Each control unit shall comply with the special monitoring requirements for Phase I extension plans in accordance with 40 CFR part 75.

Reporting Requirements. Each control and transfer unit shall comply with the special reporting requirements for Phase I extension plans in accordance with 40 CFR 72.90.

Liability. The owners and operators of a control or transfer unit governed by an approved Phase I extension plan shall be liable for any violation of the plan or 40 CFR 72.42 at that or any other unit governed by the plan, including liability for fulfilling the obligations specified in 40 CFR part 77 and section 411 of the Act.

[illegible] be combined but in the last of Phase I. The designated representative may, however, withdraw a Phase I extension plan at any time prior to allocation of the Phase I Acid Rain permit that includes the Phase I extension plan, as adjusted.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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 John A. Ahladas	
Signature John Ahladas	Date 2/3/93
Name Earl B. Parsons, Jr.	
Signature Earl B. Parsons Jr.	Date 2/10/93
Name	
Signature	Date
Name	
Signature	Date

CHRONOLOGICAL LISTING OF FILE MATERIAL

DATE RECEIVED	DATE LISTED ON MATERIAL	DESCRIPTION OF FILE MATERIAL	Section
3/16/92	3/16/92	EPA cover letter for proposed permit forms	2
11/9/92	11/9/92	EPA invitation for preapplication meeting	2
11/13/92	10/29/92	Fort Myers newspaper article	4
12/11/92	12/11/92	Attendance list for preapplication meeting	2
2/16/93	2/10/93	Cert. of Representation Form (HQ copy)	1
2/16/93	2/11/93	Cert. of Representation Form (Region IV copy)	1
2/17/93	2/7/93	Permit application	2

Department of Environmental Regulation

Routing and Transmittal Slip

To: (Name, Office, Location)

1. Tom Cascio
2.
3.
4.

RECEIVED

SEP 8 1993

Division of Air Resources Management

Remarks:

FYI

From: Roy

Date 9/1/93

Phone

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0221
Expires 6-30-95

Phase I Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: [X] New [ ] Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Plant Name	State	ORIS Code
PETERSBURG	IN	994

COMPLIANCE PLAN

STEP 2
Specify a compliance plan for this source by identifying each Table 1 and non-Table 1 unit at this source that is subject to Acid Rain Program emissions limitations during Phase I. Identify each unit by boiler ID# from NADB, and mark one or more boxes if you wish to identify additional methods of compliance for each unit

Table 1 Units

ID# 1

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [X] Substitution plan (include Substitution Plan form)
- [X] Reduced utilization plan (include Reduced Utilization Plan form)
- [X] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form. If this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name	State

ID# 2

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [X] Substitution plan (include Substitution Plan form)
- [X] Reduced utilization plan (include Reduced Utilization Plan form)
- [X] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form. If this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name	State

ID#

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [ ] Substitution plan (include Substitution Plan form)
- [ ] Reduced utilization plan (include Reduced Utilization Plan form)
- [ ] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form. If this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name	State

ID#

- [X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
- [ ] Substitution plan (include Substitution Plan form)
- [ ] Reduced utilization plan (include Reduced Utilization Plan form)
- [ ] Phase I extension plan (if this unit is a control unit, include Phase I Extension Plan form. If this unit is a transfer unit for a control unit at another source, do not include form but identify the control unit's source by plant name and State below)

Plant Name	State

Plant Name (from Step 1) PETERSBURG

Non-Table 1 Units

ID# 3

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Control unit (include Phase I Extension Plan form)
[X] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name	State
Elmer W. Stout	IN

[ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
[X] Compensating unit (if this is a compensating unit for one or more units at other source(s), enter plant name and State of other source(s))

Plant Name	State
Elmer W. Stout	IN

ID# 4

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Control unit (include Phase I Extension Plan form)
[X] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name	State
Elmer W. Stout	IN

[ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
[X] Compensating unit (if this is a compensating unit for one or more units at other source(s), enter plant name and State of other source(s))

Plant Name	State
Elmer W. Stout	IN

ID#

[X] Hold allowances in accordance with 40 CFR 72.9(d)(1)
[ ] Control unit (include Phase I Extension Plan form)
[ ] Substitution unit (if this is a substitution unit for one or more Table 1 unit(s) at other source(s), enter plant name and State of other source(s))

Plant Name	State

[ ] Reduced utilization plan; unit to be underutilized (include Reduced Utilization Plan form)
[ ] Compensating unit (if this is a compensating unit for one or more units at other source(s), enter plant name and State of other source(s))

Plant Name	State

Plant Name (from Step 1) Petersburg

STEP 3
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

(i) The designated representative of each affected source and each affected unit at the source shall:
(a) Submit a complete Acid Rain permit application (including a compliance plan) under this part in accordance with the deadlines specified in 40 CFR 72.30;
(b) Submit in a timely manner a complete reduced utilization plan if required under 40 CFR 72.43; and
(c) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
(ii) The owners and operators of each affected source and each affected unit at the source shall:
(a) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
(b) Have an Acid Rain Permit.

Monitoring Requirements.

(i) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act.
(ii) The emissions measurements recorded and reported in accordance with 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(iii) The requirements of 40 CFR part 75 and regulations implementing section 407 of the Act shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

(i) The owners and operators of each source and each affected unit at the source shall:
(a) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
(b) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(ii) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(iii) An affected unit shall be subject to the requirements under 40 CFR 72.9(c)(1) as follows:
(a) Starting January 1, 1995, an affected unit under 40 CFR 72.6(a)(1);
(b) Starting on or after January 1, 1995 in accordance with 40 CFR 72.41 and 72.43, an affected unit under 40 CFR 72.6(a)(2) or (3) that is a substitution or compensating unit;
(c) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2) that is not a substitution or compensating unit; or
(d) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3) that is not a substitution or compensating unit.
(iv) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(v) An allowance shall not be deducted, in order to comply with the requirements under 40 CFR 72.9(c)(1)(i), prior to the calendar year for which the allowance was allocated.
(vi) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(vii) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

(i) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
(ii) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
(a) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
(b) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

(i) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents 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 Administrator or permitting authority.
(a) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.
(b) All emissions monitoring information, in accordance with 40 CFR part 75.
(c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program.

Plant Name (from Step 1) Petersburg

Recordkeeping and Reporting Requirements (cont.)

(d) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(ii) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(i) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
(ii) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
(iii) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(iv) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
(v) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
(vi) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.41 (substitution plans), 40 CFR 72.42 (Phase I extension plans), 40 CFR 72.43 (reduced utilization plans), 40 CFR 72.44 (Phase II repowering extension plans), and section 407 of the Act and regulations implementing section 407 of the Act, and except with regard to the requirements applicable to units with a common stack under part 75 of this chapter (including sections 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
(vii) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78, and regulations implementing sections 407 and 410 of the Act by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(i) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans.
(ii) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act.
(iii) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law.
(iv) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act.
(v) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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 Robert A. McKnight - Designated Representative

Signature Robert A McKnight Date 2/10/93

STEP 4 (optional)
Enter the source AIRS and FINDS identification numbers, if known

AIRS

FINDS

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0221
Expires 6-30-95

EPA Phase I Extension Plan

For more information, see instructions and refer to 40 CFR 72.42(e)

STEP 1
Identify the control units' source by plant name and State from NADB. Mark the box(es) to indicate whether a Phase I Extension Early Ranking form was submitted and, if so, whether there are any changes

Plant Name	State
PETERSBURG	IN

[X] A Phase I Extension Early Ranking form was submitted for this source and is incorporated by reference as modified by this submission. There are:

- [X] No changes entered on this form (skip to Step 5; do not attach pages 3-6)
- [ ] Changes entered on this form (complete only those steps where there are changes)

[ ] No Phase I Extension Early Ranking form was submitted for this source or for this control unit (complete all steps)

STEP 2
Identify each control unit by boiler ID# from NADB. For Type, enter T1 for Table 1 unit, S for substitution unit or C for compensating unit. Enter date when qualifying Phase I technology will commence operation

Control Units

	Boiler ID#	Type	Commence Operation Date
a			
b			
c			

STEP 3
Mark one of the first two boxes and the third box to indicate that the required documents are included

[ ] A copy of the executed contract or contracts for the design engineering and construction of qualifying Phase I technology at each control unit is included.

OR

[ ] A binding letter of agreement for each executed contract for the design engineering and construction of qualifying Phase I technology at each control unit is included, in accordance with 40 CFR 72.42(c)(11). The actual contracts are on file and will be submitted to the Administrator upon written request.

[ ] A vendor certification of the sulfur dioxide removal efficiency guaranteed to be achievable by the qualifying Phase I technology for the type and range of fossil fuels (before any treatment prior to combustion) that will be used at the control unit is included. The vendor certification shall not be a defense against a control unit's failure to achieve 90% control of sulfur dioxide.

STEP 4
Identify each transfer unit by plant name, State, and boiler ID# from NADB

Transfer Units

	Plant Name	State	Boiler ID#
d			
e			
f			
g			
h			
i			
j			
k			
l			

BEST AVAILABLE COPY

Plant Name (from Step 1) [illegible]ERSBURG

STEP 5
Complete Steps 6 through 46. Read the special provisions and certification, and print the name of the designated representative for each source [illegible] this plan. Each designated representative must sign and date

Special Provisions

Sulfur Dioxide [illegible]

(i) [illegible] governed by an approved Phase I extension plan [illegible] in 1997, [illegible] sulfur dioxide [illegible] of the [illegible] controlled emissions [illegible] the units specified for the year [illegible] 40 CFR 72.[illegible] and [illegible] from the unit's Phase I allowance [illegible]
(ii) [illegible] 1997, 1998, or 1999 [illegible] plan shall [illegible] 40 CFR 72.[illegible] in addition to any other liability under the Act, the [illegible] for the year of the [illegible] 40 CFR 72.42(h)(1)(i)(H)

Nitrogen Oxides Emission Limitations

(i) Beginning [illegible] 1997, [illegible] be subject to [illegible] limitations for [illegible]
(ii) Notwithstanding [illegible] subject to [illegible] limitations [illegible] under section 407 of the Act and regulations implementing section 407 of the Act, [illegible] designated representative could have requested [illegible] accordance with [illegible] Administrator approving the Phase I [illegible] plan) [illegible] the transfer unit [illegible] Phase I emission [illegible]

Monitoring [illegible] Phase I extension plans [illegible] with 40 CFR part 75

Reporting Requirements [illegible] shall comply with the special [illegible] for Phase I extension plans [illegible] 40 CFR 72.93.

Liability. The owners and operators of [illegible] unit governed by an approved Phase I extension plan shall be liable for [illegible] 40 CFR [illegible] any other [illegible] plan, including liability for fulfilling the obligations [illegible] 40 CFR [illegible] 77 and section 411 of the Act.

Termination. [illegible] Phase I extension plan [illegible] the Phase I [illegible] be terminated before the end of Phase I. The designated representative may, however, withdraw a Phase I extension plan at any time prior to issuance of the Phase I Acid Rain permit that includes the Phase I extension plan, as adjusted.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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 Robert A. McKnight - Designated Representative	
Signature [signature]	Date 2/10/93
Name ROBERT [illegible] - Designated Rep[illegible] MISSISSIPPI [illegible] COMPANY	
Signature [signature]	Date 2/10/93
Name [illegible] Parsons, Jr.	
Signature Earl B Parsons Jr.	Date 2/10/93
Name	
Signature	Date

Processes, Subparts III and NNN, Reporting and Recordkeeping; was approved 08/05/93; OMB No. 2060–0197; expires 08/31/96.

EPA ICR No. 1442.05; Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes whose Treatment Standards were Vacated; was approved 08/09/93; OMB No. 2050–0085; expires 11/30/95.

EPA ICR No. 1131.04; NSPS for New Stationary Sources, Glass Manufacturing Plants—Subpart CC; was approved 08/11/93; OMB No. 2060–0054; expires 08/31/96.

EPA ICR No. 0983.04; NSPS for Equipment Leaks of VOC in Petroleum Refineries Information Requirements—Subpart GGG; was approved 08/11/93; OMB No. 2060–0067; expires 08/31/96.

EPA ICR No. 1645.01; EPA Former Employee Survey; was approved 08/11/93; OMB No. 2030–0032; expires 08/31/96.

EPA ICR No. 1595.02; Response Action Contractor Indemnification Final Guidelines; was approved 08/18/93; OMB No. 2050–0129; expires 04/30/96.

EPA ICR No. 1139.04; Consent Orders and Test Rule Exemptions, TSCA Section 4 Test Rules; was approved 08/13/93; OMB No. 2070–0033; expires 08/31/96.

EPA ICR No. 1541.04; National Emission Standards for Hazardous Air Pollutants (NESHAP), Benzene Waste Operations—Subpart FF of Part 61; was approved 08/10/93; OMB No. 2060–0183; expires 08/31/96.

EPA ICR No. 0011.07; Selective Enforcement Auditing Reporting and Recordkeeping Requirements (Large Non-Road Compression Ignition Engine Proposal); was approved 07/21/93; OMB No. 2060–0064; expires 03/31/96.

EPA ICR No. 0010.05; Information Requirements for Importation of Nonconforming Vehicles (Non-Engine Trading & Banking Proposal) was approved 07/21/93; OMB No. 2060–0095; expires 03/31/94.

EPA ICR No. 0783.18; Light Duty Certification Short Test and Revised Emission Performance Warranty Test Procedures; was approved 08/02/93; OMB No. 2060–0104; expires 06/30/95.

EPA ICR No. 0095.05; Pre-Certification and Testing Exemption, Reporting and Recordkeeping Requirements (Non-Road Engine Proposal); OMB No. 2060–0007; expires 03/31/96.

OMB Extension of Expiration Dates

EPA ICR No. 1039; Monthly Progress Reports; OMB No. 2030–0005; expiration date was extended to 03/31/94.

EPA ICR No. 0277; Incentives for Development and Registration of Reduced Risk Pesticides; OMB No. 2070–0060; expiration date extended to 02/28/94.

Dated: August 30, 1993.

Paul Lapsley,

Director, Regulatory Management Division.

[FR Doc. 93–21556 Filed 9–2–93; 8:45 am]

BILLING CODE 6560–50–F

[FRL–4725–3]

Clean Air Act; Acid Rain Provisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final permits.

SUMMARY: The U.S. Environmental Protection Agency [EPA] is issuing five-year Acid Rain permits, according to the Acid Rain Program regulations (40 CFR part 72), to the following 10 utility plants: Crist in Florida; Bailly, Clifty Creek, F B Culley, Frank E Ratts, Michigan City, and Warrick in Indiana; Jack Watson in Mississippi; and Kyger Creek and Walter C Beckjord in Ohio.

FOR FURTHER INFORMATION CONTACT: For plants in Florida and Mississippi: Brian Beals at (404) 347–5014. Air Pesticides and Toxics Management Division, EPA Region 4, 345 Courtland Ave. NE., Atlanta, GA 30365.

For plants in Indiana: Patrick Gimino at (312) 353–8651. Air and Radiation Division, EPA Region 5, 77 West Jackson Blvd. (A–18J), Chicago, IL 60604.

For plants in Ohio: Franklin Echevarria at (312) 886–9653, at the EPA Region 5 address above.

Dated: August 30, 1993.

Renee M. Rico,

Acting Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–21557 Filed 9–2–93; 8:45 am]

BILLING CODE 6560–50–M

(ER–FRL–4624–3)

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared August 16, 1993 through August 20, 1993 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260–5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1993 (58 FR 18392).

Draft EISs

ERP No. D–AFS–F65019–MN Rating LO1, Superior National Forest Land and Resource Management Plan, Adoption of Boundary Waters Canoe Area (BWCA) Wilderness Management Plan, Implementation, Cook, Lake and St. Louis Counties, MN.

Summary: EPA had no objections to implementation of the preferred alternative.

ERP No. D–AFS–L01008–OR Rating EC2, Bornite Underground Copper Mine Project, Construction and Operation, Approval of Plan of Operation, Special-Use-Permit, NPDES Permit and COE Section 404 Permit, Willamette National Forest, Detroit Ranger District, Marion County, OR.

Summary: EPA expressed environmental concerns based on the potential for adverse effects on surface water quality, and wetlands. Additional information and clarification is requested on water quality mitigation measures and potential ground water impacts.

ERP No. D–AFS–L65197–AK Rating EO2, Campbell Timber Sale, Implementation, Tongass National Forest, Stikine Area, AK.

Summary: EPA expressed environmental objections with the sale's impact on water quality from construction and operation of log transfer facilties. EPA also expressed concerns about the process to ensure that the Alaska Water Quality Standards will be met. Additional information is needed on effectiveness monitoring from the water quality effects of timber harvest on road construction. Information on the effects of alternative log transfer facilities is also needed.

ERP No. D–FHW–D50011–WV Rating EC2, Harpers Ferry Statewide Bridge Replacement and Upgrading Project, Improvements, US 340 over the Shenandoah River in the vicinity of Harpers Ferry National Historical Park, Funding and COE Section 404 Permit, Jefferson County, WV.

Summary: EPA expressed environmental concerns regarding the potential new impacts to streams and adjacent riparian areas and potential water quality impacts.

ERP No. D–FHW–L40185–WA Rating EC2, WA–520 Corridor Improvements, Construction and Reconstruction, between 104th Avenue N.E. and West Lake Sammamish Parkway (Formerly WA–901), Funding and COE Section

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

FEB 19 1993

4APT-AE

Mr. Tom Cascio
Air Resources Management Division
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Cascio:

Enclosed you will find Phase I acid rain permit applications submitted to our office from the following utilities:

Company	Plant Name	Regional Team Leader
Tampa Electric	Big Bend F.J. Gannon Hooker's Point	David McNeal
Gulf Power	Crist	Kevin Taylor

Please review these applications for completeness in accordance with the procedures outlined in the Acid Rain Permits Writers' Guide. The designated permit review team leader will be in contact with you to begin the team evaluation of the applications and to discuss any questions or concerns that you, or any other member of the team, may have regarding this submittal.

Thank you in advance for your time and cooperation. If you have any questions concerning this letter, please contact the applicable team leader, Kevin Taylor, or me at (404) 347-5014.

Sincerely yours,

Brian L. Beals, Chief
Source Evaluation Unit
Air Enforcement Branch
Air, Pesticides, and Toxics
Management Division

Enclosure

cc: Mr. Howard L. Rhodes, Director

RECEIVED

FEB 22 1993

Division of Air
Resources Management

Checklist 1 Completeness Review -- Phase I Permit Application

☐ Complete ☐ Incomplete	Date: 3-3-93	Reviewer's Initials: CM
Source (Plant) Name: CRIST Electric Generating Plant		State: Florida

Checklist Items			Notes/Comments/Problems
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☑ Yes	☐ No	
All pages are numbered in the boxes at the top right of each page	☐ Yes	☒ No	
Unit identifying information (Boiler ID#) in Step 2 matches NADB and units are correctly categorized as Table 1 or non-Table 1 units	☐ Yes	☐ No	NADB not avail.
The required compliance forms are included for each compliance option indicated in Step 2 except for the option to hold allowances	☒ Yes	☒ No	Did not comply with 40 CFR 72.42 (a) (2) ii
EPA has received a permit application for all other sources indicated in Step 2	☐ Yes	☐ No	Not available to Dept.
Name of Designated Representative in Step 3 matches permit tracking system information and form is signed and dated	☑ Yes	☐ No	
The permit applications for all other sources indicated are complete	☐ Yes	☐ No	

Checklist 2 Completeness Review -- Phase I Extension Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
Plant name and State are filled in and one of the boxes is checked in Step 1	☐ Yes ☐ No	
If this plan represents the first request for a Phase I Extension, all spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☐ Yes ☐ No	
If this plan revises information submitted on the Phase I Extension Early Ranking Application, the information filled in is legible and appropriate	☐ Yes ☐ No	
All copies of pages listed in the boxes at the top right of each page are included	☐ Yes ☐ No	
The Designated Representative of each source listed in the plan has signed and dated in Step 5	☐ Yes ☐ No	

Checklist 3 Completeness Review -- Substitution Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		**Notes/Comments/Problems**
Designated Representative has submitted a Phase I Permit Application for each source that has a unit in the plan	☐ Yes ☐ No	
All pages are numbered in the boxes at the top right of each page	☐ Yes ☐ No	
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space) (Note: Step 8 is optional and may be left blank intentionally)	☐ Yes ☐ No	
In Step 1 of the form, unit identifying information matches NADB information	☐ Yes ☐ No	
The Designated Representative of each source listed in the plan has signed and dated the form in Step 7	☐ Yes ☐ No	

Checklist 4 Completeness Review -- Reduced Utilization Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space) (Note: Step 6 applies to sulfur-free generators only)	☐ Yes ☐ No	
All pages are numbered	☐ Yes ☐ No	
All unit identifying information matches NADB information in Step 1	☐ Yes ☐ No	
If compensating generation is checked in Step 4, all spaces are filled in and ORIS code corresponds to plant name	☐ Yes ☐ No	
If "yes" is checked in Step 4, column 5, and system directives, power agreements, or other contractual agreements are attached, then Step 5 box is checked	☐ Yes ☐ No	
Units identified in Step 3 have appropriate ORIS codes	☐ Yes ☐ No	
The permit applications for all sources listed in Step 4 are complete	☐ Yes ☐ No	
The Designated Representative for this source and each source that has a unit identified as a compensating unit in Step 4 has signed and dated in Step 7	☐ Yes ☐ No	

Checklist 5 Completeness Review -- Certificate of Representation

☑ Complete ☐ Incomplete	Date: 3-3-93	Reviewer's Initials:
Source (Plant) Name: OEGP		State: FI

Checklist Items		Notes/Comments/Problems
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☑ Yes ☐ No	
Owners/operators and units are listed	☑ Yes ☐ No	
Designated Representative has signed and dated form	☑ Yes ☐ No	
Alternate Designated Representative has signed and dated form	☑ Yes ☐ No	

Checklist 4 (Continued) Completeness Review -- Reduced Utilization Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
In Step 6, the unit name, State, and boiler ID# or generator ID# match NADB	☐ Yes ☐ No	
In Step 4, if column 6 says "yes" and this unit is a sulfur-free generator, then Step 6 is filled out	☐ Yes ☐ No	
In Step 4, if column 6 says "yes" and this unit is not a sulfur-free generator, then the other source is identified in Step 2 of the permit application for that unit	☐ Yes ☐ No	

Checklist 1 Completeness Review -- Phase I Permit Application

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name: CRIST		State:

Checklist Items		Notes/Comments/Problems
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☐ Yes ☐ No	
All pages are numbered in the boxes at the top right of each page	☐ Yes ☒ No	
Unit identifying information (Boiler ID#) in Step 2 matches NADB and units are correctly categorized as Table 1 or non-Table 1 units	☐ Yes ☐ No	
The required compliance forms are included for each compliance option indicated in Step 2 except for the option to hold allowances	☐ Yes ☐ No	
EPA has received a permit application for all other sources indicated in Step 2	☐ Yes ☐ No	
Name of Designated Representative in Step 3 matches permit tracking system information and form is signed and dated	☐ Yes ☐ No	
The permit applications for all other sources indicated are complete	☐ Yes ☐ No	

Checklist 2 Completeness Review -- Phase I Extension Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
Plant name and State are filled in and one of the boxes is checked in Step 1	☐ Yes ☐ No	
If this plan represents the first request for a Phase I Extension, all spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☐ Yes ☐ No	
If this plan revises information submitted on the Phase I Extension Early Ranking Application, the information filled in is legible and appropriate	☐ Yes ☐ No	
All copies of pages listed in the boxes at the top right of each page are included	☐ Yes ☐ No	
The Designated Representative of each source listed in the plan has signed and dated in Step 5	☐ Yes ☐ No	

Checklist 3 Completeness Review -- Substitution Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
Designated Representative has submitted a Phase I Permit Application for each source that has a unit in the plan	☐ Yes ☐ No	
All pages are numbered in the boxes at the top right of each page	☐ Yes ☐ No	
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space) (Note: Step 8 is optional and may be left blank intentionally)	☐ Yes ☐ No	
In Step 1 of the form, unit identifying information matches NADB information	☐ Yes ☐ No	
The Designated Representative of each source listed in the plan has signed and dated the form in Step 7	☐ Yes ☐ No	

Checklist 4 Completeness Review -- Reduced Utilization Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space) (Note: Step 6 applies to sulfur-free generators only)	☐ Yes ☐ No	
All pages are numbered	☐ Yes ☐ No	
All unit identifying information matches NADB information in Step 1	☐ Yes ☐ No	
If compensating generation is checked in Step 4, all spaces are filled in and ORIS code corresponds to plant name	☐ Yes ☐ No	
If "yes" is checked in Step 4, column 5, and system directives, power agreements, or other contractual agreements are attached, then Step 5 box is checked	☐ Yes ☐ No	
Units identified in Step 6 have appropriate ORIS codes	☐ Yes ☐ No	
The permit applications for all sources listed in Step 4 are complete	☐ Yes ☐ No	
The Designated Representative for this source and each source that has a unit identified as a compensating unit in Step 4 has signed and dated in Step 7	☐ Yes ☐ No	

Checklist 5 Completeness Review -- Certificate of Representation

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		**Notes/Comments/Problems**
All spaces are filled in and information is legible and appropriate (e.g., State name is in State space)	☐ Yes ☐ No	
Owners/operators and units are listed	☐ Yes ☐ No	
Designated Representative has signed and dated form	☐ Yes ☐ No	
Alternate Designated Representative has signed and dated form	☐ Yes ☐ No	

Checklist 4 (Continued) Completeness Review -- Reduced Utilization Plan

☐ Complete ☐ Incomplete	Date:	Reviewer's Initials:
Source (Plant) Name:		State:

Checklist Items		Notes/Comments/Problems
In Step 6, the unit name, State, and boiler ID# or generator ID# match NADB	☐ Yes ☐ No	
In Step 4, if column 6 says "yes" and this unit is a sulfur-free generator, then Step 6 is filled out	☐ Yes ☐ No	
In Step 4, if column 6 says "yes" and this unit is not a sulfur-free generator, then the other source is identified in Step 2 of the permit application for that unit	☐ Yes ☐ No	