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NOV 12 2004

November 8, 2004

BUREAU OF AIR REGULATION

Trina Vielhauer
Bureau of Air Regulation
State of Florida
Department of Environmental Protection
2600 Blair Stone Rd. Mail Station #5505
Tallahassee, Florida 32399-2400

**Re: FPL's Sanford Plant (ORIS Code 000620)
Revised Renewal Acid Rain Part Application STATE FORM DEP Form No. 62-210.900(1)(a)
Retired Unit Exemption Forms (40 CFR 72.8) STATE FORM DEP Form No. 62-210.900(1)(a)3**

Dear Ms. Vielhauer:

Enclosed please find copies of the above referenced state forms for FPL's Sanford generating facility.

The Sanford station is an existing facility for which FPL submitted a revised Phase II application for the two (2) now retired oil-fired steam boilers with eight (8), combined cycle combustion turbines in August of 1999.

The attached are submitted to

1. Remove PSN4 from the Phase II Application (removed from service July 2002)
2. Remove PSN5 from the Phase II Application (removed from service October 2001)
3. The Retired Unit Exemption is submitted to indicate the first full calendar year in which the Units PSN4 (ORIS Code 000620) will meet the requirements of 40 CFR 72.8(d). [form previously submitted August 22, 2002]
4. The Retired Unit Exemption is submitted to indicate the first full calendar year in which the Units PSN5 (ORIS Code 000620) will meet the requirements of 40 CFR 72.8(d). [form previously submitted May 9, 2002]
5. Renewal Phase II Application with existing units.

If additional information is needed please do not hesitate to contact me at (561) 691-7057 or mary_archer@fpl.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary Archer', is written over a horizontal line.

Mary Archer, QEP
Environmental Services
Florida Power & Light Company

Cc: USEPA - ACID RAIN PROGRAM

Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New Revised

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

Plant Name SANFORD	State FL	ORIS Code 000620
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STEP 2
Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a."
For new units, enter the requested information in columns "c" and "d."

A Unit ID#	b Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	c New Units Commence Operation Date	d New Units Monitor Certification Deadline
PSN 3	Yes	N/A	N/A
PSNCT4A	Yes	12/16/02	03/16/03
PSNCT4B	Yes	12/23/02	03/23/02
PSNCT4C	Yes	12/30/02	03/30/03
PSNCT4D	Yes	01/06/03	04/06/03
PSNCT5A	Yes	02/21/02	05/06/02
PSNCT5B	Yes	02/25/02	05/07/02
PSNCT5C	Yes	03/04/02	05/08/02
PSNCT5D	Yes	03/11/02	05/13/02
	Yes		
	Yes		
	Yes		

Plant Name (from Step 1) SANFORD

STEP 3
Read the standard requirements

Acid Rain Part Requirements

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the Department; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 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 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 Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (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 the sulfur dioxide requirements 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 part application, the Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 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 Acid Rain 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 Acid Rain 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 Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) 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 Acid Rain 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 EPA or the Department:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1) SANFORD

STEP 3,
Cont'd.

Recordkeeping and Reporting Requirements (cont)

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

(2) The designated representative of an Acid Rain source and each Acid Rain 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.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an 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.

(2) 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.

(3) 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.

(4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.

(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain 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.

(7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain 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 part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) 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 Acid Rain source or Acid Rain 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;

(2) 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;

(3) 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;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 NANCY KIERSPE	
Signature <i>Nancy Kierspe</i>	Date <i>11-9-04</i>

Retired Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(2), F.A.C., and 40 CFR 72.8

This submission is: New Revised

Page 1

STEP 1
Identify the unit by plant name, State, ORIS code and unit ID#.

SANFORD Plant Name	State FL	000620 ORIS Code	PSN4 Unit ID#
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STEP 2
Identify the first full calendar year in which the unit meets (or will meet) the requirements of Rule 62-214.340(2)(a), F.A.C.

January 1, 2003_____.

STEP 3
Read the special provisions.

Special Provisions

- (1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR part 72 subparts C and D and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
- (2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
- (3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR part 70.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the Department. The owners and operators bear the burden of proof that the unit is permanently retired.
- (6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain part application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

STEP 4
Read the appropriate certification and sign and date.

Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 NANCY KIERSPE	
Signature <i>Nancy Kierspe</i>	Date <i>11-9-04</i>

Plant Name (from Step 1) SANFORD

STEP 4, cont'd.
Read the appropriate
certification and sign
and date.

Certification (for certifying officials only)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

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Name	
Signature	Date

Retired Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(2), F.A.C., and 40 CFR 72.8

This submission is: New Revised

Page 1

STEP 1
Identify the unit by plant name,
State, ORIS code and unit ID#.

SANFORD Plant Name	State FL	000620 ORIS Code	PSN5 Unit ID#
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STEP 2
Identify the first full calendar year in
which the unit meets (or will meet) the
requirements of Rule 62-214.340(2)(a),
F.A.C.

January 1, 2002_____.

STEP 3
Read the special provisions.

Special Provisions

- (1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR part 72 subparts C and D and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
- (2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
- (3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR part 70.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the Department. The owners and operators bear the burden of proof that the unit is permanently retired.
- (6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain part application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

STEP 4
Read the appropriate certification
and sign and date.

Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 NANCY KIERSPE	
Signature <i>Nancy Kierspe</i>	Date 11-9-04

Plant Name (from Step 1) SANFORD

STEP 4, cont'd.
Read the appropriate
certification and sign
and date.

Certification (for certifying officials only)

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Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

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Name	
Signature	Date

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Name	
Signature	Date



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

September 5, 2002

Mr. Ken Simmons
Manager, New Capacity Projects
Florida Power & Light Company
Environmental Services Department
P.O. 14000
Juno Beach, Florida 33408

Re: Revised Acid Rain Phase II Permit Application and Retired Unit Exemption Form
Sanford Plant

Facility ID: **1270009**; ORIS Code: **0620**

Dear Mr. Simmons:

Thank you for your recent submission of the Revised Acid Rain Phase II Part Application and Retired Unit Exemption Form (for Unit PSN4) for the subject facility. We have reviewed both submissions and deem them complete. If you have questions, please contact Tom Cascio at 850/921-9526.

Sincerely,

A handwritten signature in black ink that reads "Scott M. Sheplak".

Scott M. Sheplak, P.E.
Administrator
Title V Section

cc: Gracy Danois, U.S. EPA Region 4

"More Protection, Less Process"

Printed on recycled paper.

Tom



August 22, 2002

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SEP 03 2002

BUREAU OF AIR REGULATION

Scott M. Sheplak
Bureau of Air Regulation
State of Florida
Department of Environmental Protection
2600 Blair Stone Road
Mail Station #5505
Tallahassee, FL 32399-2400

**Re: FPL's Sanford Plant (ORIS Code 000620)
Revised Acid Rain Phase II Application
Retired Unit Exemption Form (40 CFR 72.8)**

Dear Sirs:

Enclosed please find copies of the above referenced forms for FPL's Sanford generating facility.

The Sanford station is an existing facility for which FPL submitted a revised Phase II application for the repowering of two (2) existing oil-fired steam boiler units with eight (8), combined cycle combustion turbines in August of 1999.

The attached are submitted to:

- 1) Remove PSN4 from the Phase II Application (taken out of service in July of 2002).
- 2) The Retired Unit Exemption is submitted to indicate the first full calendar year in which the units PSN4 (ORIS Code 000620) will meet the requirements of 40 CFR 72.8(d)

If further information is desired please contact me at (561) 691 – 2216 or via e-mail at the following address, k_h_simmons@fpl.com.

Sincerely,

Ken Simmons
Manager, New Capacity Projects
Juno Environmental Services

Cc:
USEPA
Acid Rain Program

Retired Unit Exemption

RECEIVED

SEP 03 2002

For more information, see instructions and refer to Rule 62-214.340(2), F.A.C., and 40 CFR 72.8

This submission is:

New

Revised

BUREAU OF AIR REGULATION

STEP 1
Identify the unit by plant name,
State, ORIS code and unit ID#.

Plant Name Sanford	State FL	ORIS Code 000620	Unit ID# PSN4
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STEP 2
Identify the first full calendar year in
which the unit meets (or will meet) the
requirements of Rule 62-214.340(2)(a),
F.A.C.

January 1, 2003.

STEP 3
Read the special provisions.


Special Provisions

- (1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR part 72 subparts C and D and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
- (2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
- (3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR part 70.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the Department. The owners and operators bear the burden of proof that the unit is permanently retired.
- (6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain part application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

STEP 4
Read the appropriate certification
and sign and date.

Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 David W. Knutson	
Signature 	Date 8-26-02

Plant Name (from Step 1)

STEP 4, cont'd.
Read the appropriate
certification and sign
and date.

Certification (for certifying officials only)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Acid Rain Program

Instructions for Retired Unit Exemption

Form (Rule 62-214.340(2), F.A.C., and 40 CFR 72.8)

The Acid Rain regulations provide that an Acid Rain unit that is permanently retired is exempted from the requirements to obtain a Phase II acid rain part, monitor emissions, and hold allowances, except for requirements concerning reduced utilization in Phase I (1995-1999). The designated representative or certifying official(s) of such a unit must submit the Retired Unit Exemption form. The provisions governing the retired unit exemption are found at Rule 62-214.340(2), F.A.C.

Please type or print. If assistance is needed, contact the title V permitting authority.

STEP 1 Use the plant name and ORIS code listed on the Certificate of Representation (if any) for the Acid Rain source. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If there is uncertainty regarding what the code number is, contact EIA at (202) 426-1234 (for ORIS codes), or (202) 426-1269 (for facility codes).

Identify the Acid Rain unit by providing the appropriate unit identification number. The identification number entered for the unit should be consistent with the Certificate of Representation (if any) for the Acid Rain source, with the unit identification numbers listed in NADB (for units that commenced operation prior to 1993), and with the unit identification number used in reporting to DOE and/or EIA. NADB is the National Allowance Data Base for the Acid Rain Program, and can be downloaded from the Acid Rain Program Website at "www.epa.gov/acidrain/" or obtained on diskette by calling the Acid Rain Hotline at (202) 564-9620. This data file is in dBase format for use on an IBM-compatible PC and requires 2 megabytes of hard drive memory.

STEP 2 Enter the first full calendar year in which the unit is permanently retired. The exemption becomes effective January 1 of that year, but the unit may lose the exemption as provided in 40 CFR 72.8(d)(6).

STEP 4 For a unit for which a designated representative has been authorized, the designated representative or alternate designated representative must read, sign, and date the certification at STEP 4 labeled "for designated representatives only" and submit this form.

If no designated representative has been authorized, a certifying official for each owner of the unit must read, sign, and date the certification at STEP 4 labeled "for certifying officials only" and submit this form. A certifying official is not required to submit a Certificate of Representation. If there is more than one owner of a unit for which no designated representative has been authorized, each owner of the unit must have a certifying official sign the appropriate certification at STEP 4.

Submission Deadlines

The form must be submitted by December 31 of the first year in which the unit is to be exempt.

Submission Instructions

Submit this form and 1 copy to the appropriate title V air permitting authority and a copy to:

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
Attn: Retired Unit Exemption
401 M St., SW
Washington, DC 20460.

If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.

Phase II Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New Revised

STEP 1

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

Plant Name Sanford Plant	State FL	ORIS Code 000620
--------------------------	----------	------------------

STEP 2 Enter the unit ID# for each affected unit and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

Compliance Plan				
a	b	c	d	e
Unit ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
PSN3	Yes	N/A	N/A	N/A
PSNCT4A	Yes	N/A	12/16/2002	3/16/2003
PSNCT4B	Yes	N/A	12/23/2002	3/23/2002
PSNCT4C	Yes	N/A	12/30/2002	3/30/2003
PSNCT4D	Yes	N/A	1/06/2003	4/6/2003
PSNCT5A	Yes	N/A	2/21/2002	5/6/2002
PSNCT5B	Yes	N/A	2/25/2002	5/7/2002
PSNCT5C	Yes	N/A	3/4/2002	5/8/2002
PSNCT5D	Yes	N/A	3/11/2002	5/13/2002

STEP 3

Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that is being repowered, the Repowering Extension Plan form is included.

Plant Name (from Step 1)

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the Department; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 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 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 Acid Rain unit at the source shall:
 - (i) 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
 - (ii) 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (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)(i) of the sulfur dioxide requirements 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 part application, the Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 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 Acid Rain 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 Acid Rain 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 Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) 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 Acid Rain 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 EPA or the Department:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont)

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

(2) The designated representative of an Acid Rain source and each Acid Rain 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.

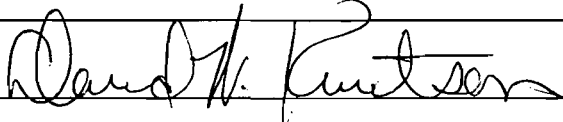
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8 or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) 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.
- (3) 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.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain 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.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain 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 part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

- (1) 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 Acid Rain source or Acid Rain 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;
- (2) 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;
- (3) 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;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) 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 Acid Rain source or Acid Rain 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 David W. Knutson	
Signature 	Date 8-26-02

Acid Rain Program

Instructions for

Phase II Acid Rain Part Application

(40 CFR 72.30 - 72.31 and Rule 62-214.320, F.A.C.)

The Acid Rain Program regulations require the designated representative to submit an Acid Rain part application for Phase II for each source with an Acid Rain unit. A complete Phase II part application is binding on the owners and operators of the Acid Rain source and is enforceable in the absence of an Acid Rain part until the permitting authority either issues an Acid Rain part to the source or disapproves the application.

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the title V permitting authority.

STEP 1 Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 426-1234 (for ORIS codes), or (202) 426-1269 (for facility codes).

STEP 2 For column "a," identify each Acid Rain unit at the Acid Rain source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation, with unit identification numbers listed in NADB (for units that commenced operation prior to 1993), and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements. NADB is the National Allowance Data Base for the Acid Rain Program, and can be downloaded from the Acid Rain Program Website at "www.epa.gov/acidrain/" or obtained on diskette by calling the Acid Rain Hotline. This data file is in dBase format for use on an IBM-compatible PC and requires 2 megabytes of hard drive memory.

For column "c," enter "yes" only if a repowering technology petition has been approved for the unit by U.S. EPA, an initial repowering extension plan was approved by the title V permitting authority and activated by the designated representative, and a repowering extension plan renewing the original repowering extension plan has been included with the current acid rain part application for that unit.

For columns "d" and "e," enter the commence operation date(s) and monitor certification deadline(s) for new units in accordance with 40 CFR 75.4. If the commence operation date or monitor certification date changes after the Phase II part is issued, the designated representative must submit a request for an administrative correction under Rule 62-214.370(6), F.A.C.

Submission Deadlines

For new units, an initial Phase II part application must be submitted to the title V permitting authority at least 24 months before the date the unit commences operation. Phase II acid rain renewal applications must be submitted at least 6 months in advance of the expiration of the acid rain portion of a title V permit, or such longer time as provided for under the title V permitting authority's operating permits regulation.

Submission Instructions

Submit this form and 1 copy to the appropriate title V air permitting authority. If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.



August 22, 2002

Mr. Bob Miller
US EPA Acid Rain Program
633 3rd St., NW
Washington, DC 20001
(202) 564 - 9150

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AUG 30 2002

BUREAU OF AIR REGULATION

**Re: FPL's Sanford Plant (ORIS Code 000620)
Revised Acid Rain Phase II Application
Retired Unit Exemption Form (40 CFR 72.8)**

Dear Sirs:

Enclosed please find copies of the above referenced forms for FPL's Sanford generating facility.

The Sanford station is an existing facility for which FPL submitted a revised Phase II application for the repowering of two (2) existing oil-fired steam boiler units with eight (8), combined cycle combustion turbines in August of 1999.

The attached are submitted to:

- 1) Remove PSN4 from the Phase II Application (taken out of service in July of 2002).
- 2) The Retired Unit Exemption is submitted to indicate the first full calendar year in which the units PSN4 (ORIS Code 000620) will meet the requirements of 40 CFR 72.8(d)

If further information is desired please contact me at (561) 691 - 2216 or via e-mail at the following address, k_h_simmons@fpl.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. H. Simmons'.

Ken Simmons
Manager, New Capacity Projects
Juno Environmental Services

Cc:
Tom Casio FDEP
Acid Rain Program

Plant Name (from Step 1)

STEP 4, cont'd.
Read the appropriate
certification and sign
and date.

Certification (for certifying officials only)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Certification (for additional certifying officials, if applicable)

I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	
Signature	Date

Acid Rain Program

Instructions for Retired Unit Exemption

Form (Rule 62-214.340(2), F.A.C., and 40 CFR 72.8)

The Acid Rain regulations provide that an Acid Rain unit that is permanently retired is exempted from the requirements to obtain a Phase II acid rain permit, monitor emissions, and hold allowances, except for requirements concerning reduced utilization in Phase I (1995-1999). The designated representative or certifying official(s) of such a unit must submit the Retired Unit Exemption form. The provisions governing the retired unit exemption are found at Rule 62-214.340(2), F.A.C.

Please type or print. If assistance is needed, contact the title V permitting authority.

- STEP 1** Use the plant name and ORIS code listed on the Certificate of Representation (if any) for the Acid Rain source. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If there is uncertainty regarding what the code number is, contact EIA at (202) 426-1234 (for ORIS codes), or (202) 426-1269 (for facility codes).

Identify the Acid Rain unit by providing the appropriate unit identification number. The identification number entered for the unit should be consistent with the Certificate of Representation (if any) for the Acid Rain source, with the unit identification numbers listed in NADB (for units that commenced operation prior to 1993), and with the unit identification number used in reporting to DOE and/or EIA. NADB is the National Allowance Data Base for the Acid Rain Program, and can be downloaded from the Acid Rain Program Website at "www.epa.gov/acidrain/" or obtained on diskette by calling the Acid Rain Hotline at (202) 564-9620. This data file is in dBase format for use on an IBM-compatible PC and requires 2 megabytes of hard drive memory.

- STEP 2** Enter the first full calendar year in which the unit is permanently retired. The exemption becomes effective January 1 of that year, but the unit may lose the exemption as provided in 40 CFR 72.8(d)(6).

- STEP 4** For a unit for which a designated representative has been authorized, the designated representative or alternate designated representative must read, sign, and date the certification at STEP 4 labeled "for designated representatives only" and submit this form.

If no designated representative has been authorized, a certifying official for each owner of the unit must read, sign, and date the certification at STEP 4 labeled "for certifying officials only" and submit this form. A certifying official is not required to submit a Certificate of Representation. If there is more than one owner of a unit for which no designated representative has been authorized, each owner of the unit must have a certifying official sign the appropriate certification at STEP 4.

Submission Deadlines

The form must be submitted by December 31 of the first year in which the unit is to be exempt.

Submission Instructions

Submit this form and 1 copy to the appropriate title V air permitting authority and a copy to:

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
Attn: Retired Unit Exemption
401 M St., SW
Washington, DC 20460.

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If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.

Retired Unit Exemption

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For more information, see instructions and refer to Rule 62-214.340(2), F.A.C., and 40 CFR 72.8

This submission is:

New

Revised

BUREAU OF AIR REGULATION

Page 1

STEP 1

Identify the unit by plant name, State, ORIS code and unit ID#.

Plant Name Sanford	State FL	000620 ORIS Code	PSN4 Unit ID#
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STEP 2

Identify the first full calendar year in which the unit meets (or will meet) the requirements of Rule 62-214.340(2)(a), F.A.C.

January 1, 2003.

STEP 3

Read the special provisions.

Special Provisions

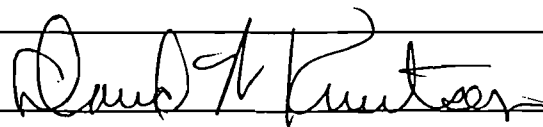
- (1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR part 72 subparts C and D and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
- (2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
- (3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR part 70.
- (5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the Department. The owners and operators bear the burden of proof that the unit is permanently retired.
- (6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain part application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

STEP 4

Read the appropriate certification and sign and date.

Certification (for designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 David W. Knutson	
Signature 	Date 8-26-02

RECEIVED

AUG 30 2002

BUREAU OF AIR REGULATION

Phase II Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New Revised

STEP 1

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

Plant Name Sanford Plant	State FL	ORIS Code 000620
--------------------------	----------	------------------

STEP 2 Enter the unit ID# for each affected unit and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

Compliance Plan				
a	b	c	d	e
Unit ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
PSN3	Yes	N/A	N/A	N/A
PSNCT4A	Yes	N/A	12/16/2002	3/16/2003
PSNCT4B	Yes	N/A	12/23/2002	3/23/2002
PSNCT4C	Yes	N/A	12/30/2002	3/30/2003
PSNCT4D	Yes	N/A	1/06/2003	4/6/2003
PSNCT5A	Yes	N/A	2/21/2002	5/6/2002
PSNCT5B	Yes	N/A	2/25/2002	5/7/2002
PSNCT5C	Yes	N/A	3/4/2002	5/8/2002
PSNCT5D	Yes	N/A	3/11/2002	5/13/2002

STEP 3

Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that is being repowered, the Repowering Extension Plan form is included.

Plant Name (from Step 1)

STEP 4

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

Standard Requirements

Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the Department; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 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 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 Acid Rain unit at the source shall:
 - (i) 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
 - (ii) 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (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)(i) of the sulfur dioxide requirements 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 part application, the Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 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 Acid Rain 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 Acid Rain 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 Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) 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 Acid Rain 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 EPA or the Department:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont)

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

(2) The designated representative of an Acid Rain source and each Acid Rain 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.

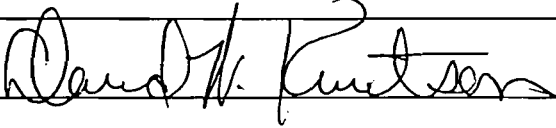
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8 or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) 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.
- (3) 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.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain 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.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain 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 part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

- (1) 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 Acid Rain source or Acid Rain 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;
- (2) 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;
- (3) 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;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) 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 Acid Rain source or Acid Rain 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 David W. Knutson	
Signature 	Date 8-26-02

Acid Rain Program

Instructions for

Phase II Acid Rain Part Application

(40 CFR 72.30 - 72.31 and Rule 62-214.320, F.A.C.)

The Acid Rain Program regulations require the designated representative to submit an Acid Rain part application for Phase II for each source with an Acid Rain unit. A complete Phase II part application is binding on the owners and operators of the Acid Rain source and is enforceable in the absence of an Acid Rain part until the permitting authority either issues an Acid Rain part to the source or disapproves the application.

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the title V permitting authority.

STEP 1 Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 426-1234 (for ORIS codes), or (202) 426-1269 (for facility codes).

STEP 2 For column "a," identify each Acid Rain unit at the Acid Rain source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation, with unit identification numbers listed in NADB (for units that commenced operation prior to 1993), and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements. NADB is the National Allowance Data Base for the Acid Rain Program, and can be downloaded from the Acid Rain Program Website at "www.epa.gov/acidrain/" or obtained on diskette by calling the Acid Rain Hotline. This data file is in dBase format for use on an IBM-compatible PC and requires 2 megabytes of hard drive memory.

For column "c," enter "yes" only if a repowering technology petition has been approved for the unit by U.S. EPA, an initial repowering extension plan was approved by the title V permitting authority and activated by the designated representative, and a repowering extension plan renewing the original repowering extension plan has been included with the current acid rain part application for that unit.

For columns "d" and "e," enter the commence operation date(s) and monitor certification deadline(s) for new units in accordance with 40 CFR 75.4. If the commence operation date or monitor certification date changes after the Phase II part is issued, the designated representative must submit a request for an administrative correction under Rule 62-214.370(6), F.A.C.

Submission Deadlines

For new units, an initial Phase II part application must be submitted to the title V permitting authority at least 24 months before the date the unit commences operation. Phase II acid rain renewal applications must be submitted at least 6 months in advance of the expiration of the acid rain portion of a title V permit, or such longer time as provided for under the title V permitting authority's operating permits regulation.

Submission Instructions

Submit this form and 1 copy to the appropriate title V air permitting authority. If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.

Section IV. This section is the Acid Rain Part.

Acid Rain Part, Phase II

Operated by: Florida Power and Light Company

ORIS code: 620

Effective:

The emissions units listed below are regulated under Acid Rain Part, Phase II.

E.U.

<u>ID No.</u>	<u>Description</u>
01	Boiler
02	Boiler
03	Boiler

1. The Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

- a. DEP Form No. 62-210.900(1)(a), dated 07/01/95.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

2. Sulfur dioxide (SO₂) allowance allocations and nitrogen oxide (NO_x) requirements for each Acid Rain unit:

	Year	2000	2001	2002	2003
ID No. 01 PSN3	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	1073*	1073*		
	NO_x limit	**	**		
ID No. 02 PSN4	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	8588*	8588*		
	NO_x limit	**	**		
ID No. 04 PSN5	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	3177*	3177*		
	NO_x limit	**	**		

*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2, 3, or 4 of 40 CFR 73.

**By January 1, 1999, this Part will be reopened to add NOx requirements in accordance with the regulations implementing section 407 of the Clean Air Act.

3. Comments, notes, and justifications: None.

Section V. Attachments and relevant documents.

Acid Rain Application/Compliance Plan received 12/6/95.

ACID RAIN PART APPLICATION CHECK LIST

Operator Name: FLORIDA POWER + LIGHT

Facility Name: PAWCOED

Receipt Date 12/6/95

AIRS ID. 127 0009

ORIS Code 620

July 1, 1995 version of form(s) used?

Y N

Modifications made to wording on form(s)?

Y N

Certificate of Representation on file in Section?

Y N

Four copies of the form(s) submitted?

Y N

Original signature of Designated Representative
on one of the forms?

Y N

Comments:

Review Engineer's Initials TMC

Date 12/15/95

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 214, F.A.C.

This submission is: New Revised

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

Sanford Plant	FL	620
Plant Name	State	ORIS Code

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

Compliance Plan				
a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
PSN3	Yes	N/A	N/A	N/A
PSN4	Yes	N/A	N/A	N/A
PSN5	Yes	N/A	N/A	N/A
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)

STEP 4

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

Standard RequirementsPermit Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 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 shall not effect 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 Acid Rain unit at the source shall:
 - (i) 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
 - (ii) 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (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)(i) of the sulfur dioxide requirements 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 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.
- (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 Acid Rain 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 Acid Rain 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 Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) 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 Acid Rain 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:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont.)

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

(2) The designated representative of an Acid Rain source and each Acid Rain 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.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, 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.
- (2) 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.
- (3) 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.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain 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.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain 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 part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) 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 Acid Rain source or Acid Rain 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;
- (2) 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;
- (3) 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;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) 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 Acid Rain source or Acid Rain 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. (There are no attachments to this document)

Name		William M. Reichel
Signature	<i>William M. Reichel</i>	Date 12/4/95

STEP 5 (optional)
Enter the source AIRS
and FINDS identification
numbers, if known

AIRS
FINDS