

§ 501.61

(b) If the petition is for an extension of a temporary exemption, the petitioner must apply for this extension at least (90) days prior to the expiration of the temporary exemption.

(Department of Energy Organization Act, Pub. L. 95-91, 91 Stat. 565 (42 U.S.C. 7101 *et seq.*); Powerplant and Industrial Fuel Use Act of 1978, Pub. L. 95-620, 92 Stat. 3269 (42 U.S.C. 8301 *et seq.*); Omnibus Budget Reconciliation Act of 1981, Pub. L. 97-35; E.O. 12009, 42 FR 46267, Sept. 15, 1977)

[46 FR 59889, Dec. 7, 1981, as amended at 47 FR 50849, Nov. 10, 1982; 54 FR 52892, Dec. 22, 1989]

§ 501.61 Certification contents.

(a) A self-certification filed under section 201(d) of FUA should include the following information:

- (1) Owner's name and address.
- (2) Operator's name and address.
- (3) Plant location and address.
- (4) Plant configuration (combined cycle, simple cycle, topping cycle, etc.)
- (5) Design capacity in megawatts (MW).
- (6) Fuel(s) to be used by the new facility.
- (7) Name of utility purchasing electricity from the proposed facility and percent of total output to be sold.
- (8) Date unit is expected to be placed in service.
- (9) Certification by an officer of the company or his designated representative certifying that the proposed facility:
 - (i) Has sufficient inherent design characteristics to permit the addition of equipment (including all necessary pollution devices) necessary to render such electric powerplant capable of using coal or another alternate fuel as its primary energy source; and
 - (ii) Is not physically, structurally, or technologically precluded from using coal or another alternate fuel as its primary energy source.

(b) A self-certification filed pursuant to § 501.61(a) shall be effective to establish compliance with the requirement of section 201(a) of FUA as of the date filed.

(c) OFE will publish a notice in the FEDERAL REGISTER within fifteen days reciting that the certification has been filed. Publication of this notice does

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not serve to commence a public comment period.

(d) OFE will notify the owner or operator within 60 days if supporting documentation is needed to verify the certification.

[54 FR 52892, Dec. 22, 1989]

§ 501.62 Petition contents.

(a) A petition for exemption should include the following information:

- (1) The name of the petitioner;
- (2) The name and location of the unit for which an exemption is being requested;
- (3) The specific exemption(s) being requested; and
- (4) The name, address, and telephone number of the person who can supply further information.

(b) *Table of contents.* Include only those sections contained in the petition.

(c) *Introduction.* Include the following:

- (1) Description of the facility under consideration;
- (2) Description of the unit and fuel the petitioner proposes to burn in that unit, including the purpose of and need for the unit; and
- (3) Description of the operational requirements for the unit, including size (capacity, input and output in millions of Btu's per hour), output in terms of product or service to be supplied, fuel capability, and operating mode, including capacity factor, utilization factor, and fluctuations in the load.

(d) *General requirements.* The evidence required under part 503 subpart B for each exemption(s) for which the petitioner is applying:

- (1) No alternate power supply (§ 503.8);
- (2) Use of mixtures (§ 503.9);
- (3) Alternative site (§ 503.11);
- (4) Compliance Plan (§ 503.12);
- (5) Environmental impact analysis (§ 503.13);
- (6) Fuels search (§ 503.14).

(e) *Specific evidence.* Evidence required for each exemption, segregated by exemption (part 503 subparts C and D).

(f) *References.* (1) Specify the reports, documents, experts, and other sources consulted in compiling the petition. Cite these sources in accordance with acceptable documentation standards,