

Plant Name (from Step 1)	PITTSBURG POWER PLANT
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Permit Requirements

STEP 3

Read the
standard
requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (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 affected 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 affected 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 affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected 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 affected 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 permit application, the Acid Rain permit, 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.

STEP 3,
Cont'd.

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

Excess Emissions Requirements

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (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 affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (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,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or 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 affected source and each affected unit shall meet the requirements of the Acid Rain Program.

Plant Name (from Step 1)	PITTSBURG POWER PLANT
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Step 3,
Cont'd.

Liability, Cont'd.

- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (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 affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

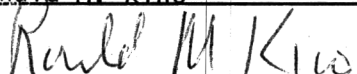
- No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
 - (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 affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Ronald M. Kino	
Signature		Date
		9/16/02



Certificate of Representation

For more information, see instructions and refer to 40 CFR 72.24

This submission is: New Revised (revised submissions must be complete; see instructions)

This submission includes combustion or process sources under 40 CFR part 74

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

PITTSBURG POWER PLANT	CA	271
Plant Name	State	ORIS Code

STEP 2
Enter requested information for the designated representative.

ANNE M. CLEARY	
Name	
MIRANT CALIFORNIA 1350 TREAT BOULEVARD, SUITE 500 WALNUT CREEK, CA 94596	
Address	
925-287-3117	925-947-3002
Phone Number	Fax Number
anne.cleary@mirant.com	
E-mail address (if available)	

STEP 3
Enter requested information for the alternate designated representative, if applicable.

J. MICHAEL CHILDERS	
Name	
678-579-7112	
Address	
678-579-6993	
Phone Number	Fax Number
mike.childers@mirant.com	
E-mail address (if available)	

STEP 4
Complete Step 5, read the certifications, and sign and date. For a designated representative of a combustion or process source under 40 CFR part 74, the references in the certifications to "affected unit" or "affected units" also apply to the combustion or process source under 40 CFR part 74 and the references to "affected source" also apply to the source at which the combustion or process source is located.

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement, selecting me as the 'designated representative' for the affected source and each affected unit at the source identified in this certificate of representation, in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that each such owner and operator shall be fully bound by my actions, inactions, or submissions

I certify that I shall abide by any fiduciary responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under life-of-the-unit, firm power contractual arrangements, I certify that:

I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

Allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement or, if such multiple holders have expressly provided for a different distribution of allowances by contract, that allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

The agreement by which I was selected as the alternate designated representative, if applicable, includes a procedure for the owners and operators of the source and affected units at the source to authorize the alternate designated representative to act in lieu of the designated representative.

PITTSBURG POWER PLANT
Plant Name (from Step 1)

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

	Date 10/31/02
Signature (designated representative)	Date
	Date 10/29/02
Signature (alternate designated representative)	Date

STEP 5
Provide the name of every owner and operator of the source and identify each affected unit (or combustion or process source) they own and/or operate.

PITTSBURG POWER PLANT					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
Name						
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
Name						
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
Name						
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
Name						
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#



Acid Rain Program

Instructions for

Certificate of Representation (40 CFR 72.24)

Under the Acid Rain Program (at 40 CFR part 72 subpart B), the owners and operators for each affected source must designate a representative, and may designate an alternate, to act on their behalf. The owners and operators must choose the designated representative through a process that ensures that all owners and operators have notice regarding the selection.

Please type or print. If more space is needed, photocopy the second page. Indicate the page order and total number of pages (e.g., 1 of 4, 2 of 4, etc.) in the boxes in the upper right hand corner of each page. A Certificate of Representation amending an earlier submission supersedes the earlier submission *in its entirety*. A revised Certificate of Representation must therefore be complete, including original signature(s) and dating by the designated representative (and the alternate designated representative, if applicable), as required under 40 CFR 72.24(a) and 72.25(a).

Submit one Certificate of Representation form with *original* signatures. Remember that under 40 CFR 72.21, the designated representative must notify each owner and operator of all Acid Rain Program submissions.

For assistance, call the Acid Rain Hotline at (202) 564-9620.

STEP 1 An ORIS code is a 4 digit number assigned by the Energy Information Administration (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) 287-1730 (for ORIS codes), or (202) 287-1927 (for facility codes).

For a combustion or process source under 40 CFR part 74, enter the ORIS or facility code if one has been assigned by EIA. If not, leave blank.

STEP 2 The designated representative must be a natural person and cannot be a company. Please enter the firm name and address as it should appear on all correspondence. All EPA correspondence is mailed to the designated representative *only*. An alternate designated representative must rely on the designated representative to forward information mailed by EPA to the designated representative.

STEP 3 Although not required, EPA strongly encourages owners and operators to designate an alternate designated representative to act on behalf of the designated representative.

STEP 4 The public notice declaring the appointment of a designated representative must be posted for at least one day. Also, all certification statements apply to the designated representative of combustion or process sources seeking to become opt-in sources under 40 CFR part 74.

STEP 5 See 40 CFR 72.2 for the definitions of "owner" and "owner or operator." Enter the company name of the owner(s) and operator in the "Name" field. Indicate whether the company is the owner, operator, or both. If the operator of a unit has not yet been chosen, indicate that the owner is both the owner and operator and submit a revised form

All affected units at a source must have the same designated representative. The designated representative is responsible for all submissions and allowance transactions relating to the units at that source, and is liable for acts or omissions within the scope of his or her responsibilities under the Acid Rain Program.

STEP 5, cont'd.

when the operator has been selected within 30 days of the effective date of the selection.

Identify each affected unit at the affected source that is owned or operated by the named party by providing the appropriate unit identification number. Do not provide any identifiers for steam turbines or duct burners.

The identification number entered for each affected unit should be consistent with previously submitted Certificates of Representation (if applicable) 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. All submissions to EPA that include the unit identification number(s) (monitoring plans, quarterly reports, etc.) should reference those unit identification numbers in *exactly* the same way that they are referenced on the Certificate of Representation.

Mail this form to:

U.S. Environmental Protection Agency
Acid Rain Program (6204N)
Attention: Designated Representative

by regular or certified mail: or overnight mail:

1200 Pennsylvania Ave., NW
Washington, DC 20460

633 3rd St., NW
Washington, DC 20001
(202) 564-9150

Submit this form prior to making any other submissions under the Acid Rain Program. This form must be submitted before participating in the annual auctions and sales of allowances. EPA will not issue proceeds from auctions or sales to a unit until it receives a complete Certificate of Representation.

Combustion or process sources seeking to become opt-in sources under 40 CFR part 74 must submit this form prior to or concurrent with the opt-in permit application under 40 CFR 74.14.

Submit a revised Certificate of Representation when any information in the existing Certificate of Representation changes. EPA must be notified of changes to owners and operators within 30 days of the effective date of the change.

Paperwork Burden Estimate

The burden on the public for collecting and reporting information under this request is estimated at 35 hours per response. Send comments regarding this collection of information, including suggestions for reducing the burden, to: Chief, Information Policy Branch (2136), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460; and to: Paperwork Reduction Project (OMB#2060-0221), Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. Do not submit forms to these addresses; see the submission instructions above.