

WAC 173-406-802 Units with repowering extension plans. (1) Design and engineering and contract requirements. No later than January 1, 2000, the designated representative of a unit governed by an approved repowering plan shall submit to the administrator and the permitting authority:

(a) Satisfactory documentation of a preliminary design and engineering effort.

(b) A binding letter agreement for the executed and binding contract (or for each in a series of executed and binding contracts) for the majority of the equipment to repower the unit using the technology conditionally approved by the administrator under 40 C.F.R. 72.44 (d) (3).

(c) The letter agreement under (b) of this subsection shall be signed and dated by each party and specify:

(i) The parties to the contract;

(ii) The date each party executed the contract;

(iii) The unit to which the contract applies;

(iv) A brief list identifying each provision of the contract;

(v) Any dates to which the parties agree, including construction completion date;

(vi) The total dollar amount of the contract; and

(vii) A statement that a copy of the contract is on site at the source and will be submitted upon written request of the administrator or the permitting authority.

(2) Removal from operation to repower. The designated representative of a unit governed by an approved repowering plan shall notify the administrator and the permitting authority in writing at least sixty days in advance of the date on which the existing unit is to be removed from operation so that the qualified repowering technology can be installed, or is to be replaced by another unit with the qualified repowering technology, in accordance with the plan.

(3) Commencement of operation. Not later than sixty days after the units repowered under an approved repowering plan commences operation at full load, the designated representative of the unit shall submit a report to the administrator and the permitting authority, comparing the actual hourly emissions and percent removal of each pollutant controlled at the unit to the actual hourly emissions and percent removal at the existing unit under the plan prior to repowering, determined in accordance with 40 C.F.R. part 75.

(4) Decision to terminate. If at any time before the end of the repowering extension and before completion of construction and start up testing, the owners and operators decide to terminate good faith efforts to design, construct, and test the qualified repowering technology on the unit to be repowered under an approved repowering plan, then the designated representative shall submit a notice to the administrator and the permitting authority by the earlier of the end of the repowering extension or a date within thirty days of such decision, stating the date on which the decision was made.

[Statutory Authority: Chapter 70.94 RCW. WSR 94-23-127 (Order 94-23), § 173-406-802, filed 11/23/94, effective 12/24/94.]