§ 504.9 Environmental requirements for certifying powerplants.

Under §§501.52, 504.5 and 504.6 of these regulations, OFP may prohibit, in accordance with section 301 and section 303 (a) or (b) of FUA, as amended, the use of natural gas or petroleum, or both, as a primary energy source in any certifying powerplant. Under sections 301(c) and 303(a) of FUA, as amended, and §§501.52, 504.6, and 504.8 of

Department of Energy

petroleum or natural gas, or both, in amounts exceeding the minimum amount necessary to maintain reliability of operation consistent with maintaining reasonable fuel efficiency of the mixture.

(b) In making the technical feasibility finding required by former section 301 (b) and (c) of the Act and paragraph (a) of this section, OFP may weigh "physical modification" or "de-rating of the unit," but these considerations, by themselves, will not control the technical feasibility finding. A technical feasibility finding might be made notwithstanding the need for substantial physical modification. The economic consequences of a substantial physical modification are taken into account in determining financial feasibility.

(energy supply and environmental coordination act of 1974, pub. l. 93-319, as amended by pub. l. 94-163, pub. l. 95-70, and 15 u.s.c. 719 et seq.; department of energy organization act, pub. l. 95-91, 91 stat. 563 (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 46526, sept. 15, 1977)

[47 fr 17045, apr. 21, 1982]

§ 504.9 Environmental requirements for certifying powerplants.

Under §§501.52, 504.5 and 504.6 of these regulations, OFP may prohibit, in accordance with section 301 and section 303 (a) or (b) of FUA, as amended, the use of natural gas or petroleum, or both, as a primary energy source in any certifying powerplant. Under sections 301(c) and 303(a) of FUA, as amended, and §§501.52, 504.6, and 504.8 of