

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION
FOR

St. Joseph's Hospital

Hillsborough County

REVISED DRAFT Construction Permit

Application Number

0570089-017-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

November 7, 2012

I. Project Description

A. Applicant:

Issac Mallah
President & CEO
St. Joseph's Hospital
3001 W. Martin Luther King, Jr. Blvd.
Tampa, FL 33607

B. Engineer:

Kenneth E. Given, P.E.
Air Testing & Consulting, Inc.
333 Falkenburg Rd., North Unit B-214
Tampa, FL 33619

P.E. No.: 23203

C. Project and Location:

This document is REVISED DRAFT Permit No. 0570089-017-AC being issued to address comments received on the DRAFT permit. The applicant has requested an air construction permit to construct two stationary natural gas-fired generators to be used as emergency generators and as peaking units. The project also includes the construction of four diesel-fired generators to be utilized exclusively for emergency use. The generators will be located at St. Joseph's Hospital at 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607. All six generators will operate as emergency generators as needed during power interruptions; however, the natural gas units will also potentially operate in "non-emergency" situations at the request of the power company during periods of high electricity demand.

The DRAFT construction permit was issued on September 10, 2012. Comments on the DRAFT permit were received from the facility's consultant, Air Testing & Consulting, Inc., on September 28, 2012. Changes were made to the DRAFT permit based on the comments provided which resulted in significant changes that required issuance of a REVISED DRAFT permit. The comments and any resulting changes are noted as follows:

1) **Comment:** The applicant stated that based on a facility-wide evaluation of all the combustion sources at the site, the potential to emit (PTE) exceeds the 100 ton/yr major source threshold for both NO_x and CO. Therefore, the applicant stated that they wish to withdraw their previous request to become a non-Title facility. In addition, since the facility is remaining a Title V source, the applicant requested that the limits on the hours of operation for the 2 natural gas generators be removed and that the PTE now be based on unlimited operation (i.e. 8,760 hrs/yr).

Response: The operating permit renewal application is being processed as a separate project. Based on this comment, it will be processed as a Title V permit. At the request of the applicant, the PTE for this project has now been changed so that there is no limit on the hours of operation for the 2 natural gas generators. The DRAFT permit has been changed to remove the hour limit and the combined recordkeeping requirements on the natural gas generators.

2) **Comment:** The manufacturer's data sheets states that the generators fuel consumption at 100% load is

21,146 scf/hr of natural gas. The associated heat input rate is 22.2 MMBtu/hr. In order to help prevent a possible exceedance of the permitted firing rate when testing the units, the maximum heat input stated in the permit should be changed.

Response: The application indicated that the maximum heat input for each natural gas generator was 19.61 MMBtu/hr. However, this value was based on manufacturer data on the output of each engine including the rated brake horsepower and their nominal fuel consumption. The maximum heat input should be calculated using the maximum fuel consumption of the engine; therefore, the permit has been changed to reflect 22.2 MMBtu/hr as the maximum heat input, and the PTE was also updated to account for the higher value.

3) **Comment:** The applicant noted that the CO emission rate from the last stack test for the cogenerator was higher than the value originally used to calculate its PTE. In order to maintain the cogenerator's PTE for CO at the same level as in the current operating permit, the applicant requested a reduction in the hours of operation limit from 8,760 hrs/yr to 7,670 hrs/yr.

Response: The cogenerator was not included in the construction permit since it was only for the addition of the new generators. However, the hour restriction will be included as a change to the Title V permit being processed separately since it will be imposing a more restrictive limit. The facility-wide PTE has also been adjusted accordingly.

4) **Comment:** The four emergency generators were exempted from permitting but remain subject to 40 CFR 60 – Subpart IIII and 40 CFR 63 – Subpart ZZZZ. A reference to these rule requirements should be included in the Process Description for clarity.

Response: Additional language has been added to the Process Description to help clarify the applicability of 40 CFR 60 – Subpart IIII and 40 CFR 63 – Subpart ZZZZ even though the generators are exempt from permitting.

5) **Comment:** The initial notification to meet the requirements from 40 CFR 60 – Subpart IIII was submitted via e-mail on September 17, 2012.

Response: Since the initial notification required by 40 CFR 60.4245 and 60.7(a) has been submitted, the requirements from Specific Condition Nos. 16(b) and 17(A) have been removed from the DRAFT permit.

The project has been assigned NEDS Source Classification Codes (SCC) Nos. 2-01-002-02 (Internal Combustion Engines – Reciprocating – Natural Gas) and 2-01-001-02 (Internal Combustion Engines – Reciprocating – Diesel). The facility has been assigned SIC Industry No. 80 – Health Services. The project will be located at 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607, UTM Coordinates 17-353.3 East 3095.9 North.

D. Process and Controls:

The two natural gas-fired generators are identical Caterpillar Model No. G3520C generator sets rated at 2 MW each. The maximum heat input of each generator is 22.2 MMBtu/hr based on the maximum fuel usage rate provided by the manufacturer. Each unit will be equipped with a non-selective catalytic reduction (NSCR) system (Model #SP-ZCSI-54x61-20/24-XH2.5B3) on the exhaust portion of the generators to help reduce emissions and ensure compliance with the exhaust limits from the federal rules. The generators are intended to operate primarily as emergency generators for instances when backup power is necessary due to an interruption in power; however, these two units will also be available to operate as peaking units to operate during periods of high electricity demand at the request of the power company in situations that are not emergencies. For that reason, the generators are considered “non-emergency” generators and are therefore subject to 40 CFR 60 – Subpart JJJJ and 40 CFR 63 – Subpart ZZZZ. Initial testing to demonstrate compliance with the emission limits from these rules is required in this permit, followed by testing thereafter

every 8,760 hours or 3 years, whichever comes first.

The application package for the operating permit renewal, which was received 4 days prior to this construction permit application, indicated that the applicant wanted to limit the operation of the generators so that the facility could operate with a facility-wide emission limit of 95 tons/yr and, therefore, no longer be identified as a Title V source. However, based on correspondence received from the facility on September 28, 2012, the facility has withdrawn this request and now wants to remain a Title V source and have no limit on the hours of operation for the two natural-gas generators. Therefore, the hours restriction has been removed from the DRAFT permit, and the PTE from for CO (the highest single criteria pollutant) for the two generators based on 8,760 hrs/yr of operation is 111.6 tons/yr.

The four diesel-fired emergency generators are identical Caterpillar Model No. DM8266 generator sets rated at 2.5 MW each. The diesel engines are a Caterpillar Model No. 3516C with a maximum rating of 3,634 hp. The generators are intended to operate exclusively as emergency generators for instances when backup power is necessary due to an interruption in power. These emergency generators are exempt from permitting pursuant to Rule 62-210.300(3)(a)35, F.A.C.; however, these generators are subject to 40 CFR 60 – Subpart III and 40 CFR 63 – Subpart ZZZZ, which primarily establish limits on the fuel specifications and require the addition of an hour meter along with tracking of hours in maintenance and emergency modes. Due to the fact that these emergency generators are exempt from permitting, they are only referenced in the Process Description of the permit.

The 6 new generators are all to be located in a single new building on the northwest side of the hospital. Following completion of the installation of these generators, several of the existing diesel-fired emergency generators are scheduled to be removed.

E. Application Information:

Received on: August 3, 2012

Information Requested: n/a

Application Complete: August 3, 2012

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code (F.A.C.) and Chapter 1-3 of the Rules of the Environmental Protection Commission of Hillsborough County.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. or Rule 62-212.500, New Source Review for Nonattainment Areas, F.A.C., since the facility is minor by state definition.

This project is subject to the requirements of Rule 62-212.300, General Preconstruction Review Requirements, F.A.C., since the project is not exempt from the permit requirements in Rule 62-210.300, F.A.C.

This project is subject to the requirements of Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C., since the project is a source of particulate matter emissions.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.418, Specific Emission Limiting and Performance Standards, F.A.C., since there are no applicable source specific categories in this rule.

This project is not subject to the requirements of Rule 62-296.500, Volatile Organic Compounds and Nitrogen Oxides Reasonably Available Control Technology, F.A.C., since there are no applicable source specific categories in this rule.

This project is not subject to the requirements of Rule 62-296.600, Lead Reasonably Available Control Technology, F.A.C., since there are no applicable source specific categories in this rule.

This project is not subject to the requirements of Rule 62-296.700, Particulate Matter Reasonably Available Control Technology, F.A.C., since there are no applicable source specific categories in this rule.

This project is subject to the requirements of Rule 62-204.800, Federal Regulations Adopted by Reference, F.A.C., since there are applicable source specific categories in this rule, specifically: 40 CFR 60 Subpart III— Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60 Subpart JJJ— Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

This project is subject to the requirements of Chapter 84-446, Laws of Florida and Chapter 1-3, Rules of the Environmental Protection Commission of Hillsborough County.

III. Summary of Emissions

Natural Gas-Fired Generators (Combined)

<u>Regulated Pollutant</u>	<u>Potential Emissions</u> (ton/yr)	<u>Actual Emissions</u> (ton/yr)	<u>Allowable Emissions</u> (g/HP-hr)
VOC	39.1	0.0	0.7
NOx	27.9	0.0	1.0
CO	111.6	0.0	2.0
SOx	0.1	0.0	n/a
PM	3.7	0.0	n/a

NOTE: No current actual emissions have been documented since the generators are new units. Potential emissions for the 2 generators were based on unlimited operation (i.e. 8,760 hours per year) for each generator. Potential emissions for VOC, NOx, and CO were based on source data information from the manufacturer, including the reduction in emissions from the addition of a NSCR on each engine. Potential emissions for SOx and PM were estimated using EPA's WebFIRE. Potential emissions from the 4 diesel generators were not included in the totals above since they are exempt and not being identified as emission units.

Inventory of Title III pollutants is estimated to be less than 10 TPY individually and less than 25 TPY collectively.

IV. Conclusions:

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., and Chapter 1-3, Rules of the Commission.

The Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

V. Proposed Agency Action:

Pursuant to Section 403.087, Florida Statutes and Rule 62-4.070, Florida Administrative Code the Environmental Protection Commission of Hillsborough County hereby gives notice of its intent to issue a permit to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).



COMMISSION
Kevin Beckner Lesley "Les" Miller, Jr.
Victor D. Crist Sandra L. Murman
Ken Hagan Mark Sharpe
Al Higginbotham

DIVISION DIRECTORS
Legal & Admin. Richard Tschantz, Esq.
Air Management Jerry Campbell, P.E.
Waste Management Hooshang Boostani, P.E.
Water Management Sam Elrabi, P.E.
Wetlands Management Scott Emery, Ph.D.

EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

File No.: 0570089-017-AC
County: Hillsborough

Issac Mallah
President & CEO
St. Joseph's Hospital
3001 W. Martin Luther King, Jr. Blvd.
Tampa, FL 33607

INTENT TO ISSUE

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a REVISED DRAFT permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, St. Joseph's Hospital, applied on August 3, 2012 to the EPC for a permit to construct two stationary natural gas-fired generators to be used as emergency generators and as peaking units. The project also includes the construction of four diesel-fired generators to be utilized exclusively for emergency use. The generators will be located at 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607.

The EPC has permitting jurisdiction under Chapter 403 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-212. The project is not exempt from permitting procedures. The EPC has determined that an air pollution construction permit is required to commence or continue operations at the described facility.

The EPC intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4.

Pursuant to Section 403.815 and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days of receipt of this Intent to Issue, in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact

An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation

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the EPC at the address or telephone number listed below. **The applicant shall provide proof of publication to the EPC, Air Permitting Section, at 3629 Queen Palm Dr, Tampa, Florida 33619 (Phone 813-627-2600 - FAX 813-627-2600) within 7 (seven) days of publication, pursuant to Rule 62-110.106(5), F.A.C.** Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(9)&(11), F.A.C.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr., Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.; or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the EPC's action is based is required to contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number if known;
- (b) The name, address, and telephone number of the petitioner and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;
- (c) A statement of how and when the petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC's proposed action;
- (f) A statement of specific rules or statutes that the petitioner contends requires reversal or modification of the EPC's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner,
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any,
- (c) Each rule or portion of a rule from which a variance or waiver is requested,
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above,
- (e) The type of action requested,
- (f) The specific facts that would justify a variance or waiver for the petitioner,
- (g) The reason by the variance or waiver would serve the purposes of the underlying statute (implemented by the rule), and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of the those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials,

St. Joseph's Hospital
Tampa, FL 33607

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and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at 3629 Queen Palm Dr., Tampa, FL 33619 or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, FL 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY



Richard D. Garrity, Ph.D.
Executive Director

cc: Florida Department of Environmental Protection, Southwest District (via email)
Kenneth E. Given, P.E., Air Testing & Consulting, Inc. (via email)

CERTIFICATE OF SERVICE

The undersigned duly designated clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on 11/1/12 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date,
pursuant to Section 120.52(11), Florida Statutes, with the designated
clerk, receipt of which is hereby acknowledged.

Kathleen S. Fena

Clerk

11/1/12

Date

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
NOTICE OF INTENT TO ISSUE PERMIT

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue air pollution Permit No. 0570089-017-AC to St. Joseph's Hospital to construct two stationary natural gas-fired generators to be used as emergency generators and as peaking units. The project also includes the construction of four diesel-fired generators to be utilized exclusively for emergency use. The generators are manufactured by Caterpillar Inc., and the natural gas generators will be equipped with a non-selective catalytic reduction (NSCR) system on the exhaust portion of the generators to help reduce emissions and ensure compliance with the exhaust limits from the federal rules. The facility is located at 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607.

A Best Available Control Technology (BACT) determination was not required.

The EPC will issue the Final permit with the conditions of the DRAFT permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

A petition that disputes the material facts on which the EPC's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number if known;
- (b) The name, address, and telephone number of the petitioner, and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC proposed action;
- (f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition this order will not be effective until further order of the EPC.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, FL 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

The complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Dr, Tampa, FL 33619. The complete project file includes the proposed Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Diana M. Lee, P.E., at the above address, or call 813-627-2600, for additional information. Any written comments filed shall be available for public inspection. If written comments received result in a significant change in the proposed agency action, the EPC shall revise the proposed permit and require, if applicable, another Public Notice.



COMMISSION
Kevin Beckner Lesley "Les" Miller, Jr.
Victor D. Crist Sandra L. Murman
Ken Hagan Mark Sharpe
Al Higginbotham

DIVISION DIRECTORS
Legal & Admin. Richard Tschantz, Esq.
Air Management Jerry Campbell, P.E.
Waste Management Hooshang Boostani, P.E.
Water Management Sam Elrabi, P.E.
Wetlands Management Scott Emery, Ph.D.

EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Issac Mallah
President & CEO
St. Joseph's Hospital
3001 W. Martin Luther King, Jr. Blvd.
Tampa, FL 33607

Dear Mr. Mallah:

Re: Hillsborough County - AP

Enclosed is Permit Number 0570089-017-AC to construct two stationary natural gas-fired generators to be used as emergency generators and as peaking units, along with four diesel-fired generators to be utilized exclusively for emergency use, at the hospital located at 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607, issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the EPC in the Legal Department at 3629 Queen Palm Dr., Tampa, FL 33619; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

DRAFT

Richard D. Garrity, Ph.D.
Executive Director

RDG/JDS/jds

cc: Florida Department of Environmental Protection, Southwest District (via email)
Kenneth E. Given, P.E., Air Testing & Consulting, Inc. (via email)

An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation

Roger P. Stewart Center
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • www.epchc.org

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CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on _____ to the listed persons.

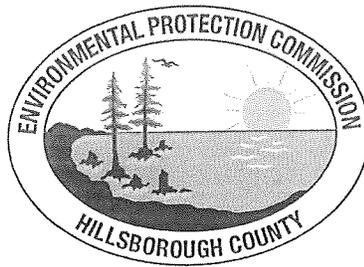
Clerk Stamp

FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

DRAFT

Clerk

Date



COMMISSION

Kevin Beckner Lesley "Les" Miller, Jr.
Victor D. Crist Sandra L. Murman
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Al Higginbotham

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Water Management Sam Elrabi, P.E.
Wetlands Management Scott Emery, Ph.D.

EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

DRAFT

PERMITTEE:

St. Joseph's Hospital
3001 W. Martin Luther King, Jr. Blvd.
Tampa, FL 33607

PERMIT/CERTIFICATION

Permit No: 0570089-017-AC
County: Hillsborough
Expiration Date: June 10, 2014
Project: Natural Gas Generators

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-209, 62-210, 62-212, 62-272, 62-275, 62-296, 62-297, and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the EPC and made a part of hereof and specifically described as follows:

This permit is for the construction of two stationary natural gas-fired generators to be used as emergency generators and as peaking units. This permit also includes the construction of four diesel-fired generators to be utilized exclusively for emergency use. All six generators will be located in a single new building on the northwest side of the hospital.

The two natural gas-fired generators are identical Caterpillar Model No. G3520C generator sets rated at 2 MW each. The maximum heat input of each generator is 22.2 MMBtu/hr based on the maximum fuel usage rate provided by the manufacturer. Each unit will be equipped with a non-selective catalytic reduction (NSCR) system (Model #SP-ZCSI-54x61-20/24-XH2.5B3) on the exhaust portion of the generators to help reduce emissions and ensure compliance with the exhaust limits from the federal rules. These generators are intended to operate primarily as emergency generators for instances when backup power is necessary due to an interruption in power; however, these two units will also be available to operate as peaking units to operate during periods of high electricity demand at the request of the power company in situations that are not emergencies. For that reason, the generators are considered "non-emergency" generators when considering the applicability of the state and federal rules.

The natural gas-generators are not limited on the hours of operation per year. The generators are subject to 40 CFR 60 – Subpart JJJJ and 40 CFR 63 – Subpart ZZZZ. Initial stack testing is required to demonstrate compliance with the emission limits from these rules, followed by testing thereafter every 8,760 hours or 3 years, whichever comes first.

The four diesel-fired generators are identical Caterpillar Model No. DM8266 generator sets rated at 2.5 MW each. The diesel engines are a Caterpillar Model No. 3516C with a maximum rating of 3,634 hp. The generators are intended to operate exclusively as emergency generators for instances when backup power is necessary due to an interruption in power. Therefore, these emergency generators are exempt from permitting pursuant to Rule 62-210.300(3)(a)35, F.A.C.; nevertheless, these generators are subject to the requirements of 40 CFR 60 – Subpart IIII and 40 CFR 63 – Subpart ZZZZ, which primarily establish limits on the fuel specifications and require the addition of an hour meter along with tracking of hours in maintenance and emergency modes.

An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation

Roger P. Stewart Center

3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • www.epchc.org

An Affirmative Action/Equal Opportunity Employer



St. Joseph's Hospital
Tampa, FL 33607

Location: 3001 W. Martin Luther King, Jr. Blvd., Tampa, FL 33607

UTM: 17-353.3 E 3095.9 N FACILITY ID NO.: 0570089

Emission Unit Nos. 009 – Natural Gas-Fired Generator No. 1 (East)
 010 – Natural Gas-Fired Generator No. 2 (West)

References Permit Nos.: N/A

PERMITTEE:
St. Joseph's Hospital

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SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
2. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]
3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]
4. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying or any other act, that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.
5. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]
6. In order to limit the potential to emit for the stationary natural gas-fired generators, the following restrictions shall apply:
[Rules 62-4.070(3), 62-210.200(Potential to Emit), and 62-212.300(1)(d), F.A.C.; and Construction Permit Application Received August 3, 2012]
 - A) The generators shall be fired only on natural gas.
 - B) The hours of operation for each generator are not restricted (i.e. each permitted to operate 8,760 hrs/yr).
 - C) The maximum heat input for each generator shall not exceed 22.2 MMBtu/hr.
 - D) Each generator shall include a non-selective catalytic reduction (NSCR) system as part of its exhaust system.
 - E) The generators shall only operate when all emissions from the engines are being vented through the NSCR systems.
7. Visible emissions from the exhaust of the stationary natural gas-fired generators shall not have an opacity equal to or greater than 20%. [Rule 62-296.320(4)(b)1, F.A.C.; and Chapter 1-3.52(1), Rules of the EPC]

40 CFR 60 Requirements

8. Notwithstanding the specific requirements from NSPS and NESHAP detailed in this permit, these emissions units shall comply with all applicable requirements of 40 CFR 60 Subpart JJJJ and 40 CFR 63 Subpart ZZZZ, incorporated by reference.
[Rules 62-4.030, 62-4.070(3) and 62-204.800(8) and (11), F.A.C.]
9. Notwithstanding the specific requirements from NSPS and NESHAP detailed in this permit, these emissions units shall comply with all applicable requirements of 40 CFR 60 Subpart A and 40 CFR 63 Subpart A, incorporated by reference.
[Rules 62-4.030, 62-4.070(3) and 62-204.800(8) and (11), F.A.C.]

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SPECIFIC CONDITIONS:

10. The stationary natural gas-fired generators must comply with the following emission standards:
[40 CFR 60.4233(e)]

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards ^a					
			g/HP-hr			ppmvd at 15% O ₂		
			NO _x	CO	VOC ^b	NO _x	CO	VOC ^b
Non-Emergency SI Natural Gas	HP≥500	7/1/2010	1.0	2.0	0.7	82	270	60

^a Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O₂.

^b For purposes of these limits, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

11. The permittee must operate and maintain the stationary natural gas-fired generators in compliance with the emission limits stated above over the entire life of the engine. [40 CFR 60.4234]

12. Since the engines are not certified to the emission standards, the permittee must demonstrate compliance through the following method: [40 CFR 60.4243(b) and 60.8(a); and Rule 62-4.070(3), F.A.C.]

- A) The permittee must demonstrate compliance with the emission standards stated above in accordance with the requirements specified in 40 CFR 60.4244, as applicable, and according to the following:
 - (i) The permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.
 - (ii) **The permittee must conduct an initial performance test on each generator.** Initial testing shall occur within 60 days after achieving the maximum production rate at which the generators will be operated, but not later than 120 days after initial startup of the generators.
 - (iii) The permittee must conduct subsequent performance testing on each generator every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

13. The permittee may operate the engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test while firing on propane to demonstrate compliance with the emission standards of §60.4233. [40 CFR 60.4243(e); and Rule 62-4.070(3), F.A.C.]

14. If three-way catalysts/non-selective catalytic reduction systems are installed on the engines, it is expected that air-to-fuel ratio (AFR) controllers will be used. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times. [40 CFR 60.4243(g)]

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15. Performance tests must follow the procedures stated below:
[40 CFR 60.4244]

(a) Performance tests must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the following specific conditions:

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244	a. limit the concentration of NO _x , CO, and VOC in the stationary SI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, Appendix A. For NO _x and CO, ASTM Method D6522-00(2005) ^a may also be used.	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B ^b of 40 CFR part 60, appendix A or ASTM Method D6522-00(2005) ^a	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurements for NO _x , CO, and VOC concentration, respectively.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture must be made at the same time as the measurement for NO _x , CO, and VOC concentration, respectively.
		v. Measure NO _x at	(5) Method 7E of 40 CFR	(d) Results of this test

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SPECIFIC CONDITIONS:

		the exhaust of the stationary internal combustion engine	part 60, appendix A, Method D6522-00(2005) ^a , Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary internal combustion engine	(5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522-00(2005) ^a , Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure VOC at the exhaust of the stationary internal combustion engine	(5) Methods 25A and 18 of 40 CFR part 60, appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 or 40 CFR part 60, appendix A ^{c,d} , Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.

- (b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.
- (c) You must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.
- (d) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 below:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \quad (Eq. 1)$$

Where:

ER = Emission rate of NO_x in g/HP-hr.

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C_a = Measured NO_x concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

- (e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 below:

$$ER = \frac{C_a \times 1.164 \times 10^{-3} \times Q \times T}{\text{HP - hr}} \quad (\text{Eq. 2})$$

Where:

ER = Emission rate of CO in g/HP-hr.

C_d = Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

- (f) For purposes of Subpart JJJJ, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 below:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{\text{HP - hr}} \quad (\text{Eq. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr.

C_d = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

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SPECIFIC CONDITIONS:

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

- (g) If the permittee chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = \frac{C_{M_i}}{C_{A_i}} \quad (\text{Eq. 4})$$

Where:

RF_i = Response factor of compound i when measured with EPA Method 25A.

C_{Mi} = Measured concentration of compound i in ppmv as carbon.

C_{Ai} = True concentration of compound i in ppmv as carbon.

$$C_{\text{cor}} = RF_i \times C_{\text{meas}} \quad (\text{Eq. 5})$$

Where:

C_{i,cor} = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C_{i,meas} = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{\text{Peq}} = 0.6098 \times C_{\text{cor}} \quad (\text{Eq. 6})$$

Where:

C_{Peq} = Concentration of compound i in mg of propane equivalent per DSCM.

16. The permittee must meet the following notification, reporting and recordkeeping requirements: [40 CFR 60.4245 and Rule 62-297.310(8), F.A.C.]

- (a) The permittee must keep records of the following information:

- (1) All notifications submitted to comply with Subpart JJJJ and all documentation supporting any notification.

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SPECIFIC CONDITIONS:

- (2) Maintenance conducted on the engines.
 - (3) Since the stationary SI internal combustion engines are not certified engines, documentation that the engines meet the emission standards.
- (b) [Reserved.]
- (c) The permittee must submit a copy of each performance test as conducted in §60.4244 within 45 days after the test has been completed.

17. Since the facility is subject to 40 CFR 60 - Subpart JJJJ, the permittee shall comply with the following requirements: [Rule 62-204.800, F.A.C. and 40 CFR 60.4230]

- A) Testing shall be performed in accordance with 40 CFR 60.8, as applicable. [40 CFR 60.8]
- B) No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere. [40 CFR 60.12]
- C) Notification and reporting requirements stated in this permit shall be in accordance with 40 CFR 60.19, as applicable. [40 CFR 60.19]

Testing and Recordkeeping Requirements

18. The permittee shall test both stationary natural gas-fired generators for visible emissions (opacity) concurrently with the initial pollutant stack tests as required by Specific Condition No. 12.A)(ii). Visible emissions tests shall be performed annually thereafter. Submit two copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County (EPCHC) within 45 days of such testing. Testing procedures shall be consistent with the requirements of Rule 62-297.310, F.A.C. Each test shall be performed using EPA Method 9 and shall be at least 30 minutes in duration. The test shall be performed at the point of highest opacity from each emission point. [Rules 62-297.310, and 62-4.070(3), F.A.C.; and Chapter 1-3.52(3), Rules of the EPC]

19. [Reserved.]

20. Testing of emissions shall be conducted with the generators operating at capacity. Capacity is defined as 90-100% of rated capacity of each unit as specified in Specific Condition No. 6.C). If it is impracticable to test at capacity, then the source may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. Failure to submit the heat input rates and actual operating conditions may invalidate the test. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rules 62-4.070(3) and 62-297.310, F.A.C.]

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SPECIFIC CONDITIONS:

21. The initial emission tests require at least 30 days prior notice from the permittee to the Air Compliance Section of the Environmental Protection Commission of Hillsborough County (EPC), pursuant to 40 CFR 60.8(d). If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the permittee shall notify the EPC as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the EPC by mutual agreement. For all subsequent testing following the initial tests, the permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [40 CFR 60.8(d) and Rule 62-297.310(7)(a)9., F.A.C.]

22. The permittee shall maintain monthly records of the generators operation in order to ensure compliance with Specific Condition No. 6. The records shall be maintained onsite for at least five years and shall be made available to any local, state, or federal air pollution agency. The records shall include, but not be limited to, the following: [40 CFR 60.4243(e); and Rules 62-4.070(3) and 62-213.440(1)(b)2., F.A.C.]

- A) Date, Month
- B) Hours of operation of each generator (hours)
- C) Rolling consecutive 12-month total of hours of operation of each generator (hours)
- D) Monthly and rolling consecutive 12-month total of hours that each generator operated using propane during emergency operations (hours)

General Requirements

23. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200(205), F.A.C., Modification, and pursuant to the requirements of 40 CFR 60.14. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-210.300 and 62-4.070(3), F.A.C.; and 40 CFR 60.14]

- A) Alteration or replacement of any equipment* or major component of such equipment listed in this permit.
- B) Installation or addition of any equipment* which is a source of air pollution.
- C) The use of fuels other than those authorized by this permit.

*Not applicable to routine maintenance, repair, or replacement of component parts of an air emissions unit.

24. When the Environmental Protection Commission of Hillsborough County (EPC), after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C. or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC. [Rule 62-297.310(7)(b), F.A.C.]

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SPECIFIC CONDITIONS:

25. The permittee must submit to the Environmental Protection Commission of Hillsborough County each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(3), F.A.C.]

26. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

27. An application for a Title V Air Operation Permit Revision shall be submitted to the Environmental Protection Commission of Hillsborough County (EPC) at least 90 days before expiration of this air construction permit but no later than 180 days after the emissions unit commences operation, whichever occurs first. However, if the facility is reclassified as a minor (non-Title V) source prior to the expiration date of this permit, then a minimum of two copies of an air operating permit application (non-Title V) shall be submitted instead to the EPC within 90 days of completion of compliance testing or at least 90 days prior to the expiration date of this permit, whichever occurs first. [Rules 62-213.420(1)(a)3., 62-4.050(2) and 62-4.070(3), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

DRAFT

Richard D. Garrity, Ph.D.
Executive Director

ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

ATTACHMENT - GENERAL CONDITIONS

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- Determination of Best Available Control Technology (BACT)
- Determination of Prevention of Significant Deterioration (PSD)
- Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used;
 - 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.