# Duke Energy Florida, Inc.
# dba Duke Energy (DEF)
## Debary Power Plant

Facility ID No. 1270028

Volusia County

Title V Air Operation Permit Renewal

**Permit No. 1270028-010-AV**

(Renewal of Title V Air Operation Permit No. 1270028-009-AV)

**Permitting Authority**

State of Florida
Department of Environmental Protection
Division of Air Resource Management
Office of Permitting and Compliance
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# Title V Air Operation Permit Renewal

Permit No. 1270028-010-AV

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Permit No. 1270028-010-AV
Debary Power Plant
Facility ID No. 1270028
Title V Air Operation Permit Renewal

The purpose of this permit is to renew the Title V Air Operation Permit for the above referenced facility. The existing Debary Power Plant is located in Volusia County at 176 West Highbanks Road, DeBary, Florida 32713. UTM Coordinates: Zone 17, 467.5 kilometers (km) East and 3197.2 km North; Latitude: 28° 54' 17" North and Longitude: 81° 19' 55" West.

The Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-210, 62-213 and 62-214. The above named permittee is hereby authorized to operate the facility in accordance with the terms and conditions of this permit.

**Effective Date:** January 1, 2014
**Renewal Application Due Date:** May 20, 2018
**Expiration Date:** December 31, 2018

Executed in Tallahassee, Florida

Syed Arif

Digitally signed by Syed Arif
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*for* Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
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JK/sa/yha

**Subsection A. Facility Description.**

The Debary Power plant is operated as a peaking power generating facility. Air emission sources at the plant consist of ten intermittent duty simple-cycle combustion turbine-electrical generators, one diesel-fired fire pump and one propane-fired emergency generator.

The six peaking combustion turbines (PCT 1 - PCT 6) are each 51.9 megawatt (MW) simple cycle units manufactured by General Electric Model MS7000. These combustion turbines are fired with No. 2 fuel oil.

The latter four combustion turbines (Unit Nos. 7 - 10) are each 92.9 MW simple cycle units manufactured by General Electric (Model PG7111EA). The units are fired with natural gas and/or No. 2 fuel oil containing an average of 0.3 percent (%) sulfur, by weight, and a maximum of 0.5 % sulfur, by weight. Annual hours of operation are limited to an equivalent of 3,390 hours or less based on a sliding scale related to the fuel sulfur content. Control measures and equipment consists of firing relatively clean fuel, good combustion practices, and water injection.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

**Subsection B. Summary of Emissions Units.**

| E.U. ID No. | Brief Description |
|---|---|
| ***Regulated Emissions Units*** | |
| **003** | Peaking Combustion Turbine Unit No. 1 |
| **005** | Peaking Combustion Turbine Unit No. 2 |
| **007** | Peaking Combustion Turbine Unit No. 3 |
| **009** | Peaking Combustion Turbine Unit No. 4 |
| **011** | Peaking Combustion Turbine Unit No. 5 |
| **013** | Peaking Combustion Turbine Unit No. 6 |
| **015** | Combustion Turbine Unit No. 7 |
| **016** | Combustion Turbine Unit No. 8 |
| **017** | Combustion Turbine Unit No. 9 |
| **018** | Combustion Turbine Unit No. 10 |
| **022** | Diesel Engine driven Emergency Fire Pump |
| **023** | Propane Engine-driven Emergency Generator |
| ***Unregulated Emissions Units and Activities*** | |
| **024** | Diesel Engine-driven Emergency Generator |

**Subsection C. Applicable Regulations.**

Based on the Title V Air Operation Renewal application received August 1, 2013, this facility is a major source of hazardous air pollutants (HAP). The existing facility is a Prevention of Significant Deterioration (PSD) major source of air pollutants in accordance with Rule 62-212.400, F.A.C. Because this facility operates stationary reciprocating internal combustion engines (RICE), it is subject to regulation under 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary RICE.

The existing RICE must comply with the requirements in NESHAP Subpart ZZZZ that apply to each engine. In addition, the diesel fire water pump and the propane fired emergency generator they are meet the definition of emergency stationary RICE.

A summary of applicable regulations is shown in the following table.

| APPLICABLE REGULATIONS | EU ID |
|---|---|
| ***Federal Rule Citations*** | |
| 40 CFR 60, Subpart A, NSPS General Provisions | 015, 016, 017, 018 |
| 40 CFR 60, Subpart GG - NSPS for New Stationary Gas Turbines | 015, 016, 017 & 018 |
| 40 CFR 63, Subpart ZZZZ – NESHAP, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines | 022 & 023 |
| 40 CFR 75, Acid Rain Monitoring Provisions | 015, 016, 017 & 018 |
| ***State Rule Citations*** | |
| Rule 62-213, F.A.C., Title V Air Operation Permits for Major Sources of Air Pollution | 003, 005, 007, 009, 011, 013, 015, 016, 017 & 018 |
| Rule 62-214, F.A.C. (Requirements For Sources Subject To The Federal Acid Rain Program) | |
| Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms) | |
| Rule 62-296, F.A.C., Implementation of Federal Clean Air Interstate Rule (CAIR). | |
| Rule 62-297, F.A.C. (Stationary Sources - Emissions Monitoring) | |

**The following conditions apply facility-wide to all emission units and activities:**

**FW1.** Appendices. The permittee shall comply with all documents identified in Section VI, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

**Emissions and Controls**

**FW2. Not federally Enforceable.** Objectionable Odor Prohibited. No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

**FW3.** General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. Nothing is deemed necessary and ordered at this time. [Rule 62-296.320(1), F.A.C.]

**FW4.** General Visible Emissions. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b), F.A.C.]

**FW5.** Unconfined Particulate Matter. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

a. Paving and maintenance of roads, parking areas and yards.
b. Chemical (dust suppressants or water application to:
   (1) Unpaved roads
   (2) Unpaved yard areas
   (3) Open stock piles
c. Removal of PM from roads and other paved areas to prevent re-entrainment and from buildings or work areas to prevent airborne particulate.
d. Landscaping or planting of vegetation.
e. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent PM.
f. Confining abrasive blasting where possible.
g. Enclosure or covering of conveyor systems.

[Rule 62-296.320(4)(c), F.A.C.; and, proposed by applicant in Title V air operation permit renewal application received August 1, 2013]

**Annual Reports and Fees**

See Appendix RR, Facility-wide Reporting Requirements for additional details.

**FW6.** Annual Operating Report. The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by April 1st of each year. [Rule 62-210.370(3), F.A.C.]

*{Permitting Note: If the applicant chooses to use the Electronic Annual Operating Report software, instructions provided with the system should be followed.}*

**FW7.** Annual Emissions Fee Form and Fee. The annual Title V emissions fees are due (postmarked) by April 1st of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site: http://www.dep.state.fl.us/Air/permitting/tvfee.htm. [Rule 62-213.205, F.A.C. and §403.0872(11), Florida Statutes (2013)]

*{Permitting Note: In addition to the change in the Title V fee submission from March 1st to April 1st, Chapter 403.0872(11)(a) has been revised to require that the annual fee be calculated based upon actual emissions rather than allowable emissions, as in the past. The Department will be exploring the development of a revision to the electronic annual operating report (EAOR) application to automatically calculate the amount of the fee based upon actual emission information provided with the annual operating report. When completed, the procedures for submitting the fee and/or the submission address may change. Until further notice, the fees shall continue to be submitted to the address shown in Specific Condition FW7 and according to instructions posted on the Department's fee information web page. Be sure to check the Title V Annual Emissions Fee On-line Information Center (see above web site address) periodically for updates, especially before submitting future Title V fee payments.}*

**FW8.** Annual Statement of Compliance. The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit within 60 days after the end of each calendar year during which the Title V permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

*{Permitting Note: As specified in Specific Condition RR7 of Appendix RR, the applicant shall use DEP Form No. 62-213.900(7) to comply with this requirement.}*

**FW9.** Prevention of Accidental Releases (Section 112(r) of CAA). If, and when, the facility becomes subject to 112(r), the permittee shall:

a. Submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent electronically through EPA's Central Data Exchange system at the following address: https://cdx.epa.gov. Information on electronically submitting risk management plans using the Central Data Exchange system is available at: http://www.epa.gov/osweroe1/content/rmp/index.htm. The RMP Reporting Center can be contacted at: RMP Reporting Center, Post Office Box 10162, Fairfax, VA 22038, Telephone: (703) 227-7650.
b. Submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.

[40 CFR 68]

**The specific conditions in this section apply to the following emissions units:**

| E.U. ID No. | Brief Description |
|---|---|
| **003** | Peaking Combustion Turbine (PCT) Unit No. 1 |
| **005** | Peaking Combustion Turbine (PCT) Unit No. 2 |
| **007** | Peaking Combustion Turbine (PCT) Unit No. 3 |
| **009** | Peaking Combustion Turbine (PCT) Unit No. 4 |
| **011** | Peaking Combustion Turbine (PCT) Unit No. 5 |
| **013** | Peaking Combustion Turbine (PCT) Unit No. 6 |

Each of the six peaking combustion turbines (PCT) is a General Electric, Model MS 7000. The output is rated at 51,900 kilowatt (kW). No. 2 fuel oil is allowed to be fired, with the sulfur content not to exceed 0.5% by weight. Commercial operation began on February 6, 1976; March 20, 1976; December 31, 1975; April 14, 1976; December 22, 1975; and April 30, 1975, respectively for PCT Units 1 through 6. Emissions are not controlled and each turbine exhausts through a separate stack with the following parameters: stack height = 45 feet; exit diameter = 17.7 feet; exit temperature = 1,050 degrees Fahrenheit (°F); and, actual volumetric flow rate = 2,565,000 actual cubic feet per minute (acfm).

**Essential Potential to Emit (PTE) Parameters**

**A.1.** Permitted Capacity. The maximum allowable heat input rate is 825 million British thermal units/hour (MMBtu/hr)/unit (lower heating value (LHV)) at 20 °F using No. 2 fuel oil. At other ambient temperatures, the maximum allowable heat input for each turbine shall be determined from the graphs of fuel heat input versus (vs.) ambient temperature curves as shown in Appendix HI, Heat Input vs. Ambient Temperature Curves. [Rules 62-204.800, 62-210.200(PTE), F.A.C.]

**A.2.** Emissions Unit Operating Rate Limitation After Testing. See the related testing provisions in Specific Condition **A.18.** and in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

**A.3.** Methods of Operation. The only fuel allowed to be burned is No. 2 fuel oil. [Rule 62-213.410, F.A.C.; Applicant's request in Title V permit renewal application received August 1, 2013]

**A.4.** Hours of Operation. These emissions units may operate continuously (8,760 hours/year). [Rule 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

*{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

Unless otherwise specified, the averaging time for Specific Condition **A.5.** is based on the specified averaging time of the applicable test method.

**A.5.** Visible Emissions. Visible emissions shall not be equal to or exceed 20% opacity. [Rule 62-296.320(4)(b)1., F.A.C. and AO64-207447]

**A.6.** Sulfur Content No.2 Fuel Oil. The maximum sulfur content of the No. 2 fuel oil shall not exceed 0.5 % by weight. [Rule 62-213.440, F.A.C. and AO64-207447]

**Excess Emissions**

**A.7.** Excess Emissions Allowed. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]

**A.8.** Excess Emissions Prohibited. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

**Monitoring of Operations**

**A.9.** Fuel Sulfur Monitoring. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis to insure that all deliveries of the new No. 2 fuel oil are less than the permitted limit for sulfur content (not to exceed 0.5 % by weight). The fuel analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency. Copies of the fuel analyses shall be retained on-site and made available upon request. See Specific Condition **A.15.** [Rule 62-213.440, F.A.C.]

**Test Methods and Procedures**

**A.10.** Test Methods. Required tests shall be performed in accordance with the following reference methods:

| Method | Description of Method and Comments |
|---|---|
| 9 | Visual Determination of the Opacity of Emissions from Stationary Sources |
| ASTM D2622-94, ASTM D4294-90(95), or ASTM 1552-90 or both ASTM D4057-88 and ASTM D129-95, or the latest edition of the above ASTM methods. (Also see Specific Condition **A.17.**) | Determination of Sulfur Content from Liquid Fuels |

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-213.440 and 62-297.440, F.A.C.]

**A.11.** Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

**A.12.** Annual Compliance Tests. During each federal fiscal year (October 1st to September 30th), PCT Nos. 1 - 6 shall be tested to demonstrate compliance with the emissions standards for opacity. The required minimum period of observation for a compliance test shall be 30 minutes. [Rule 62-297.310(4)(a)2. and (7)(a)4., F.A.C.; and, AO64-207447]

**A.13.** Compliance Tests Prior To Renewal. Any combustion turbine that does not operate for more than 400 hours per year (hr/yr) shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit. [Rule 62-297.310(7)(a)8., F.A.C.]

**A.14.** VE Test Method. The test method for visible emissions shall be EPA Method 9, adopted and incorporated by reference in Rule 62-204.800, F.A.C., and referenced in Chapter 62-297, F.A.C. [Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

**A.15.** Fuel Analysis. The fuel sulfur content, % by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90(95), or ASTM 1552-90 or both ASTM D4057-88 and ASTM D129-95, or the latest edition of the above ASTM methods, and any other methods specified in Section 2.2.5 of Appendix D to 40 CFR Part 75, as amended. In addition, other applicable approved ASTM methods as adopted in Rule 62-297.440(1), F.A.C. are also acceptable. [Rules 62-213.440 and 62-297.440, F.A.C.; AO64-207447; and, Applicant Request.]

**A.16.** Operating Rate During Testing. Testing of emissions shall be conducted with the source operating at permitted capacity. Permitted capacity is defined as 90 - 100 %of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at capacity, then sources may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 110 % of the value reached during the test. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report. [Rule 62-297.310(2), F.A.C.; A064-207447 and PSD-FL-167B]

**Recordkeeping and Reporting Requirements**

**A.17.** Reporting Schedule. See Appendix RR, Facility-Wide Reporting Requirements, for reporting requirements. [Rule 62-213.440, F.A.C.]

**The specific conditions in this section apply to the following emissions units:**

| E.U. ID No. | Brief Description |
|---|---|
| **015** | Combustion Turbine (CT) Unit No. 7 |
| **016** | Combustion Turbine (CT) Unit No. 8 |
| **017** | Combustion Turbine (CT) Unit No. 9 |
| **018** | Combustion Turbine (CT) Unit No. 10 |

Each simple cycle combustion turbine (CT) is a General Electric PG7111EA model with a nameplate rating of 92.9 MW at international standards organization (ISO) conditions. Each CT is allowed to burn No. 2 fuel oil and/or natural gas.

Each unit utilizes water injection to reduce emissions of nitrogen oxides ($NO_X$) and employs a continuous emissions monitoring system (CEMS) for monitoring $NO_X$ emissions. Each turbine exhausts through a separate stack with the following parameters: stack height = 50 feet; exit diameter = 13.8 feet; exit temperature = 1,040 °F; and, actual volumetric flow rate = 1,551,300 acfm. These emissions units began commercial operation on November 1, 1992.

Each CT is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; NSPS 40 CFR 60 Subpart A; Rule 62-212.400(5), F.A.C., PSD; and Rule 62-212.400(6), F.A.C. BACT Determination, dated October 16, 1991 and subsequent modifications including re-issued Permit PSD-FL-167B (1270028-002-AC) dated May 6, 1997 and re-issued Permit PSD-FL-167J (1270028-004-AC) dated March 31, 2000.

**Essential Potential to Emit (PTE) Parameters**

**B.1.** Permitted Capacity. The maximum allowable heat input rate for each CT shall not exceed:

a. 1,144 MMBtu/hr/unit (LHV) at 20° F using No. 2 fuel oil, or

b. 1,159 MMBtu/hr/unit (LHV) at 20° F using natural gas.

At other ambient temperatures, the maximum allowable heat input for each turbine shall be determined from the graphs of fuel heat input vs. ambient temperature curves as shown in Appendix HI, Heat Input vs. Ambient Temperature Curves. [Rules 62-204.800, 62-210.200(PTE), F.A.C.; and Permit Nos. AC64-191015, PSD-FL-167(B) and 1270028-002-AC]

**B.2.** Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **B.32.** and the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

**B.3.** Methods of Operation.

a. *Fuels.* The only fuels allowed to be burned are natural gas and/or No. 2 fuel oil.

b. *Fuel Consumption*. The maximum fuel consumption for the all four CTs at 59° F shall not exceed:
(1) 106,133,333 gallons/year (gal/yr) of No. 2 fuel oil, or
(2) 14,212 million cubic feet/year of natural gas.

[PSD-FL-167B (1270028-002-AC)]

**B.4.** Capacity Factor. The capacity factor shall be limited to 33% based on a weighted 12-month rolling average sulfur content of 0.30 %. However, if the weighted rolling average sulfur content of the fuel oil is less than 0.30%, the capacity factor may be adjusted using the following table:

| % Average Sulfur Content | % Capacity Factor | Cumulative Hours/Year for any four CT |
|---|---|---|
| 0.30 - 0.295 | 33.0 | 11,564 (based on an average of 2,891 hr/CT/yr) |
| 0.29 - 0.285 | 34.4 | 12,056 (based on an average of 3,014 hr/CT/yr) |
| 0.28 - 0.275 | 35.8 | 12,544 (based on an average of 3,136 hr/CT/yr) |
| 0.27 - 0.265 | 37.2 | 13,036 (based on an average of 3,259 hr/CT/yr) |
| 0.26 - or less | 38.7 | 13,560 (based on an average of 3,390 hr/CT/yr) |

[Permit No. PSD FL-167 (AC64-191015), Specific Condition 5]

**B.5.** Hours of Operation.

a. *CTs*. The cumulative hours of operation for any CT combination shall not exceed 13,560 hr/yr, at 38.7% capacity factor.

b. *Inlet Foggers*. The inlet foggers installed at the compressor inlet to each of the four simple cycle combustion turbines may operate up to 4,900 hr/yr in aggregate (average 1,225 hours per CT per year (hr/CT/yr)).

[Rules 62-210.200(PTE) and 62-213.410, F.A.C.; and, Permit Nos. AC64-191015(B), 1270028-003-AV and 1270028-004-AC]

**Emission Limitations and Standards**

Unless otherwise specified, the averaging times for Specific Conditions **B.6. - B.13.** are based on the specified averaging time of the applicable test method. All emission limits in Specific Conditions **B.6. - B.13.** are based on operation at 59° F and 15% oxygen ($O_2$).

**B.6.** $NO_X$ Emissions.

a. When firing natural gas, $NO_X$ emissions shall exceed neither 25.0 parts per million by volume dry (ppmvd) corrected to 15% $O_2$ nor 107 pounds per hour (lb/hr)b based on a 4-hour rolling average of all valid data collected from the continuous emissions monitoring system (CEMS), nor 726 tons per year (TPY), total for all four CTs.

b. When firing No. 2 fuel oil, $NO_X$ emissions shall exceed neither 42.0 ppmvd corrected to 15% $O_2$ nor 182 lb/hr, based on a 4-hour rolling average of all valid data collected from the $NO_X$ CEMS, nor 1,234 TPY, total for all four CTs.

c. Excess emissions resulting from startup, shutdown and malfunction of any emissions unit shall be permitted providing:
   (1) Best operational practices to minimize emissions are adhered to, and
   (2) The duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period with one unit cycle and one hour for each additional startup within the same 24 hour period. In other words, excess emissions shall be limited to two hours in any 24 hour period in which the unit cycles once, three hours in which the unit cycles twice, and four hours in any 24 hour period in which the unit cycles three times. The duration of excess emissions shall be minimized but in no case exceed these durations unless specifically authorized by the Department. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. For the purpose of reporting excess emissions pursuant to 40 CFR 60.334(b)(3), hourly averages exceeding the requirements in Condition B.6.a. and b. shall be reported.

d. Compliance with the above standards ensures compliance with applicable $NO_X$ standards specified in the previously issued air construction permits for these units. Because compliance will be demonstrated continuously, an annual stack test will not be required. However, the Department reserves the right to require a "special compliance test" in accordance with Rule 62-297.310(7)(b), F.A.C. The existing $NO_X$

CEMS shall remain subject to all existing installation, calibration, certification, and operation requirements.

e. When requested by the Department, the CEMS emission rates for $NO_X$ on these units shall be corrected to ISO conditions to demonstrate compliance with the $NO_X$ standards established in 40 CFR 60.332. With regard to NSPS Subpart GG, the $NO_X$ CEMS data shall also be used to report excess emissions in accordance with 40 CFR 60.334(j)(1)(iii) and 40 CFR 60.7(c ).

[PSD-FL-167 (AC64-191015), Rule 62-212.400(BACT), F.A.C, BACT Determination dated October 16, 1991, PSD-FL-167B issued 5/6/97, 1270028-006-AC, and 40 CFR 60.332]
*{Permitting Note: The purpose of this permit condition is to authorize the use of the existing $NO_X$ CEMS to demonstrate compliance with the applicable $NO_X$ standards. Pursuant to 40 CFR 64.2(b)(1)(vi), this will allow each unit to avoid a Compliance Assurance Monitoring (CAM) Plan for $NO_X$ emissions.}*

**B.7.** Sulfur Dioxide ($SO_2$). The No. 2 fuel oil's sulfur content by weight shall not exceed 0.30 % average, based upon a weighted 12 month rolling average, and 0.5 % maximum. $SO_2$ emissions shall not exceed 555 lb/hr/unit and 1,925 TPY, total for all four CTs. [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.8.** Sulfur Dioxide. The sulfur content of the natural gas shall not exceed 0.8 % by weight. [40 CFR 60.333(b)]

**B.9.** Particulate Matter (PM). $PM/PM_{10}$ emissions shall not exceed 0.015 lb/MMBtu (15.0 lb/hr/unit and 102 TPY, for all four CTs). [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.10.** Volatile Organic Compounds (VOC). VOC emissions shall not exceed 5 lb/hr/unit and 34 TPY, total for all four CTs. [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.11.** Carbon Monoxide (CO). CO emissions shall not exceed 54 lb/hr/unit and 365 TPY, total for all four CTs. [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.12.** Sulfuric Acid Mist (SAM). The sulfur content by weight shall not exceed 0.30 %, based upon a weighted 12-month rolling average, and 0.5 % maximum. SAM emissions shall not exceed 69 lb/hr/unit and 469 TPY, 12-month rolling average, for all four CTs. [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.13.** Visible Emissions (VE). VE shall not exceed 20 % opacity except at full load, in which case VE shall not exceed 10 % opacity. [PSD-FL-167 (AC64-191015)]

**Excess Emissions**

**B.14.** Excess Emissions Allowed. Except as permitted in Specific Condition B.6.c, and B.20., excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]

**B.15.** Excess Emissions Prohibited. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

**B.16.** Alternate Standards and $NO_X$ CEMS Data Exclusion. The following permit conditions establish alternate standards or allow the exclusion of monitoring data for specifically defined periods of startup, shutdown, and documented malfunction of a gas turbine. These conditions apply only if operators employ the best operational practices to minimize the amount and duration of emissions during such episodes. For the

following identified operational periods, 1-hour $NO_X$ emissions rate values may be excluded from the 4-hour rolling compliance averages in accordance with the corresponding requirements.

a. *Startup, Shutdown, and Malfunction*: CEMS data of startup/shutdown or malfunction shall not be used to calculate emission averages for compliance pursuant to 40 CFR 60.8(c). Note: A fuel-switch is not considered "startup". [Rules 62-204.800, 62-210.700, F.A.C.; 40 CFR 60.7]

**Monitoring of Operations**

**B.17.** Sulfur Content. The permittee shall monitor sulfur content of the No. 2 fuel oil and sulfur content of natural gas. The fuel analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency. Copies of the fuel analyses shall be retained on-site and made available upon request. The sulfur content of the fuel oil in the storage tank shall be based on a weighted 12 month rolling average and shall not exceed 0.3%. The maximum weighted sulfur content of the fuel oil shall not exceed 0.5% at any time. Records of these values shall be kept by the facility for a five year period for regulatory agency inspection purposes. [AC64-191015(B) and EPA's October 25, 1997 approval letter]

{*Permitting Note: The above requirements are applicable when demonstrating compliance with the NSPS limits. Proper maintenance and use of the Acid Rain $NO_X$ CEMs is an acceptable alternative for monitoring compliance with the BACT limits specified in Specific Condition* ***B.6.***}

**Continuous Monitoring Requirements**

**B.18.** Alternate Monitoring Plan and Use of $NO_X$ CEMS For Continuous Compliance. Pursuant to 40 CFR 64.2(b)(1)(vi), the applicant has elected to use the existing certified Acid Rain $NO_X$ continuous emissions monitors for continuous compliance in order to be exempted from the Compliance Assurance Monitoring (CAM) requirements contained in 40 CFR 64. The following alternate monitoring may be used to demonstrate compliance with the 25(gas)/42(oil) ppmvd standard. The lbs/hr standards for $NO_X$ shall be demonstrated by annual stack test at full load only and for each fuel used for more than 400 hours during the previous calendar year using either of the test methods specified in condition **B.28.**
*CEMS in lieu of Water-to-Fuel Ratio*. The $NO_X$ CEM data shall be used in lieu of the monitoring system for water-to-fuel ratio and the reporting of excess emissions in accordance with 40 CFR 60.334(b), Subpart GG (CFR dated 2004). The calibration of the water-to-fuel ratio-monitoring device required in 40 CFR 60.335(c)(2) (CFR dated 2004) will be replaced by the 40 CFR 75 certification tests of the $NO_X$ CEMS. [Rules 62-204.800, 62-210.700, F.A.C.; 40 CFR 60.7; and, 1270028-006-AC]

**B.19.** Water-to-Fuel Monitoring. The permittee shall continuously monitor the water-to-fuel ratio for the water injection system on each unit. The water injection control system shall be set to continuously achieve a $NO_X$ emissions level not to exceed 25.0 ppmvd corrected to 15% $O_2$ when firing natural gas and 42.0 ppmvd corrected to 15% $O_2$ when firing distillate oil. In the event that the $NO_X$ CEMS is not available or providing valid data, the water-to-fuel ratio monitoring data shall be used to support demonstration of compliance with the $NO_X$ standards. [1270028-006-AC]

**B.20.** $NO_X$ CEMS Requirements. For each gas turbine, the permittee shall keep calibrated, maintain, and operate CEMS to measure and record emissions of $NO_X$ and $O_2$ in a manner sufficient to demonstrate compliance with the standards of this permit. A monitor for carbon dioxide ($CO_2$) may be used in place of the $O_2$ monitor, but the system shall comply with 40 CFR 60.334(b) for correcting the emissions to 15% $O_2$.

a. *Performance Specifications*. Each monitor shall be installed in a location that will provide emissions measurements representative of actual stack emissions.
   (1) Each CEMS shall comply with the corresponding performance specifications that identify location, installation, design, performance, and reporting requirements.
   (2) Each $NO_X$ monitor shall be certified pursuant to 40 CFR Part 75 and shall be operated and maintained in accordance with the applicable requirements of 40 CFR Part 75, Subparts B and C. Record keeping and reporting shall be conducted pursuant to 40 CFR Part 75, Subparts F and G. The RATA

tests required for the $NO_X$ monitor shall be performed using EPA Method 7E or 20 as defined in Appendix A of 40 CFR 60.

b. *Data Collection*. Each CEMS shall be designed and operated to sample, analyze, and record emissions data evenly spaced over a 1-hour period during all periods of operation. Each 1-hour average shall be computed using at least one data point in each fifteen-minute quadrant of the 1-hour block during which the unit combusted fuel. If the $NO_X$ CEMS measures concentration on a wet basis, the permittee shall use DEP approved methods for correction of measured emissions to a dry basis (0% moisture). The $O_2$ (or $CO_2$) CEMS shall express the 1-hour emission rate values in terms of "% $O_2$ by volume". The $NO_X$ CEMS shall express the 1-hour emission averages in terms of "ppmvd corrected to 15% $O_2$" for compliance with the BACT standard and, when requested by the Department, ISO corrected at 15% $O_2$ for the NSPS standard.

c. *Compliance Averages*. Compliance with the 4-hour rolling average $NO_X$ emissions standards shall be based on data collected by each required CEMS. For purposes of determining compliance with the emission standards of this permit, missing data shall not be substituted. If monitoring data is authorized for exclusion (due to startup, shutdown, malfunction, or tuning), the 4-hour average shall be the average of the remaining valid 1-hour emission averages collected during actual operation. A 1-hour emissions average that includes any amount of oil firing shall only be included in the compliance average for oil firing. The CEMS used shall comply with 40 CFR 60.334(B)(2) (CFR dated 2004) which requires a minimum of 1 data point for each quadrant of a full unit operating hour or at least 2 data points (one in each of the two quadrants) when required quality assurance or maintenance activities are performed on the system.

d. *Data Exclusion*. Except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments, each CEMS shall record emissions data at all times including episodes of startup, shutdown, and malfunction. Emissions data recorded during periods of startup, shutdown, or malfunction may only be excluded from the compliance averages in accordance with the requirements previously specified in this permit. To the extent practicable, the permittee shall minimize the duration of data excluded for startup, shutdown and malfunctions in accordance with B.6.c. unless specifically authorized in writing by the department's district office for longer periods. Data recorded during startup, shutdown or malfunction shall not be excluded if the episode was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented. Best operational practices shall be used to minimize hourly emissions that occur during startup, shutdown and malfunction. Emissions of any quantity or duration that occur entirely or in part from poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented, shall be prohibited. Excluded emissions data shall be summarized in the required quarterly report.

e. *Monitor Availability*. Monitor availability shall not be less than 95% in any calendar quarter. In the event 95% availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving 95% availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit.

[Rules 62-204.800, 62-210.700, F.A.C.; 40 CFR 60.7]

**Test Methods and Procedures**

**B.21.** Test Methods. Required tests shall be performed in accordance with the following reference methods.

| Method | Description of Method and Comments |
|---|---|
| 1 - 4 | Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content |
| 5 | Method for Determining Particulate Matter Emissions |
| 7E | Determination of Nitrogen Oxide Emissions from Stationary Sources |
| 8 (See Specific Conditions B.28 & B.31.) | Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources |
| 9 | Visual Determination of the Opacity of Emissions from Stationary Sources |
| 10 | Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.} |
| 17 | Determination of Particulate Emissions from Stationary Sources (In-Stack Filtration Method) |
| 20 | Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines |
| 25A | Method for Determining Gaseous Organic Concentrations (Flame Ionization) |
| ASTM D 4292, D 2880-94, or ASTM 1552-90, or the latest editions. (Also see Specific Condition B.28.) | Fuel Sampling Methods from the American Standards for Testing and Materials used to determine the sulfur content of liquid fuels |
| ASTM D 1072-80, D 3031-81, D 4084-82, D 3246-81, or ASTM D 5504-01, or the latest editions. (Also see Specific Condition B.28.) | Fuel Sampling Methods from the American Standards for Testing and Materials used to determine the sulfur content of gaseous fuel |

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. . [PSD-FL-167 (AC64-191015) with BACT Determination dated October 16, 1991 and PSD-FL-167B (AC64-191015B)]

**B.22.** Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

**B.23.** Annual Compliance Tests. Unless otherwise specified below, during each federal fiscal year (October 1st to September 30th), each CT shall be tested to demonstrate compliance with the emissions standards for $NO_X$, $SO_2$, PM, VOC, CO, VE, SAM. [Rule 62-297.310(7), F.A.C.]

**B.24.** Compliance Tests Prior To Renewal. Any combustion turbine that does not operate for more than 400 hrs/yr shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit. Regardless of the number of hours of operation on fuel oil, at least one compliance test shall be conducted on all combustion turbines every five years. [Rule 62-297.310(7)(a)8., F.A.C.]

**B.25.** Visible Emissions. The test method for VE shall be EPA Method 9. [PSD-FL-167 (AC64-191015)]

**B.26.** Particulate Matter. The test method for $PM/PM_{10}$ shall be EPA Method 5 or Method 17. A one hour opacity test for each CT with opacity values no greater than 10% at full load, may serve as the annual particulate matter test. If however, opacity values from any CT are over 10% at full load, then a Method 5 or Method 17 particulate test must be conducted on the CT(s) to prove compliance with the particulate matter standard. [PSD-FL-167 (AC64-191015)]

**B.27.** Nitrogen Oxides. The test method for $NO_X$ emissions shall be EPA Method 20 or EPA method 7E. See Specific Condition **B.18.** If conducted within 90 to 100 % of rated capacity at the turbine inlet temperature, the annual $NO_X$ continuous monitor RATA required pursuant to 40 CFR 75 may be substituted for the annual compliance stack test. [PSD-FL-167 (AC64-191015) and Applicant Request.]

**B.28.** Sulfur Dioxide. The owner or operator shall determine compliance with the sulfur content standard in Specific Conditions **B.7.** and **B.8.** as follows: Fuel analysis as specified in ASTM D 2880-94, or ASTM 1552-90, or the latest edition, shall be used to determine the sulfur content of liquid fuels and ASTM D 1072-80, D 3031-81, D 4084-82, D 3246-81, or ASTM D 5504-01, or the latest edition, shall be used for the sulfur content of gaseous fuels (incorporated by reference-see 40 CFR 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Administrator. Alternatively, fuel sulfur content may be evaluated using the methods specified in Section 2.2.5 (for fuel oil) and Section 2.3.3.1.2 (for natural gas) of Appendix D to 40 CFR 75, as amended. In addition, other applicable approved ASTM methods as adopted in Rule 62-297.440(1), F.A.C., or in 40 CFR 60.335(b)(1), are also acceptable. Sulfur content monitoring is not required for gaseous fuels that meet the 40 CFR 60.331(u) definition of "natural gas" in accordance with the procedures specified in 40 CFR 60.334(h)(3). [AC64-191015; 40 CFR 60.335(d); and, Applicant Request.]

**B.29.** Carbon Monoxide. The test method for CO shall be EPA Method 10. [PSD-FL-167 (AC64-191015)]

**B.30.** Volatile Organic Compounds. The test method for VOC shall be EPA Method 25A. Testing is not required if compliance with CO limit is shown. [PSD-FL-167 (AC64-191015)]

**B.31.** Sulfuric Acid Mist. The test method for sulfuric acid mist shall be EPA Method 8 or fuel analysis as specified in Specific Condition **B.28.** [PSD-FL-167 (AC64-191015) and 40 CFR 60.335(d)]

**B.32.** Operating Rate During Testing. Testing of emissions shall be conducted with the source operating at permitted capacity. Permitted capacity is defined as 90 - 100 % of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at capacity, then sources may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 110 % of the value reached during the test. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report. [Rule 62-297.310(2), F.A.C. and AC64-191015(B)]

**Recordkeeping and Reporting Requirements**

**B.33.** Reporting Schedule. The following reports and notifications shall be submitted to the Compliance Authority:

| Report | Reporting Deadline | Related Condition(s) |
|---|---|---|
| Notice of Excess Emissions | Quarterly | **B.6.c.** |

[40 CFR 60.334]

**B.34.** Other Reporting Requirements. See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements. [Rule 62-213.440, F.A.C.]

**B.35.** Operation Log. The permittee shall record on a monthly basis in a written log the number of hours of operation for each evaporative cooling system, and the total combined hours of operation for the previous 12 months for all evaporative cooling systems. [Permit No. 1270028-004-AC]

**Other Requirements**

**B.36.** Federal Rule Requirements. In addition to the specific conditions listed above, these emissions units are also subject to the applicable requirements contained in 40 CFR 60, Subpart A – General Provisions and 40 CFR 60, Subpart GG – Standards of Performance for Stationary Gas Turbines, attached to this permit as Appendix NSPS, Subpart A and Appendix NSPS, Subpart GG, respectively. [Rules 40 CFR 60, Subpart GG; and Rules 62-204.800(7) and 62-213.440, F.A.C.]

**The specific conditions in this section apply to the following emissions units:**

| EU No. | Emission Unit Description |
|---|---|
| **022** | 115 HP Diesel Engine-driven Emergency Fire Pump |

Emission Unit No. 022 is diesel engines driven emergency fire pump.

The following table provides important details for this engine:

| Engine Identification | Engine Brake HP | Date of Construction | Model Year | Displacement liters/cylinder (l/c) | Engine Manufacturer | Model No. |
|---|---|---|---|---|---|---|
| Diesel Fire Pump | 115 | 1993 | 1993 | <10 | Detroit | PTA-1SD-50 |

*{Permitting Note: This compression ignition reciprocating internal combustion engine (CI RICE) are regulated under 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary RICE adopted in Rule 62.204.800(11)(b), F.A.C. This permit section addresses an "existing" emergency stationary CI RICE fire pump engine less than or equal to 500 HP with a displacement of less than 10 liters per cylinder that is located at a major source of HAPs and has commenced construction before 6/12/2006; and, it has not been modified or reconstructed after this date.*

*Pursuant to Subpart IIII, NSPS for Stationary Compression Ignition RICE, this is an "existing" emergency engine that commenced construction (ordered) before 7/11/2005 and has not been modified or reconstructed after 7/11/2005. Therefore, it is not subject to Subpart IIII. As an emergency use engine, this unit is not subject to the VOC and $NO_X$ RACT requirements contained in Rules 62-296.500 & 570, F.A.C.}*

**Essential Potential to Emit (PTE) Parameters**

**C.1.** Hours of Operation.

a. *Emergency Situations*. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
b. *Maintenance and Testing*. This unit is authorized to operate for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hrs/yr. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hrs/yr. [40 CFR 63.6640(f)(2)(i)]
c. *Non-emergency Situations*. This unit is authorized to operate up to 50 hrs/yr in non-emergency situations, but those 50 hours are counted towards the 100 hrs/yr provided for maintenance and testing. [40 CFR 63.6640(f)(3)]

**Emission Limitations and Operating Requirements**

**C.2.** Work or Management Practice Standards.

a. *Oil*. Change oil and filter every 500 hours of operation or annually, whichever comes first. [40 CFR 63.6602 & Table 2c.1.a.]
b. *Air Cleaner*. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63.6602 & Table 2c.1.b.]
c. *Hoses and Belts*. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63.6602 & Table 2c.1.c.]

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d. *Operation and Maintenance*. Operate and maintain the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions or develop and follow your own maintenance plan which must provide, to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e) & Table 6.9.].

e. *Engine Startup*. During periods of startup the owner or operator must minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 CFR 63.6625(h)]

f. *Oil Analysis*. The owner or operator has the option of using oil analysis to extend the oil change requirement. The oil analysis must be performed at the same frequency specified for changing the oil in paragraph a., of this condition. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and % water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 % of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 % from the viscosity of the oil when new; or % water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR 63.6625(i)]

**Compliance Requirements**

**C.3.** Hour Meter. The owner or operator must install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]

**Compliance**

**C.4.** Continuous Compliance. Each unit shall be in compliance with the emission limitations, operating limitations and other requirements in this section at all times. [40 CFR 63.6605(a)]

**C.5.** Operation and Maintenance of Equipment. At all times the owner or operator must operate and maintain, any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the compliance authority which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

**Recordkeeping Requirements**

**C.6.** Notification, Performance and Compliance Records. The owner or operator must keep:

a. A copy of each notification and report that the owner or operator submitted to comply with this section, including all documentation supporting any Initial Notification or Notification of Compliance Status that the owner or operator submitted.
b. Records of the occurrence and duration of each malfunction of operation.
c. Records of all required maintenance performed on the hour meter.
d. Records of actions taken during periods of malfunction to minimize emissions in accordance with Specific Condition **C.5.**, including corrective actions to restore malfunctioning process and monitoring equipment to its normal or usual manner of operation.

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e. Records of the actions required in specific condition **C.2.d.** to show continuous compliance with each emission limitation or operating requirement.
f. Records of the Work or Management Practice Standards specified in Specific Condition **C.2.**
g. Records of the maintenance conducted in order to demonstrate that the RICE was operated and maintained according to your own maintenance plan.
h. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for emergency demand response operation or for periods of voltage or frequency deviations, the owner or operator must keep records of the notification of the emergency situation, and the time of engine operation for these purposes.

[40 CFR 63.6655]

**C.7.** Record Retention.

a. The owner or operator must keep records in a suitable and readily available form for expeditious reviews.
b. The owner or operator must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660 and 40 CFR 63.10(b)(1)]

**Reporting Requirements**

**C.8.** Delay of Performing Work Practice Requirements. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in specific condition **C.2.** of this section, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable. [40 CFR 63, Subpart ZZZZ, Table 2c, footnote 1]

**General Provisions**

**C.9.** 40 CFR 63 Subpart A - General Provisions. The owner or operator shall comply with the following applicable requirements of 40 CFR 63 Subpart A - General Provisions, which have been adopted by reference in Rule 62-204.800(11)(d)1., F.A.C., except that the Secretary is not the Administrator for purposes of 40 CFR 63.5(e), 40 CFR 63.5(f), 40 CFR 63.6(g), 40 CFR 63.6(h)(9), 40 CFR 63.6(j), 40 CFR 63.13, and 40 CFR 63.14. Link to 40 CFR 63, Subpart A - General Provisions

| General Provisions Citation | Subject of Citation |
|---|---|
| §63.1 | General applicability of the General Provisions |
| §63.2 | Definitions (Additional terms defined in §63.6675) |
| §63.3 | Units and abbreviations |
| §63.4 | Prohibited activities and circumvention |
| §63.5 | Construction and reconstruction |
| §63.6(a) | Applicability |
| §63.9(a) | Applicability and State delegation of notification requirements |
| §63.9(b)(1)–(5) | Initial notifications (Except that §63.9(b)(3) is reserved) |
| §63.9(i) | Adjustment of submittal deadlines |
| §63.9(j) | Change in previous information |

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| General Provisions Citation | Subject of Citation |
|---|---|
| §63.10(a) | Administrative provisions for recordkeeping/reporting |
| §63.10(b)(1) | Record retention |
| §63.10(b)(2)(vi)–(xi) | Records |
| §63.10(b)(2)(xii) | Record when under waiver |
| §63.10(b)(2)(xiv) | Records of supporting documentation |
| §63.10(b)(3) | Records of applicability determination |
| §63.10(d)(1) | General reporting requirements |
| §63.10(f) | Waiver for recordkeeping/reporting |
| §63.12 | State authority and delegations |
| §63.13 | Addresses |
| §63.14 | Incorporation by reference |
| §63.15 | Availability of information |

[40 CFR 63.6665 & Table 8 to Subpart ZZZZ of Part 63]

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**The specific conditions in this section apply to the following emissions unit:**

| EU No. | Emission Unit Description |
|---|---|
| **023** | Spark Ignition Engine-driven Emergency Generator |

Emissions Unit 023 is a stationary spark ignition RICE that fire propane. The emergency generator associated with the onsite telecommunication building. The emergency generator is a 20 KW Onan GGDB generator with a Ford engine.

The engine has never been reconstructed or modified.

The following table provides important details for the engines:

| Engine Identification | Engine Brake | Date of Construction | Model Year | Displacement liters/cylinder (l/c) | Engine Manufacturer | Model No. |
|---|---|---|---|---|---|---|
| Propane fired Emergency Generator | (20 kW) | 1994 | 1994 | <10 | Ford | GGDB |

*{Permitting Note: This SI RICE is regulated under 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary RICE adopted in Rule 62.204.800(11)(b), F.A.C. This RICE is not used for fire pumps. This RICE is exempted from regulations under 40 CFR 60, Subpart JJJJ - NSPS Internal Combustion Engines (ICE) based on the manufacturer date. This is "existing" stationary SI RICE less than or equal to 500 HP, with a displacement of less than 10 liters per cylinder that is located at an Area source of HAP and that have not been modified or reconstructed after 6/12/2006.}*

**Essential Potential to Emit (PTE) Parameters**

**D.1.** Hours of Operation.

a. *Emergency Situations*. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]

b. *Other Situations*. You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs **D.1.b.(1)** through **(3)** for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs **D.1.c.** of this section counts as part of the 100 hours per calendar year allowed by this paragraph **D.1.b**.

(1) Maintenance and Testing. Each RICE is authorized to operate for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hrs/yr. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hrs/yr. [40 CFR 63.6640(f)(2)(i)]

(2) Emergency Demand Response. Each RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 CFR 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [40 CFR 63.6640(f)(2)(ii)]

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(3) Voltage or Frequency Deviations. Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 % or greater below standard voltage or frequency. [40 CFR 63.6640(f)(2)(iii)]

c. *Non-emergency Situations*. These RICE may be operated for up to 50 hours per calendar year in nonemergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph b., above. The 50 hrs/yr for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6640(f)(3)]

**D.2.** Work or Management Practice Standards.

a. *Oil*. Change oil and filter every 500 hours of operation or annually, whichever comes first. [40 CFR 63.6602 & Table 2c.6.a.]
b. *Spark Plugs*. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first and replace as necessary. [40 CFR 63.6602 & Table 2c.6.b.]
c. *Hoses and Belts*. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63.6602 & Table 2c.6.c.]
d. *Operation and Maintenance*. Operate and maintain the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions or develop and follow your own maintenance plan which must provide, to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution, control practice for minimizing emissions. [40 CFR 63.6625(e), 63.6640(a) & Table 6.9.a.]
e. *Engine Startup*. During periods of startup the owner or operator must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 CFR 63.6625(h)]
f. *Oil Analysis*. The owner or operator has the option of using an oil analysis program to extend the oil change requirement. The oil analysis must be performed at the same frequency specified for changing the oil in paragraph **a**., above. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and % water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 % from the viscosity of the oil when new; or % water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR 63.6625(j)]

**Monitoring of Operations**

**D.3.** Hour Meter. The owner or operator must install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]

**Compliance**

**D.4.** Continuous Compliance. Each unit shall be in compliance with the emission limitations and operating standards in this section at all times. [40 CFR 63.6605(a)]

**D.5.** Operation and Maintenance of Equipment. At all times the owner or operator must operate and maintain, any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

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Determination of whether such operation and maintenance procedures are being used will be based on information available to the compliance authority which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

**Recordkeeping Requirements**

**D.6.** Notification, Performance and Compliance Records. The owner or operator must keep:

a. A copy of each notification and report that the owner or operator submitted to comply with this section, including all documentation supporting any Initial Notification or Notification of Compliance Status that the owner or operator submitted.
b. Records of the occurrence and duration of each malfunction of operation.
c. Records of all required maintenance performed on the hour meter.
d. Records of actions taken during periods of malfunction to minimize emissions in accordance with Specific Condition **D.5.**, including corrective actions to restore malfunctioning process and monitoring equipment to its normal or usual manner of operation.
e. Records of the actions required in Specific Condition **D.2.d.** to show continuous compliance with each emission limitation or operating requirement.
f. Records of the Work or Management Practice Standards specified in Specific Condition **D.2.**
g. Records of the maintenance conducted in order to demonstrate that the RICE was operated and maintained according to your own maintenance plan.
h. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for emergency demand response operation or for periods of voltage or frequency deviations, the owner or operator must keep records of the notification of the emergency situation, and the time of engine operation for these purposes.

[40 CFR 63.6655]

**D.7.** Record Retention.

a. The owner or operator must keep records in a suitable and readily available form for expeditious reviews.
b. The owner or operator must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660 and 40 CFR 63.10(b)(1)]

**Reporting Requirements**

**D.8.** Delay of Performing Work Practice Requirements. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Specific Condition **D.2.**, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable. [40 CFR 63, Subpart ZZZZ, Table 2c, footnote 1]

**General Provisions**

**D.9.** 40 CFR 63 Subpart A, General Provisions. This engine shall comply with all applicable requirements of 40 CFR 63 Subpart A, General Provisions, which have been adopted by reference in Rule 62-204.800(11)(d)1., F.A.C., except that the Secretary is not the Administrator for purposes of 40 CFR 63.5(e), 40 CFR 63.5(f), 40

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CFR 63.6(g), 40 CFR 63.6(h)(9), 40 CFR 63.6(j), 40 CFR 63.13, and 40 CFR 63.14. This engine shall comply with the applicable portions of Appendix 40 NESHAP Subpart A Link to 40 CFR 63, Subpart A - General Provisions included with this permit, as specified below:

| General Provisions Citation | Subject of Citation |
|---|---|
| §63.1 | General applicability of the General Provisions |
| §63.2 | Definitions (additional terms defined in 43 CFR 63.6675) |
| §63.3 | Units and abbreviations |
| §63.4 | Prohibited activities and circumvention |
| §63.5 | Construction and reconstruction |
| §63.6(a) | Applicability |
| §63.9(a) | Applicability and State delegation of notification requirements |
| §63.9(b)(1)-(5) | Initial notifications (except that §63.9(b)(3) is reserved) |
| §63.9(i) | Adjustment of submittal deadlines |
| §63.9(j) | Change in previous information |
| §63.10(a) | Administrative provisions for recordkeeping/reporting |
| §63.10(b)(1) | Record retention |
| §63.10(b)(2)(vi)–(xi) | Records |
| §63.10(b)(2)(xii) | Record when under waiver |
| §63.10(b)(2)(xiv) | Records of supporting documentation |
| §63.10(b)(3) | Records of applicability determination |
| §63.10(d)(1) | General reporting requirements |
| §63.10(f) | Waiver for recordkeeping/reporting |
| §63.12 | State authority and delegations |
| §63.13 | Addresses |
| §63.14 | Incorporation by reference |
| §63.15 | Availability of information |

[40 CFR 63.6665 & Table 8 to Subpart ZZZZ of Part 63]

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## SECTION IV. ACID RAIN PART.

### Phase II Acid Rain

**Operated by**: Duke Energy Florida, Inc. dba Duke Energy (DEF)
**Plant Name**: DeBary Power Plant
**ORIS Code**: 6046

The emissions units listed below are regulated under Acid Rain, Phase II.

| E.U. ID No. | EPA Unit ID# | Brief E.U. Description |
|---|---|---|
| **015** | 7 | Combustion Turbine Unit No. 7 |
| **016** | 8 | Combustion Turbine Unit No. 8 |
| **017** | 9 | Combustion Turbine Unit No. 9 |
| **018** | 10 | Combustion Turbine Unit No. 10 |

**A.1.** The Phase II Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

a. DEP Form No. 62-210.900(1)(a), dated July 30, 2013.

[Rules 62-213 and 62-214.320, F.A.C.]

**A.2.** Sulfur dioxide ($SO_2$) Emission Allowances. $SO_2$ emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

c. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

**A.3.** Comments, Notes, and Justifications: None.

# Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30, 72.31, and 74; and Chapter 62-214, F.A.C.

This submission is: ☐ New ☐ Revised ☒ Renewal

**STEP 1**

**Identify the source by plant name, state, and ORIS or plant code.**

| Plant name | State | ORIS/Plant Code |
|---|---|---|
| Debary | FL | 6046 |

**STEP 2**
**Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a."**

**If unit a $SO_2$ Opt-in unit, enter "yes" in column "b".**

**For new units or $SO_2$ Opt-in units, enter the requested information in columns "d" and "e."**

| a | b | c | d | e |
|---|---|---|---|---|
| Unit ID# | $SO_2$ Opt-in Unit? (Yes or No) | Unit will hold allowances in accordance with 40 CFR 72.9(c)(1) | New or $SO_2$ Opt-in Units Commence Operation Date | New or $SO_2$ Opt-in Units Monitor Certification Deadline |
| EU015 | No | Yes | | |
| EU016 | No | Yes | | |
| EU017 | No | Yes | | |
| EU018 | No | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |
| | | Yes | | |

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Effective: 3/16/08

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| Debary |
|---|
| Plant Name (from STEP 1) |

**STEP 3**

**Read the standard requirements.**

Acid Rain Part Requirements.

(1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
(i) Submit a complete Acid Rain Part application (including a compliance plan) under 40 CFR Part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
(ii) Submit in a timely manner any supplemental information that the DEP determines is necessary in order to review an Acid Rain Part application and issue or deny an Acid Rain Part;
(2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
(i) Operate the unit in compliance with a complete Acid Rain Part application or a superseding Acid Rain Part issued by the DEP; and
(ii) Have an Acid Rain Part.

Monitoring Requirements.

(1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75, and Rule 62-214.420, F.A.C.
(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.
(4) For applications including a $SO_2$ Opt-in unit, a monitoring plan for each $SO_2$ Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for $SO_2$ Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

Sulfur Dioxide Requirements.

(1) The owners and operators of each source and each Acid Rain 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 Acid Rain 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
(i) Starting January 1, 2000, an Acid Rain 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 Acid Rain 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 Part application, the Acid Rain Part, 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.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain 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 Acid Rain 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 Acid Rain 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 Acid Rain 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 EPA or the DEP:
(i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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,

| Debary |
|---|
| Plant Name (from STEP 1) |

**STEP 3, Continued.**

Recordkeeping and Reporting Requirements (cont)

(iv) Copies of all documents used to complete an Acid Rain Part 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 Acid Rain source and each Acid Rain 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 Part application, an Acid Rain Part, 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 Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain 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 Acid Rain unit shall not be liable for any violation by any other Acid Rain 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 Acid Rain source or Acid Rain 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 Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7or 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 Acid Rain source or Acid Rain 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**
**For $SO_2$ Opt-in units only.**

**In column "f" enter the unit ID# for every $SO_2$ Opt-in unit identified in column "a" of STEP 2.**

**For column "g" describe the combustion unit and attach information and diagrams on the combustion unit's configuration.**

**In column "h" enter the hours.**

| f | g | h (not required for renewal application) |
|---|---|---|
| Unit ID# | Description of the combustion unit | Number of hours unit operated in the six months preceding initial application |
| | | |
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Plant Name (from STEP 1): DeBary

**STEP 5**

**For $SO_2$ Opt-in units only.**
**(Not required for $SO_2$ Opt-in renewal applications.)**

**In column "i" enter the unit ID# for every $SO_2$ Opt-in unit identified in column "a" (and in column "f").**

**For columns "j" through "n," enter the information required under 40 CFR 74.20-74.25 and attach all supporting documentation required by 40 CFR 74.20-74.25.**

| i | j | k | l | m | n |
|---|---|---|---|---|---|
| Unit ID# | Baseline or Alternative Baseline under 40 CFR 74.20 (mmBtu) | Actual $SO_2$ Emissions Rate under 40 CFR 74.22 (lbs/mmBtu) | Allowable 1985 $SO_2$ Emissions Rate under 40 CFR 74.23 (lbs/mmBtu) | Current Allowable $SO_2$ Emissions Rate under 40 CFR 74.24 (lbs/mmBtu) | Current Promulgated $SO_2$ Emissions Rate under 40 CFR 74.25 (lbs/mmBtu) |
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**STEP 6**

**For $SO_2$ Opt-in units only.**

**Attach additional requirements, certify and sign.**

A. If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in 40 CFR 74.47 for combustion sources must be attached.
B. A statement whether the combustion unit was previously an affected unit under 40 CFR 74.
C. A statement that the combustion unit is not an affected unit under 40 CFR 72.6 and does not have an exemption under 40 CFR 72.7, 72.8, or 72.14.
D. Attach a complete compliance plan for $SO_2$ under 40 CFR 72.40.
E. The designated representative of the combustion unit shall submit a monitoring plan in accordance with 40 CFR 74.61. For renewal application, submit an updated monitoring plan if applicable under 40 CFR 75.53(b).
F. The following statement must be signed by the designated representative or alternate designated representative of the combustion source: "I certify that the data submitted under 40 CFR Part 74, Subpart C, reflects actual operations of the combustion source and has not been adjusted in any way."

Signature: | Date:

**STEP 7**

**Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.**

**Certification (for designated representative or alternate designated representative only)**

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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: Jeffrey ~~Jeffery~~ Swartz | Title: VP Florida - Power Generation Operations

Owner Company Name: Duke Energy Florida, Inc. (formerly Progress Energy)

Phone: (727) 820-1588 | E-mail address: Jeffrey.~~Jeffery~~.Swartz@duke-energy.com

Signature: | Date: 7/30/2013

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**Clean Air Interstate Rule (CAIR).**

**Operated by**: Duke Energy Florida, Inc. dba Duke Energy (DEF)
**Plant Name**: DeBary Power Plant
**ORIS Code**: 6046

The emissions units below are regulated under the Clean Air Interstate Rule.

| E.U. ID No. | EPA Unit ID# | Brief Description |
|---|---|---|
| **003** | P1 | Peaking Combustion Turbine Unit No. 1 |
| **005** | P2 | Peaking Combustion Turbine Unit No. 2 |
| **007** | P3 | Peaking Combustion Turbine Unit No. 3 |
| **009** | P4 | Peaking Combustion Turbine Unit No. 4 |
| **011** | P5 | Peaking Combustion Turbine Unit No. 5 |
| **013** | P6 | Peaking Combustion Turbine Unit No. 6 |
| **015** | 7 | Combustion Turbine Unit No. 7 |
| **016** | 8 | Combustion Turbine Unit No. 8 |
| **017** | 9 | Combustion Turbine Unit No. 9 |
| **018** | 10 | Combustion Turbine Unit No. 10 |

Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b) - Form, Effective: July 30, 2013), which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

# Clean Air Interstate Rule (CAIR) Part

For more information, see instructions and refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321 and 96.322; and Rule 62-296.470, F.A.C.

This submission is: ☐ New ☐ Revised ■ Renewal

**STEP 1**

**Identify the source by plant name and ORIS or EIA plant code**

| Plant Name: | State: | ORIS or EIA Plant Code: |
|---|---|---|
| DeBary | Florida | 6046 |

**STEP 2**

**In column "a" enter the unit ID# for every CAIR unit at the CAIR source.**

**In columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s).**

**For new units, enter the requested information in columns "e" and "f.**

| a | b | c | d | e | f |
|---|---|---|---|---|---|
| Unit ID# | Unit will hold nitrogen oxides ($NO_X$) allowances in accordance with 40 CFR 96.106(c)(1) | Unit will hold sulfur dioxide ($SO_2$) allowances in accordance with 40 CFR 96.206(c)(1) | Unit will hold $NO_X$ Ozone Season allowances in accordance with 40 CFR 96.306(c)(1) | New Units Expected Commence Commercial Operation Date | New Units Expected Monitor Certification Deadline |
| EU003 | X | X | X | N/A | N/A |
| EU005 | X | X | X | N/A | N/A |
| EU007 | X | X | X | N/A | N/A |
| EU009 | X | X | X | N/A | N/A |
| EU011 | X | X | X | N/A | N/A |
| EU013 | X | X | X | N/A | N/A |
| EU015 | X | X | X | N/A | N/A |
| EU016 | X | X | X | N/A | N/A |
| EU017 | X | X | X | N/A | N/A |
| EU018 | X | X | X | N/A | N/A |
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DEP Form No. 62-210.900(1)(b) – Form
Effective: 3/18/08 1

Plant Name (from STEP 1) DeBary

**STEP 3**

**Read the standard requirements.**

**CAIR $NO_X$ ANNUAL TRADING PROGRAM**

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR $NO_X$ source and each CAIR $NO_X$ unit at the source shall:
(I) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(II) [Reserved];
(2) The owners and operators of each CAIR $NO_X$ source and each CAIR $NO_X$ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR $NO_X$ source and each CAIR $NO_X$ unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH, shall be used to determine compliance by each CAIR $NO_X$ source with the following CAIR $NO_X$ Emissions Requirements.

$NO_X$ Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR $NO_X$ source and each CAIR $NO_X$ unit at the source shall hold, in the source's compliance account, CAIR $NO_X$ allowances available for compliance deductions for the control period under 40 CFR 96.154(a) in an amount not less than the tons of total $NO_X$ emissions for the control period from all CAIR $NO_X$ units at the source, as determined in accordance with 40 CFR Part 96, Subpart HH.
(2) A CAIR $NO_X$ unit shall be subject to the requirements under paragraph (1) of the $NO_X$ Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(b)(1) or (2) and for each control period thereafter.
(3) A CAIR $NO_X$ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the $NO_X$ Requirements, for a control period in a calendar year before the year for which the CAIR $NO_X$ allowance was allocated.
(4) CAIR $NO_X$ allowances shall be held in, deducted from, or transferred into or among CAIR $NO_X$ Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FF and GG.
(5) A CAIR $NO_X$ allowance is a limited authorization to emit one ton of $NO_X$ in accordance with the CAIR $NO_X$ Annual Trading Program. No provision of the CAIR $NO_X$ Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 96.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
(6) A CAIR $NO_X$ allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR $NO_X$ allowance to or from a CAIR $NO_X$ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR $NO_X$ unit.

Excess Emissions Requirements.

If a CAIR $NO_X$ source emits $NO_X$ during any control period in excess of the CAIR $NO_X$ emissions limitation, then:
(1) The owners and operators of the source and each CAIR $NO_X$ unit at the source shall surrender the CAIR $NO_X$ allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR $NO_X$ source and each CAIR $NO_X$ 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 before the end of 5 years, in writing by the DEP or the Administrator.
(I) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR $NO_X$ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 96.113 changing the CAIR designated representative.
(II) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, 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 CAIR $NO_X$ Annual Trading Program.
(IV) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR $NO_X$ Annual Trading Program or to demonstrate compliance with the requirements of the CAIR $NO_X$ Annual Trading Program.
(2) The CAIR designated representative of a CAIR $NO_X$ source and each CAIR $NO_X$ unit at the source shall submit the reports required under the CAIR $NO_X$ Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

Plant Name (from STEP 1) DeBary

**STEP 3, Continued**

Liability.

(1) Each CAIR $NO_X$ source and each CAIR $NO_X$ unit shall meet the requirements of the CAIR $NO_X$ Annual Trading Program.
(2) Any provision of the CAIR $NO_X$ Annual Trading Program that applies to a CAIR $NO_X$ source or the CAIR designated representative of a CAIR
$NO_X$ source shall also apply to the owners and operators of such source and of the CAIR $NO_X$ units at the source.
(3) Any provision of the CAIR $NO_X$ Annual Trading Program that applies to a CAIR $NO_X$ unit or the CAIR designated representative of a CAIR $NO_X$ unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR $NO_X$ Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR $NO_X$ source or CAIR $NO_X$ unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR $SO_2$ TRADING PROGRAM**

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR $SO_2$ source and each CAIR $SO_2$ unit at the source shall:
(I) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(II) [Reserved];
(2) The owners and operators of each CAIR $SO_2$ source and each CAIR $SO_2$ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR $SO_2$ source and each $SO_2$ CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96 ,Subpart HHH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR $SO_2$ source with the following CAIR $SO_2$ Emission Requirements.

$SO_2$ Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR $SO_2$ source and each CAIR $SO_2$ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR $SO_2$ allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR $SO_2$ units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
(2) A CAIR $SO_2$ unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
(3) A CAIR $SO_2$ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the $SO_2$ Emission Requirements, for a control period in a calendar year before the year for which the CAIR $SO_2$ allowance was allocated.
(4) CAIR $SO_2$ allowances shall be held in, deducted from, or transferred into or among CAIR $SO_2$ Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
(5) A CAIR $SO_2$ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR $SO_2$ Trading Program. No provision of the CAIR $SO_2$ Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
(6) A CAIR $SO_2$ allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR $SO_2$ allowance to or from a CAIR $SO_2$ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR $SO_2$ unit.

Excess Emissions Requirements.

If a CAIR $SO_2$ source emits $SO_2$ during any control period in excess of the CAIR $SO_2$ emissions limitation, then:
(1) The owners and operators of the source and each CAIR $SO_2$ unit at the source shall surrender the CAIR $SO_2$ allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

| Plant Name (from STEP 1) | DeBary |
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**STEP 3, Continued**

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR $SO_2$ source and each CAIR $SO_2$ 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 before the end of 5 years, in writing by the Department or the Administrator.
(I) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR $SO_2$ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 96.213 changing the CAIR designated representative.
(II) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, 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 CAIR $SO_2$ Trading Program.
(IV) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR $SO_2$ Trading Program or to demonstrate compliance with the requirements of the CAIR $SO_2$ Trading Program.
(2) The CAIR designated representative of a CAIR $SO_2$ source and each CAIR $SO_2$ unit at the source shall submit the reports required under the CAIR $SO_2$ Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

(1) Each CAIR $SO_2$ source and each CAIR $SO_2$ unit shall meet the requirements of the CAIR $SO_2$ Trading Program.
(2) Any provision of the CAIR $SO_2$ Trading Program that applies to a CAIR $SO_2$ source or the CAIR designated representative of a CAIR $SO_2$ source shall also apply to the owners and operators of such source and of the CAIR $SO_2$ units at the source.
(3) Any provision of the CAIR $SO_2$ Trading Program that applies to a CAIR $SO_2$ unit or the CAIR designated representative of a CAIR $SO_2$ unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR $SO_2$ Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR $SO_2$ source or CAIR $SO_2$ unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR $NO_x$ OZONE SEASON TRADING PROGRAM**

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR $NO_X$ Ozone Season source and each CAIR $NO_X$ Ozone Season unit at the source shall:
(I) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.322 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(II) [Reserved];
(2) The owners and operators of each CAIR $NO_X$ Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR $NO_X$ Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR $NO_X$ Ozone Season source and each CAIR $NO_X$ Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR $NO_X$ Ozone Season source with the following CAIR $NO_X$ Ozone Season Emissions Requirements.

$NO_X$ Ozone Season Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR $NO_X$ Ozone Season source and each CAIR $NO_X$ Ozone Season unit at the source shall hold, in the source's compliance account, CAIR $NO_X$ Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total $NO_X$ emissions for the control period from all CAIR $NO_X$ Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.
(2) A CAIR $NO_X$ Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO, Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1),(2), or (3) and for each control period thereafter.
(3) A CAIR $NO_X$ Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the $NO_X$ Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR $NO_X$ Ozone Season allowance was allocated.
(4) CAIR $NO_X$ Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR $NO_X$ Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.
(5) A CAIR $NO_X$ Ozone Season allowance is a limited authorization to emit one ton of $NO_X$ in accordance with the CAIR $NO_X$ Ozone Season Trading Program. No provision of the CAIR $NO_X$ Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 96.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
(6) A CAIR $NO_X$ Ozone Season allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR $NO_X$ Ozone Season allowance to or from a CAIR $NO_X$ Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR $NO_X$ Ozone Season unit.

| Plant Name (from STEP 1) | DeBary |
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**STEP 3, Continued**

Excess Emissions Requirements.

If a CAIR $NO_x$ Ozone Season source emits $NO_x$ during any control period in excess of the CAIR $NO_x$ Ozone Season emissions limitation, then:
(1) The owners and operators of the source and each CAIR $NO_x$ Ozone Season unit at the source shall surrender the CAIR $NO_x$ Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR $NO_x$ Ozone Season source and each CAIR $NO_x$ Ozone Season 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 before the end of 5 years, in writing by the DEP or the Administrator.
(i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR $NO_x$ Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 96.113 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, 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 CAIR $NO_x$ Ozone Season Trading Program.
(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR $NO_x$ Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR $NO_x$ Ozone Season Trading Program.
(2) The CAIR designated representative of a CAIR $NO_x$ Ozone Season source and each CAIR $NO_x$ Ozone Season unit at the source shall submit the reports required under the CAIR $NO_x$ Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

(1) Each CAIR $NO_x$ Ozone Season source and each CAIR $NO_x$ Ozone Season unit shall meet the requirements of the CAIR $NO_x$ Ozone Season Trading Program.
(2) Any provision of the CAIR $NO_x$ Ozone Season Trading Program that applies to a CAIR $NO_x$ Ozone Season source or the CAIR designated representative of a CAIR $NO_x$ Ozone Season source shall also apply to the owners and operators of such source and of the CAIR $NO_x$ Ozone Season units at the source.
(3) Any provision of the CAIR $NO_x$ Ozone Season Trading Program that applies to a CAIR $NO_x$ Ozone Season unit or the CAIR designated representative of a CAIR $NO_x$ Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR $NO_x$ Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR $NO_x$ Ozone Season source or CAIR $NO_x$ Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**STEP 4**

**Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.**

**Certification (for designated representative or alternate designated representative only)**

I am authorized to make this submission on behalf of the owners and operators of the CAIR source or CAIR 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.

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|---|---|
| Name Jeffrey ~~Jeffery~~ Swartz | Title VP Florida – Power Generation Operations |
| Company Owner Name Duke Energy Florida, Inc. (formerly Progress Energy) | |
| Phone (727) 820-5188 | E-mail Address Jeffrey ~~Jeffery~~.Swartz@duke-energy.com |
| Signature JR Swartz | Date 7/30/2013 |

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Effective: 3/16/08

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## SECTION VI. APPENDICES.

**The Following Appendices Are Enforceable Parts of This Permit:**

Appendix A, Glossary.
Appendix HI, Heat Input vs. Ambient Temperature Curves.
Appendix I, List of Insignificant Emissions Units and/or Activities.
Appendix NSPS, Subpart A – General Provisions.
Appendix NSPS, Subpart GG – Standards of Performance for Stationary Gas Turbines.
Appendix RR, Facility-wide Reporting Requirements.
Appendix TR, Facility-wide Testing Requirements.
Appendix TV, Title V General Conditions.
Appendix U, List of Unregulated Emissions Units and/or Activities.