

Duke Energy Florida, Inc. Bayboro Power Plant

Facility ID No. 1030013
Pinellas County

Title V Air Operation Permit Renewal

Permit No. 1030013-007-AV

(Renewal of Title V Air Operation Permit No. 1030013-006-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. 1030013-007-AV

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Permit No. 1030013-007-AV
Bayboro Power Plant
Facility ID No. 1030013
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 Bayboro Power Plant is located at 13th Avenue and 2nd Street South, St. Petersburg, in Pinellas County. UTM Coordinates are: Zone 17, Zone 17, 338.8 km East and 3071.4 km North. Latitude is: 27° 45' 27" North; and, Longitude is: 82° 38' 7" 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 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to operate the facility in accordance with the terms and conditions of this permit.

Effective Date:
Renewal Application Due Date:
Expiration Date:

(Draft/Proposed)

for: Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

JFK/dlr/es

SECTION I. FACILITY INFORMATION.

Subsection A. Facility Description.

The facility has four emission units that are fired by No. 2 fuel oil. Each emission unit is used as a peaking unit to run a nominal 56.7 megawatt (MW) generator and consists of two (2) combustion turbine engines with each engine having its own stack. Emissions from the combustion turbines are uncontrolled. The turbines are not subject to 40 CFR 60 Subpart GG, Standards of Performance for Stationary Gas Turbines. Because these emissions units have no add-on control devices, they are not subject to the Compliance Assurance Monitoring (CAM) requirements of 40 Code of Federal regulations (CFR) 64. The facility is subject to the Clean Air Interstate Rule provisions.

Subsection B. Summary of Emissions Units.

EU No.	Brief Description
<i>Regulated Emissions Units</i>	
001	Peaking Unit #1 Combustion Turbine
002	Peaking Unit #2 Combustion Turbine
003	Peaking Unit #3 Combustion Turbine
004	Peaking Unit #4 Combustion Turbine

Also included in this permit are miscellaneous insignificant emissions units and/or activities (see Appendix I, List of Insignificant Emissions Units and/or Activities).

Subsection C. Applicable Regulations.

Based on the Title V air operation permit renewal application received February 28, 2014, this facility is not 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. A summary of applicable regulations is shown in the following table.

Regulation	EU No(s).
<i>State Rule Citations</i>	
62-296.320, F.A.C.	EU001, EU002, EU003, EU004
62-297.310, F.A.C.	EU001, EU002, EU003, EU004
62-213.440, F.A.C.	EU001, EU002, EU003, EU004
62.210.370, F.A.C.	EU001, EU002, EU003, EU004

SECTION II. FACILITY-WIDE CONDITIONS.

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

FW1. Appendices. The permittee shall comply with all documents identified in Section V, 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. [Rule 62-296.320(1), F.A.C.]

{Permitting Note: Nothing is deemed necessary and ordered at this time.}

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. 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. Maintenance of paved areas as needed.
- b. Regular mowing of grass and care of vegetation.
- c. Limiting access to plant property by unnecessary vehicles.

[Rule 62-296.320(4)(c), F.A.C.; and, proposed by applicant in Title V air operation permit renewal application received February 28, 2014.]

Annual Reports and Fees

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

FW6. Electronic Annual Operating Report and Title V Annual Emissions Fees. The information required by the Annual Operating Report for Air Pollutant Emitting Facility [Including Title V Source Emissions Fee Calculation] (DEP Form No. 62-210.900(5)) shall be submitted by April 1 of each year, for the previous calendar year, to the Department of Environmental Protection’s Division of Air Resource Management. Each Title V source shall submit the annual operating report using the DEP’s Electronic Annual Operating Report (EAOR) software, unless the Title V source claims a technical or financial hardship by submitting DEP Form No. 62-210.900(5) to the DEP Division of Air Resource Management instead of using the reporting software. Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C. Each Title V source must pay between January 15 and April 1 of each year an annual emissions fee in an amount determined as set forth in subsection 62-213.205(1), F.A.C. The annual fee shall only apply to those regulated pollutants, except carbon monoxide and greenhouse gases, for which an allowable numeric emission-limiting standard is specified in the source’s most recent construction permit or operation permit. Upon completing the required EAOR entries, the EAOR Title V Fee Invoice can be printed by the source showing which of the reported emissions are subject to the fee and the total Title V Annual Emissions Fee

SECTION II. FACILITY-WIDE CONDITIONS.

that is due. The submission of the annual Title V emissions fee payment is also due (postmarked) by April 1st of each year. A copy of the system-generated EAOR Title V Annual Emissions Fee Invoice and the indicated total fee shall be submitted to: **Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070**. Additional information is available 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/emission/tvfee.htm>. [Rules 62-210.370(3), 62-210.900 & 62-213.205, F.A.C.; and, §403.0872(11), Florida Statutes (2013)]

{Permitting Note: Resources to help you complete your AOR are available on the electronic AOR (EAOR) website at: <http://www.dep.state.fl.us/air/emission/eaor>. If you have questions or need assistance after reviewing the information posted on the EAOR website, please contact the Department by phone at (850) 717-9000 or email at eaor@dep.state.fl.us.}

{Permitting Note: The Title V Annual Emissions Fee form (DEP Form No. 62-213.900(1)) has been repealed. A separate Annual Emissions Fee form is no longer required to be submitted by March 1st each year.}

FW7. 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.]

FW8. 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/osweroel/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]

Changes to the permit made as part of this renewal are shown in ~~strike through~~ format for deletions and in double underline format for additions. For ease of identification, all changes have also been **highlighted in yellow** within the permit document.

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 001, 002, 003, 004

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

EU No.	Brief Description
001	Peaking Unit #1 Combustion Turbine
002	Peaking Unit #2 Combustion Turbine
003	Peaking Unit #3 Combustion Turbine
004	Peaking Unit #4 Combustion Turbine

These four emissions units are No. 2 fuel oil-fired combustion turbines (CT) manufactured by Pratt & Whitney (model number FT4C-1LF). Each CT emission unit is used as a peaking unit to run a nominal 56.7 MW generator. Each CT engine has emission unit consists of two (2) combustion turbine engines with each engine having its own stack. The manufacturers fuel flow and heat input ratings at 30°F for each turbine emission unit is 5,609 gallons per hour of No. 2 fuel oil (corresponds to approximately 774 million Btu per hour (MMBtu/hr)) per emission unit (total of two combustion turbine engines). The actual heat input rate of the turbine is a function of the ambient temperature. Emissions from the CTs are uncontrolled, and therefore, are not subject to CAM. These emission units are regulated under the Clean Air Interstate Rule (CAIR).

{Permitting Notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. These emissions units are not subject to 40 Code of Federal Regulations (CFR) 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines. Each CT engine's stack has a height of 40', exit diameter of 27.9', exit temperature of 900 °F, and the actual volumetric flow measurement is 530,271 actual cubic feet per minute (acfm). Each CT began commercial operation in 1973.}

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity.

a. *Heat Input.* The maximum allowable heat input rate is as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
001	774.0 @ 30° F	New No. 2 fuel oil
002	774.0 @ 30° F	New No. 2 fuel oil
003	774.0 @ 30° F	New No. 2 fuel oil
004	774.0 @ 30° F	New No. 2 fuel oil

b. *Peak Capacity Determination.* The peak capacity shall be determined from the graph of Fuel Heat Input versus Ambient Temperature shown on “Appendix HI- Bayboro Combustion Turbine Heat Input vs. Ambient Temperature Graph” using daily average ambient temperature.

[Rules 62-4.160(2), 62-204.800, and 62-210.200(PTE), F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

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

A.3. Methods of Operation - Fuels. Only new No. 2 fuel oil shall be burned in each combustion turbine (EU001, EU002, EU003, EU004). New No. 2 fuel oil is defined as fuel oil that has been refined from crude oil and has not been used and which may or may not contain additives. [Rule 62-213.410, F.A.C.; Applicant’s request in Title V permit renewal application received 2/28/2014; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

A.4. Hours of Operation. These emissions units may operate continuously (8,760 hours/year). [Rule 62-210.200(PTE), F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 001, 002, 003, 004

Emission Limitations and Standards

{Permitting Note: 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 (VE) from each combustion turbine shall not exceed 20 percent opacity. [Rule 62-296.320(4)(b)1., F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

A.6. Sulfur Dioxide (SO₂) – Sulfur Content. The sulfur content of the No. 2 fuel oil shall not exceed 0.5 percent, by weight. [Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

Excess Emissions

A.7. Excess Emissions Allowed. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted provided 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 **PCDEM 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.]

Test Methods and Procedures

A.9. 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 D1552-90 or later editions, ASTM D2622-94, ASTM D4294-90, or both ASTM D4057-88 and ASTM D129-91, or later editions, or any ASTM method (or later editions) referenced in Rule 62-297-440(1) F.A.C., or in 40 CFR 60.335(b)(10), including ASTM D 5453.	Standard Test Methods for Sulfur in Petroleum Products

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rules 62-204.800, and 62-297.440, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-204.800, 62-297.401 and 62-297.440, F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

A.10. 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(7), F.A.C.]

A.11. Annual Compliance Tests. During each federal fiscal year (October 1st to September 30th), these emissions units shall be tested to demonstrate compliance with the emissions standards for VE. Annual emissions compliance testing for visible emissions is not required for these emissions units while burning liquid fuels for less than 400 hours per year. **The permittee shall conduct a fuel analysis during each calendar**

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 001, 002, 003, 004

~~year. See Specific Conditions A.15 and A.16.~~ [Rule 62-297.310(7)(a)4.a., F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A and 1030013-001-AV]

A.12. Compliance Tests Prior to Renewal. A visible emissions test is required and shall be conducted ~~during the 12 month period prior to permit renewal once per each five-year period, coinciding with the term of its air operation permit.~~ [Rule 62-297.310(7)(a)3., F.A.C.; ~~Rule 62-297.310(7)(a)8., F.A.C.;~~ and, Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A and 1030013-001-AV]

A.13. Visible Emissions. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Rule 62-204.800. F.A.C., and referenced in Chapter 62-297, F.A.C. [Rule 62-297.310(4), F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

A.14. Sulfur Dioxide (SO₂) – Sulfur Content. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D1552-90 or later editions, ASTM D2622-94, ASTM D4294-90, or both ASTM D4057-88 and ASTM D129-91, or later editions. In addition, any ASTM method (or later editions) referenced in Rule 62-297.440(1) F.A.C., or in 40 CFR 60.335(b)(10), ~~including ASTM D5354,~~ is acceptable. [Rules 62-213.440 and 62-297.440, F.A.C.]

A.15. Sulfur Dioxide (SO₂) – Sulfur Content. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor, or the permittee, upon each fuel delivery. [Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

~~**A.16. Fuel Analysis.** In order to provide reasonable assurance that the fuel oil supplier's fuel oil analysis is accurate, the permittee shall perform at least one audit sample analysis from a fuel oil delivery during each calendar year period. The fuel oil shall be analyzed for the following:~~

- a. ~~Btu content,~~
- b. ~~American Petroleum Institute (API) gravity,~~
- c. ~~Density, and~~
- d. ~~Sulfur content, percent by weight.~~

~~An audit sample analysis is not required in any calendar year for which the permittee provided fuel analysis to demonstrate compliance with the fuel oil sulfur limitation. [Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]~~

Recordkeeping and Reporting Requirements

A.17. Monthly Recordkeeping. The permittee shall maintain a monthly record of the hours of operation of the peaking units. This record shall be updated monthly and shall be completed by the end of the following month. [Rule 62-213.440, F.A.C.; Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]

~~**A.18. Test Reports.** In addition to the requirements in Appendix TR, Condition TR8., each test report shall include:~~

- a. ~~A statement of the maximum turbine performance based on the turbine performance criteria defined by Specific Condition A.1,~~
- b. ~~A copy of the graph of Fuel Heat Input verses Ambient Temperature for each peaking unit noting the maximum heat input and the ambient temperature during the compliance test; and~~
- c. ~~A copy of the fuel oil analysis.~~

~~[Permit Nos. AO52-253207A, AO52-253209A, AO52-253211A, AO52-253213A]~~

A.19. Other Reporting Requirements. See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements. [Rule 62-213.440(1)(b), F.A.C.]

SECTION IV. CAIR PART.
Clean Air Interstate Rule Provisions

Clean Air Interstate Rule (CAIR).

Operated by: Duke Energy Florida, Inc.

Plant: Bayboro Power Plant

ORIS Code: 627

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

EU No.	EPA Unit ID#	Brief Description
-001	1A & 1B	Bayboro Peaking Unit #1 Gas Turbine
-002	2A & 2B	Bayboro Peaking Unit #2 Gas Turbine
-003	3A & 3B	Bayboro Peaking Unit #3 Gas Turbine
-004	4A & 4B	Bayboro Peaking Unit #4 Gas Turbine

1. 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)) dated 02/19/14, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

SECTION IV. CAIR PART.
Clean Air Interstate Rule Provisions

Bayboro Power Plant

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 96.132 and Rule 62-286.470, F.A.C., in accordance with the deadline specified in Rule 62-210.420, 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 issue a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart GG, and operate the source and the unit in compliance with each 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 62-286.470, 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(i) 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, 2008, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(i)(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 96.185 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 recognition 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(i)(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 file 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 5-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.

SECTION IV. CAIR PART.
Clean Air Interstate Rule Provisions

Bayboro Power Plant

**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 98.105 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 SO₂ TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall:
 - (a) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 98.222 and Rule 62-286.470, F.A.C., in accordance with the deadlines specified in Rule 62-215.426, F.A.C.; and
 - (b) [Reserved];
- (2) The owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 48 CFR Part 98, Subpart 000, 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 SO₂ source and each SO₂ CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 98, Subpart HHH, and Rule 62-286.476, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 48 CFR Part 98, Subpart HHH, shall be used to determine compliance by each CAIR SO₂ source with the following CAIR SO₂ Emission Requirements.

SO₂ Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period, as determined in accordance with 48 CFR 98.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 40 CFR Part 98, Subpart HHH.
- (2) A CAIR SO₂ 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 48 CFR 98.270(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO₂ Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
- (4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with 48 CFR Part 98, Subparts FFF and GGG.
- (5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR Part, or an exemption under 48 CFR 98.205 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 SO₂ allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 98, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO₂ unit.

Excess Emissions Requirements.

If a CAIR SO₂ source emits SO₂ during any control period in excess of the CAIR SO₂ emissions limitation, then

- (1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under 40 CFR 98.254(a)(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 98, Subpart AHH, the Clean Air Act, and applicable state law.

SECTION IV. CAIR PART.
Clean Air Interstate Rule Provisions

Bayboro Power Plant

**STEP 3,
Continued**

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on file 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 SO₂ 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 file 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 SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

(2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

(1) Each CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program.

(2) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source or the CAIR designated representative of a CAIR SO₂ source shall also apply to the owners and operators of such source and of the CAIR SO₂ units at the source.

(3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit or the CAIR designated representative of a CAIR SO₂ unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR SO₂ Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or reducing the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ 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 96.302 and Rule 62-296.476, F.A.C., in accordance with the deadlines specified in Rule 62-215.420, 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 96.304(g) 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_x Ozone Season Emission Requirements starting on the later of May 1, 2008 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.378(a)(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 if 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 Trading 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 96.205 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 NO_x Ozone Season allowance does not constitute a property right.

(7) Upon notification by the Administrator under 40 CFR Part 96, Subpart GGGG, FFFF or GGGG, every allocation, transfer, or deduction of a

SECTION IV. CAIR PART.
Clean Air Interstate Rule Provisions

CAR NOx Ozone Season allowance to or from a CAR NOx Ozone Season unit's compliance account is incorporated automatically in any DAK Part of the source that includes the CAR NOx Ozone Season unit.

Bayboro Power Plant

**STEP 3,
Continued**

Excess Emissions Requirements

If a CAR NOx Ozone Season source emits NOx during any control period in excess of the CAR NOx Ozone Season emissions limitation, then:

- (1) The owners and operators of the source and each CAR NOx Ozone Season unit at the source shall surrender the CAR NOx Ozone Season allowances required for the violation under 40 CFR 96.154(a)(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, Subject AAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the CAR NOx Ozone Season source and each CAR NOx Ozone Season unit at the source shall keep on file 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 CAR designated representative for the source and each CAR NOx Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificates and documents shall be retained on file 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 designating the CAR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subject HHHH, of the part, provided that to the extent that 40 CFR Part 96, Subject HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certificates, and other submissions and all records made or required under the CAR NOx Ozone Season Trading Program.
 - (iv) Copies of all documents used to complete a CAR Part 96 unit or any other submission under the CAR NOx Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAR NOx Ozone Season Trading Program.
- (2) The CAR designated representative of a CAR NOx Ozone Season source and each CAR NOx Ozone Season unit at the source shall submit the reports required under the CAR NOx Ozone Season Trading Program, including those under 40 CFR Part 96, Subject HHHH.

Liability

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

Effect on Other Authorities

No provision of the CAR NOx Ozone Season Trading Program, a CAR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or violating the owners and operators, and the CAR designated representative, of a CAR NOx Ozone Season source or CAR NOx 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 the submission on behalf of the owners and operators of the CAR source or CAR unit 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 knowledge and belief, and to the best of my knowledge and belief, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or creating required statements and information, including the possibility of fine or imprisonment.

Name: Jeffrey Swartz	Title: Vice President, Florida
Company: Duke Energy Florida, Inc.	
Phone: 727-822-0188	E-mail Address: Jeffrey.Swartz@duke-energy.com
Signature: 	Date: 2/19/2014

SECTION V. APPENDICES.

The Following Appendices Are Enforceable Parts of This Permit:

- Appendix A, Glossary.
- Appendix HI, Bayboro Heat Input vs. Ambient Temperature Graph.
- Appendix I, List of Insignificant Emissions Units and/or Activities.
- Appendix RR, Facility-wide Reporting Requirements.
- Appendix TR, Facility-wide Testing Requirements.
- Appendix TV, Title V General Conditions.

Draft/Proposed