# 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
2600 Blair Stone Road
Mail Station #5505
Tallahassee, Florida 32399-2400

Telephone: (850) 717-9000
Fax: (850) 717-9097

**Compliance Authority:**

Pinellas County Department of Environmental Management (PCDEM)
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756-5424

Telephone: (727) 464-4422
Fax: (727) 464-4420

# Title V Air Operation Permit Renewal

Permit No. 1030013-007-AV

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**FLORIDA DEPARTMENT OF**
**ENVIRONMENTAL PROTECTION**
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
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LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

**PERMITTEE:**
Duke Energy Florida, Inc.
1601 Weedon Drive N.E.
Saint Petersburg, Florida 33702

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: June 25, 2014
Renewal Application Due Date: November 12, 2018
Expiration Date: June 25, 2019

David L. Read, PE
2014.06.30
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*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 |
|---|---|
| *Regulated Emissions Units* | |
| 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). |
|---|---|
| *State Rule Citations* | |
| 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 |

**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

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/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:**

| 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 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 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 verses 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]

**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 ($SO_2$) – 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 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. [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 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 ($SO_2$) – 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 ($SO_2$) – 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]

**Recordkeeping and Reporting Requirements**

**A.16.** 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.17.** Other Reporting Requirements. See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements. [Rule 62-213.440(1)(b), F.A.C.]

**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.]

# 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 X Renewal

| STEP 1<br>Identify the source by plant name and ORIS or EIA plant code | Plant Name: | State: Florida | ORIS or EIA Plant Code: |
|---|---|---|---|
| | Bayboro Power Plant | | 627 |

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<br>Expected Commence Commercial Operation Date | New Units<br>Expected Monitor Certification Deadline |
| 1A | X | X | X | N/A | N/A |
| 1B | X | X | X | N/A | N/A |
| 2A | X | X | X | N/A | N/A |
| 2B | X | X | X | N/A | N/A |
| 3A | X | X | X | N/A | N/A |
| 3B | X | X | X | N/A | N/A |
| 4A | X | X | X | N/A | N/A |
| 4B | X | X | X | N/A | N/A |
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DEP Form No. 62-210.900(1)(b) – Form
Effective: 3/10/09

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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 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines 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 have 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 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 this 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.

DEP Form No. 62-210.900(1)(b) – Form
Effective: 3/16/09

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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 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 62-210.428, 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.

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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 EEEE, 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 $NO_x$ 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 96.370(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

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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.

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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 96.154(d)(2) 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 96.113 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.

| | |
|---|---|
| Name Jeffrey Swartz | Title Vice President, Florida |
| Company Duke Energy Florida, Inc. | |
| Phone 727-826-5188 | E-mail Address Jeffrey.Swartz@duke-energy.com |
| Signature [signature] | Date 2/19/2014 |

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## 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.