



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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SECRETARY

PERMITTEE

Orlando Utilities Commission
P.O. Box 3193
Orlando, Florida 32802

Authorized Representative:

Mr. Chip Merriam, Vice President

Air Permit No. 0090008-009-AC
Facility ID No. 0090008
SIC No. 4911
Extended Cold Shutdown
Permit Expires: December 31, 2014

PROJECT

This is the final air construction permit revision, which authorizes changes to conditions of prior air construction permits related to an extended cold shutdown at the Indian River Plant facility. The facility is located in Brevard County at US 1 and Kings Highway, Titusville, Florida. This final permit revision is organized into the following sections: Section 1 (General Information); Section 2 (Administrative Requirements); Section 3 (Emissions Unit Specific Conditions); and Section 4 (Appendices). Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit. As noted in the Final Determination provided with this final permit, no changes and clarifications were made to the draft permit.

STATEMENT OF BASIS

This air pollution construction permit revision is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

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

JFK/dlr/tbc

FINAL PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit package was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

Mr. Chip Merriam, OUC: cmerriam@ouc.com)
Mr. Scott Osbourn, P.E., Golder Associates: (sosbourn@golder.com)
Mr. Tom Lubozynski, DEP Central District: tom.lubozynski@dep.state.fl.us)
Mr. Justin Green, DEP Siting Office: justine.green@dep.state.fl.us
Ms. Heather Ceron, EPA Region 4: ceron.heather@epa.gov
Ms. Katy Lusky, EPA Region 4: lusky.kathleen@epa.gov
Ms. Natasha Hazziez, EPA Region 4: hazziez.natasha@epa.gov
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epa.gov
Ms. Lynn Searce, DEP OPC: lynn.scearce@dep.state.fl.us

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

SECTION 1. GENERAL INFORMATION

FACILITY AND PROJECT DESCRIPTION

EU No.	Brief Description
<i>Regulated Emissions Units</i>	
001	87 megawatt (MW) Unit No. 1 Boiler
002	188 MW Unit No. 2 Boiler
003	328 MW Unit No. 3 Boiler
004	35 MW Simple Cycle Combustion Turbine A
005	129 MW Simple Cycle Combustion Turbine C
006	129 MW Simple Cycle Combustion Turbine D
007	35 MW Simple Cycle Combustion Turbine B
010	235 Horsepower RICE-Driven Emergency Generator

OUC has confirmed that the three electric steam generating units (EU001, EU002 and EU003) are currently "not commercially available". Another term typically used to describe this status is "extended cold shutdown". OUC has requested the Department's concurrence with the practice that routine compliance activities such as fuel sampling, emissions monitoring, and stack testing are not required while the facility is not operating. It was further proposed that the Department would be notified at least 60 days before resuming commercial operation.

OUC will continue to submit quarterly reports, semi-annual monitoring reports, annual statements of compliance, annual operating reports, and the annual Title V fee submissions. OUC requests that the Department issue a revised air construction permit and that the concurrent Title V permit renewal reflect the extended cold shutdown status of these units.

These changes were approved by the Department and are noted below.

REGULATORY CLASSIFICATION

Title III: The facility is a potential major source of hazardous air pollutants (HAP).

NESHAP: The facility operates units subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 Code of Federal Regulations (CFR) 63.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 CFR 60.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major stationary source in accordance with Rule 62-212.400, F.A.C.

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete, the draft air construction permit, and the Technical Evaluation and Preliminary Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Office of Permitting and Compliance in the Division of Air Resource Management of the Department. The mailing address for the Office of Permitting and Compliance is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Department's Central District Office. The mailing address and phone number are: 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803-3767, Telephone: 407/894-7555, Fax: 407/897-2966.
3. Appendices: The following Appendices are attached as part of this permit: Appendix A (Citation Formats and Glossary of Common Terms); Appendix B (General Conditions); and Appendix C (Common Conditions).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Source Obligation:
 - (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
 - (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

[Rule 62-212.400(12), F.A.C.]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

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

EU No.	Brief Description
001	87 MW Unit No. 1 Boiler
002	188 MW Unit No. 2 Boiler
003	328 MW Unit No. 3 Boiler
005	129 MW Simple Cycle Combustion Turbine C
006	129 MW Simple Cycle Combustion Turbine D

Specific Condition 1.

Other Permits: Except as specified below, these units remain subject to the applicable requirements established in all previous air construction permits issued for this facility. [Rule 62-4.070, F.A.C.]

Specific Condition 2.

Specific Condition 2 of Permit No. 0090008-008-AC is changed as follows:

2. Method of Operation – Fuels. The only fuels allowed to be fired in Boilers 1, 2 & 3 are natural gas and propane gas containing a maximum of 2 grains of sulfur per 100 standard cubic feet. Compliance with this limitation shall be demonstrated through information provided by the fuel vendor(s). This limitation supersedes all previously issued permits or established conditions (whether issued to OUC, GenOn or RRI Energy Florida, LLC) that allowed the firing of No. 2 fuel oil, No. 6 fuel oil and on-specification used oil in these boilers.

Under “extended cold shutdown” status for the production suspension: Fuel shall be sampled on the last day fuel is fired and shall resume on the first day fuel is fired following the period of not operating.
[Application No. 0090008-008-AC]

Specific Condition 3.

Specific Condition 2 of Permit No. 0090196-010-AC is changed as follows:

3. Fuel Monitoring: The permittee shall calibrate, operate and maintain devices to continuously monitor and record the fuel flow rate and heat input rates.

Under “extended cold shutdown” status for the production suspension: Fuel shall be sampled on the last day fuel is fired and shall resume on the first day fuel is fired following the period of not operating.
[Application No. 0090196-010-AC and Rule 62-4.070(3), F.A.C.]