

FINAL DETERMINATION
File No. 0250003-006-AC (PSD-FL-338)
FP&L TURKEY POINT POWER PLANT
COMBINED CYCLE UNIT 5

The Department distributed a Public Notice package on May 28, 2004 for the project to construct a natural gas-fired combined cycle unit to be known as Unit 5 – FP&L Turkey Point Power Plant east of Homestead and Florida City and adjacent to Biscayne Bay, Miami-Dade County. The 1150MW project consists of four nominal 170 MW General Electric combustion turbine-electrical generators, four heat recovery steam generators, a 470 MW steam-electrical generator, and a mechanical draft cooling tower. The Public Notice of Intent to Issue was published in the June 10th edition of the Miami Herald.

No requests for public meetings or administrative hearings were received on the Notice of Intent to Issue. An evidentiary hearing was held on September 20-21, 2004 and a Recommended Order was entered on November 18, 2004 to:

“Grant full and final certification to Florida Power & Light Company, under Section 403, Part II, Florida Statutes, for the location, construction, and operation of Turkey Point Unit 5, representing a 1150 MW combined cycle unit, as described in the Site Certification Application and the evidence presented at the certification hearing, and subject to the Conditions of Certification.” Final Certification was approved on February 1, 2005.

The Department is required to take final action on the PSD Permit Application and the draft permit within 30 days following Final Certification by the Siting Board. This Final Determination recapitulates all comments and changes since the distribution of the Notice of Intent to Issue PSD Permit on May 28, 2004.

No comments suggesting adverse impacts were received. The comments of the EPA, NPS and FP&L recited or described below (*italics*) followed by the Department’s responses.

1. *EPA’s letter dated July 8, 2004 states, “Condition 9 of the draft PSD permit contains a table of CO emissions limits that are applicable to various operating modes of the four new CTs. The table contains two columns of emission limits. Compliance with the first column of emission limits shall be demonstrated by 3-run stack testing, while compliance with the second column of emission limits shall be demonstrated using a continuous emissions monitoring system (CEMS) with a 24-hour averaging time”.*

The Department agrees with the given description of the table, the limits and how compliance will be demonstrated. But as noted in item 5 below, we reserve use of CEMS for short-term.

2. *EPA’s letter further states, “It is our understanding from conversations with the Florida Department of Environmental Protection (FDEP) that the first column of CO emission limits represents the BACT emission limits (i.e., 4.1 ppm in normal mode, 7.6 ppm with duct burning, etc.) and the second column of CO emission limits contains higher limits that have been proposed to simplify the recordkeeping process (i.e., 8.0 ppm for all modes except power augmentation, etc.). First, we would like to point out that the distinction between the two sets of emission limits described above is not clear in the current draft PSD permit”.*

The 5 ppm value (~4 when corrected to 15% O₂) is the lowest CO limit guaranteed to-date by any combustion turbine manufacturer without requiring installation of additional control equipment such as oxidation catalyst. The 7.6 ppm limit with duct burning and 8 ppm limit for fuel oil use are also the lowest values in permits without oxidation catalyst and represent values roughly equivalent to ambient air quality standards even though measured at the stack.

To simplify recordkeeping, a 24-hour limit of 8 ppm was proposed because it is possible that on a given day, a combined cycle unit will actually operate with the duct burner on at all times. The distinction between the limits is maintained because initial and annual stack tests are required for the three key modes in conjunction with the annual RATA tests for the CEMS.

The remaining concern is that the low guaranteed values for the normal gas-firing case (without high power modes) is not accounted for in the CEMS based limit. To insure that the units cannot possibly be operated at 8 ppm at all times regardless of mode, the Department will set a limit of 6 ppmvd @15% O₂ on a 12 month basis, rolled monthly. This represents an approximate weighted average of emissions based on permitted firing modes. It assumes that the individual units will operate all of the allowable hours in the high power or oil-firing modes and the difference on the normal gas only mode.

The additional requirement will not cause increases or reductions in emissions or cause undue recordkeeping burdens. However the new requirement better represents the long-term, time averaged, emission estimates over all modes of operation consistent with the application.

Based on review of CO data after startup, the Department expects actual average emissions for all modes between 1 to 2 ppm except for the limited power augmentation mode. It is not yet possible to obtain the very low guarantees without installing oxidation catalyst. For reference, emissions during the limited power augmentation mode will likely be between 5 and 9 ppm.

3. EPA's letter states, "If the emission limits are left as they are, this relationship should be better described in the table itself or in a permitting note immediately preceding the table".

The table has been updated to clarify CO emission limits:

Pollutant	Fuel	Method of Operation	Stack Test, 3-Run Average		CEMS Block Average
			ppmvd @ 15% O ₂	lb/hr ^g	ppmvd @ 15% O ₂
CO ^a	Oil	Combustion Turbine (CT)	8.0	37.8	8.0, 24-hr
	Gas	CT, Normal	4.1	16.3	
		CT & Duct Burner (DB)	7.6	38.3	
		CT & DB & PK	NA	NA	
		CT & DB & PA	NA	NA	14.0, 24-hr
	<u>Oil/Gas</u>	<u>All Modes</u>	<u>NA</u>	<u>NA</u>	<u>6, 12 months</u>

- a. Continuous compliance with the 24-hour and 12 month CO standards shall be demonstrated based on data collected by the required CEMS. The initial and annual EPA Method 10 tests associated with the certification of the CEMS instruments shall also be used to demonstrate compliance with the individual standards for natural gas, fuel oil, and basic duct burner mode. Compliance with the 24-hour CO CEMS standards shall be determined separately for the Duct Burner/Power Augmentation mode and all other modes based on the hours of operation for each mode. *{Permitting Note: A 24-hour compliance average may be based on as little as 1-hour of CEMS data or as much as 24-hours of CEMS data.}*
4. *EPA's letter states, "We agree with FDEP that initial compliance with the BACT limits can be determined using a stack test; however, continuous compliance with the BACT emission limits should be demonstrated by use of the CEMS".*

The issue relates to CO. The table now represents a reasonable compromise that provides an additional incentive to the applicant to operate based on initial and annual stack tests. The alternative of separate continuous compliance for each and every mode is feasible but cumbersome. Continuous compliance is demonstrated by the use of CEMS for the 24-hour and 12 month standards.

5. *EPA's letter states, "Condition 19 of the draft PSD permit declares that FDEP "reserves the right" to use data from the CEMS to determine compliance with the short-term CO emission limits. We believe that this condition is not definite enough to enforce the BACT emission limits using CEMS".*

This "right" that was placed in the draft permit provides a powerful incentive to maintain the equipment such that the lowest emissions are achieved. It is not much different than the use of "any credible evidence" in addition to the already stringent stack test and CEM-based BACT emission limits. With the new weighted annual limit for CO, there is an even bigger incentive to comply with the short-term values.

6. *EPA's letter states, "If it is decided that the CEMS will be used to determine compliance with the BACT emission limits, we recommend that the final PSD permit require use of an averaging time shorter than 24 hours. Since there exist short-term CO national ambient air quality standards (NAAQS) with averaging times below 24 hours (i.e., 1-hour and 8-hour standards), we believe that the averaging times should be more consistent with the applicable NAAQS averaging times".*

The range of emission limits for the various modes is 4 to 14 ppm, while expected emissions are 1 to 2 ppm at the stack exit and prior to dilution and dispersion for all but one case. We actually expect emissions of 5 to 9 ppm for the limited power augmentation case. The 1-hour and 8-hour ground level National Ambient Air Quality Standards for CO are 35 and 9 ppm respectively. Even if all of the allowable emissions in a 24-hour period were compressed into a single hour, the ground level concentration would still not exceed 9 ppm. Thus the 24-hour limit is protective of the 1 and 8-hour CO standards. There are no increments for CO that might otherwise reinforce the need for the shorter averaging periods.

7. *EPA states, "any operating limits which were used in the analyses on a per turbine basis should be included in the draft PSD permit on a per turbine basis. The draft PSD permit does contain per turbine limits on the amount of time the CTs can operate in power augmentation mode and while firing fuel oil. However, condition 8(e) of the draft PSD permit contains one aggregate limit (5,702,400 MMBtu) for all four CTs restricting the*

amount of duct firing that is allowed in a year. In order for the BACT analysis to remain valid, the final PSD permit should contain the appropriate duct firing limit on a per turbine basis (i.e., 1,425,600 MMBtu/year). Alternatively, if the applicant wishes to retain the aggregate limit, a revised BACT analysis should be performed (based on the worst case scenario of one CT operating the duct burners all year long) which demonstrates that the outcome of the BACT analysis would remain unchanged”.

The point is well taken and the following review was conducted to determine if a further BACT review is needed. Referring to 4 above, the Department has added a long-term limit of 6 ppm CO.

The scenario of firing a single duct burner continuously for the year while hardly firing the others is unrealistic but theoretically possible and needs to be explored. The practical consequence of continuous duct firing is that the given unit must still comply with the BACT NO_x limit of 2 ppm. NO_x emissions will actually be controlled to that level or slightly less by the SCR system.

The CO could theoretically be 7.6 ppm of CO. However if they use the duct burners continuously, they are limited by the new 12 month of 6 ppm (corrected to 15% O₂). GE will guarantee CO emissions from its combustion turbines to 5 ppm uncorrected (~ 4.1 ppm corrected). The duct burner manufacturer has its own guarantee regarding what a duct burner *theoretically adds* to the CO from the combustion turbine.

The Department’s analysis of *actual* operating data shows that duct burners do not affect CO emissions in a meaningful manner for F-Class installations. Exhaust gas from the combustion turbine is already at a high temperature, turbulent, and contains a lot of oxygen promoting good CO burnout. The guarantees for the different components have not yet been reconciled into a single low CO guarantee without requiring oxidation catalyst.

Based on the Department’s analysis of data from installations with GE F-Class combustion turbines operating in conjunction with duct burners, actual emissions will be in the range of 1 to 2 ppm @15% O₂. The data on the duct burners operating in conjunction with the combustion turbines was included in the Technical Evaluation.

The Department believes that it is not cost-effective to install oxidation catalyst to reduce CO emissions for this part-time mode from 6 to say 1 ppm @15% O₂ when the practical reduction will actually be from the 1 – 2 ppm range to 0.2– 0.4 ppm (assuming roughly 80 percent efficiency). The equipment providers have given their best guarantees short of installing unnecessary oxidation catalyst. This FP&L project was the first to obtain such low guarantees.

Basically, the Department has required FP&L to meet a value lower than the combined guarantees of the combustion turbine provider and the duct burner provider. The data from installations in Florida and the underpinning provided in the Technical Evaluation provide further reasonable assurance that the new long term limit can be achieved and that emissions will in fact be substantially less than permitted.

The Department agrees that FP&L will be able to theoretically fire the duct burner all of the time on one unit and none of the time on others. Although this is a very unlikely situation for economic reasons, the Department believes that the outcome of the BACT analysis would remain unchanged based on the information above.

8. *In the NPS letter dated July 2, 2004, NPS states, "Although FDEP acknowledges that the high power operating modes 'can cause greater uncontrolled NO_x emissions' the proposed permit explicitly exempts FP&L from any emission limits while operating in this mode".*

The Department's BACT determination of 2.0 ppm NO_x limit does apply to all modes except for use of back up ultralow sulfur fuel oil. The Department clarified this issue during discussions with NPS experts on November 24, 2004. After jointly studying the table containing the emissions limits for each power mode, we agreed that the proposed permit does not exempt high power modes from the BACT determination.

9. *In the same letter, the NPS states, "FP&L will reduce their NO_x limit from 2.5 ppm to 2.0 ppm when burning natural gas and from 10.0 ppm to 8.0 ppm when burning oil At the lower NO_x emission rates; we anticipate that visibility impacts at Biscayne NP will also be reduced. Therefore, we do not anticipate that emissions from the proposed Turkey Point Power Plant modifications will impact sensitive resources at Everglades NP or Biscayne NP".*

The Department agrees with this assessment.

10. *The NPS letter included comments related to the averaging time of the 24-hr NO_x emission limit of 2.0 ppmvd @ 15% O₂ when burning natural gas. It states, "BACT is an emission limit, and emission limits typically consist of a numerical limit in terms of mass of pollutant per unit time, unit volume and/or per unit of heat input. These emission limits are also typically specified over a prescribed averaging period; due to the inherent variability in emissions and the performance of the control technology, the longer the averaging period, the easier it is to meet a given limit.*

"Although it states in the TEPA top-down analysis that 'The Top emission limit is considered by the Department to be 2.0 ppmvd @ 15% O₂ on a 1-hour average,' FDEP goes on to set FP&L's proposed permit limit for natural gas combustion based upon a 24-hour average, with no explanation provided for the longer averaging period. Therefore, FDEP did not choose the 'top' control technology, nor did it justify proposing a less stringent limit.

"We believe that the 24-hour block averaging periods are much too long when compared to similar combustion turbines meeting the same outlet concentration limits for the one-hour or three-hour averages. The effect of the much longer averaging periods is to reduce the stringency of the limits relative to other permits. For example, Clark County, Nevada, has determined that a 2.0 ppm limit (1-hr average) represents BACT for the Diamond Generating, Ivanpah Energy combustion turbine project. The Virginia Department of Environmental Protection has permitted an identical limit for the CPV Warren County combustion turbine project. Turkey Point should show why it cannot meet a 2.0 ppm limit on a one-hour basis, as it is required of other similar projects".

It is important to note that the NSPS standard for combustion turbines is approximately 108 ppm for F-Class units on a 4 hour basis. The proposed BACT is 2 ppm on a 24-hr basis or only 2 percent of the standard. This is virtually zero for this pollutant in terms of emissions and it is very difficult to achieve lower emissions.

In addition, the NO_x ambient standard is on an annual basis. The 24-hour standard for this source is suitable to limit effects on visibility and ozone formation potential. A one-hour value is achievable but runs the risk that small exceedances that do not have any impacts will be categorized as violations. In any case, the facility would have to compensate quickly when the value exceeds 2 ppm even on a 24-hour average. For example, if a unit were to emit even 10 ppm for four hours, it would have to achieve 0.4 ppm during the preceding and subsequent 20 hours to avoid exceeding the 24-hr limit.

While it is difficult to prove that it is not cost-effective to reduce the averaging time to 1 hour, the Department has a great deal of experience balancing emission limits and averaging times with environmental protection and sensible business operation. This case-by-case BACT determination and combination of limit and averaging time will allow this facility to conduct its business, protect the environment, respond smoothly to operational variations, and dispatch power from other system facilities in an orderly fashion.

The considerations in out-of-state non-attainment areas or sources that influence such non-attainment areas may be somewhat different. The Department does not assert that any of the determinations made in the areas described by NPS are erroneous with respect to limits or averaging time.

In the conversations of November 24, the NPS personnel acknowledged that the Department would make the final BACT determination.

11. *NPS states in its letter dated July 2, 2004, "As referenced in our February 24, 2004 letter to FDEP regarding the emission inventories presented in the FP&L permit application, we reiterate that we would like to know how sources were selected for the inventory, and how emissions from those sources were determined."*

FP&L and Golder referred to their letter dated April 19, 2004 that was in response to the NPS letter dated February 24. The relevant parts follow.

"Cumulative Source Modeling- The detailed stack, operating, and emission data for the facilities with SO₂ and PM₁₀ sources presented in Tables 6-3 and 6-4 are provided in Tables D-1 and D-2 of Appendix D to the Air Construction Permit/PSD Application, Appendix 10.1.5.

"These data were based on information provided from FDEP, available from recent PSD permit applications, Title V permits, and supplemented with current and historical information available within Golder. The air modeling data were obtained from several recently submitted and reviewed air permit applications in which PSD Class I increment or significant impact analyses were performed at the Everglades National Park. These applications include the modifications to U.S. Sugar Corporation's Clewiston Mill (proposed Boiler No. 8, March 2003; Boiler No. 4 and Sugar Refinery, October 2000); Palm Beach Power Corporation's Cogeneration Facility (April 2002); and FPL's Martin Power Plant Expansion Project, Unit No. 8 (February 2002).

“The major source baseline date for Florida is January 6, 1975 for both SO₂ and PM₁₀ (adopted and incorporated by reference in Rule 62-204.800, F.A.C.). The minor source baseline date for SO₂ and PM₁₀ has been set as December 27, 1977 for the entire State of Florida (Rule 62-204.360(1) and (2), F.A.C.).

“Based on these baseline dates, the baseline and PSD-increment consuming sources of SO₂ and PM₁₀ emissions for the sources in the inventory were developed from the available information discussed previously. The baseline and PSD increment consuming sources are identified in Tables D-1 and D-2 of Appendix A to the Air Construction/PSD Application.

“It should be noted that, although the highest 24-hour average SO₂ concentrations were predicted to exceed 24-hour SO₂ PSD Class I increment for 1990 and 1992, there were no predicted violations of the increment based on the highest, second highest values. Rule 62-272.500 F.A.C. and 40 CFR 52.21(c) support the use of the highest, second highest values when determining compliance with the 24-hour SO₂ PSD Class I increment”.

12. *During the telephone discussion of November 24, 2004 NPS advised that the inventory and the modeling for SO₂ Class I Increment Consumption described in the Golder/FP&L response did not, but should have, included minor sources, transportation, and changes in major sources on an actual to actual basis since 1977.*

Turkey Pt. Unit 5 will fire the lowest sulfur fuels available. The project will be the first in Florida to commit to ultralow sulfur fuel oil used as backup fuel to natural gas. The backup fuel actually has a lower sulfur specification than natural gas. NPS advised (see 9 above) they do not anticipate that emissions from the proposed Turkey Point Power Plant modifications will impact sensitive resources at Everglades NP or Biscayne NP. The Department agrees with NPS.

After receiving clarification from NPS on November 24, 2004 the Department reviewed the issues raised by the NPS. The Department agrees that the analysis for Class I SO₂ Increment Consumption does not comport with the method most recently described by the NPS.

The Department conducted a qualitative and semi-quantitative evaluation and determined that additional modeling, if conducted in the manner described by NPS, will most likely show expansion rather than consumption of SO₂ increment by development since the late 1970's and that the proposed project will not appreciably change that trend. The Department responded to the NPS comments by electronic mail on December 8, 2004. The communication contained most of the following analysis:

The Department obtained information from FP&L regarding actual emissions from the existing Turkey Point units circa 1977. In 2002, emissions were 9,135 tons from Turkey Point Units 1 and 2. During the 1974-1978 timeframe, emissions from Turkey Points Units 1 and 2 were always much higher and averaged 16,558 tons per year. Therefore, the biggest sources (Units 1 and 2) likely to interact with the new project (that will emit 193 tons per year) have expanded increment rather than consumed increment. The summary table of emissions from Turkey Point is shown below.

Emissions of SO₂ from Turkey Point Fossil Plant (1974-78, and 2002)

<u>Year</u>	<u>Tons per year</u>
1974	18,043
1975	18,058
1976	18,028
1977	13,519
1978	15,140
1974-1978	16,558 (average)
2002	9,135
Reduction	~ 7,000

Table 16 from the Technical Evaluation distributed with the Department's Draft PSD Permit lists the largest stationary SO₂ sources in Miami-Dade County and their *actual* emissions.

Table 16. Major Sources of SO₂ in Miami-Dade County (2002)

<u>Owner</u>	<u>Site Name</u>	<u>Tons per year</u>
Florida Power & Light	Turkey Pt. Plant (existing boilers)	9,135 (EPA)
Titan Industries	Tarmac Pennsucco Cement	~ 1,000 (est.)
Miami-Dade County SWD	Miami-Dade Resource Recovery Facility	231
<i>Florida Power & Light</i>	<i>Turkey Pt. Plant (proposed project)</i>	<i>193</i>
Waste Management	Medley Landfill and Recycling	129
Miami-Dade County WASD	MDWASD/Central District WWTP	88

The magnitude of actual large SO₂ emission sources drops off very rapidly after the existing Turkey Point Fossil Plant. Titan/Tarmac Pennsucco Cement will emit closer to 50 TPY (rather than ~1000 TPY) in future years, having modernized their process in 2004. Rinker Cement previously emitted over 1000 TPY of SO₂ and now emits approximately 50 TPY since a modernization project in 2000. General Portland Cement was another significant emitter of SO₂ that closed around 1985.

The 7,000 TPY actual reduction from the collocated Turkey Point Units 1 and 2 and the reductions from reductions in regional cement manufacturing SO₂ emissions would overwhelm any possible effects from the 193 TPY Turkey Point Unit 5.

During the application review phase, FP&L submitted estimates that 2008-2012 SO₂ emissions from Turkey Point Units 1 and 2 will be approximately 5,733 tons per year. The Department does not necessarily agree with or reject these estimates given uncertain fuel prices.

The Department also included in the Technical Evaluation an inventory of the different categories of emissions in Miami-Dade County. The small magnitude of the proposed Turkey Pt. Unit 5 project is obvious.

Table 21. Pollutant Emissions in Miami-Dade County by Source Category (2002)

<u>Source Category</u>	<u>SO₂</u>	<u>NO_x</u>	<u>CO</u>	<u>PM₁₀</u>	<u>VOC</u>	<u>NH₃</u>
Stationary Sources	10,262	12,929	3,891	2,516	1,757	0 (?)
Area Sources	13,266	4,580	78,670	35,438	53,167	2,925
On-Road Mobile	1,989	46,158	492,121	1,230	49,007	1,940
Non-Road Mobile	1,976	19,062	197,091	24,946	15,646	11
Total	27,492	82,729	771,773	64,131	119,578	4,876
<i>Turkey Pt. Unit 5</i>	193	320	450	229	68	~200

Transportation SO₂ emissions are likely lower in recent years than in the baseline years of the late 1970's. Most of the decline is due to the use of 0.05% sulfur fuel oil for transportation versus the previous higher sulfur specifications in gasoline and diesel (e.g. 0.5% sulfur for diesel). Ultralow sulfur fuel oil (0.0015% sulfur) for transportation sources has been mandated so the trend will continue. Any area source/minor source increases would have been very small compared with the reductions at Turkey Point.

The Department issued a permit in 1998 that lead to the actual SO₂ emissions reductions greater than 20,000 TPY from the FP&L Fort Myers Power Plant located 97 km north of the westernmost part of ENP. This expanded increment over the ENP from a generally northwesterly direction. The 1992 natural gas repowering of the FP&L Lauderdale Plant in Dania expanded increment at ENP from a generally northeasterly direction.

Similarly, the FP&L Port Everglades Plant in Broward County and the FP&L Rivera Plant in Palm Beach County use cleaner fuel oil than required and use substantial amounts of natural gas. This probably adds further to any actual to actual analysis of increment expansion.

In conclusion all indications are that SO₂ emissions have been reduced locally and regionally. A modeling effort would likely show improvements rather than degradation related to SO₂ at the ENP since the late 1970's. The Department believes this analysis is sufficient to support issuance of this permit without further detailed analysis.

13. In a letter received July 2, 2004 from FP&L (Barbara Linkiewicz), FPL requested revision of Section III, specific condition 8, b. as follows:

Authorized fuels: Each gas turbine shall fire natural gas as the primary fuel, which shall contain no more than 2.0 grains of sulfur per 100 standard cubic feet of natural gas. As a restricted alternate fuel, each gas turbine may fire ultra low sulfur distillate fuel oil no more than 0.0015% sulfur by weight. ~~Each gas turbine shall fire no more than 500 hours of fuel oil during any consecutive 12 months.~~ The four gas turbines shall fire no more than a cumulative total of 28,028,168 gallons of fuel oil during any calendar year.

Following discussions with the Department and considering EPA's concern regarding the fuel versus hourly limitation for duct burning, FP&L withdrew the request. In this case, the theoretical, but unlikely use of fuel oil for 2000 hours in a single unit and 0 hours in the others might have changed the final BACT.

By electronic communication dated August 15, 2004, FP&L replaced their request in Item 13 with the following:

Authorized Fuels: Each gas turbine shall fire natural gas as the primary fuel, which shall contain no more than 2.0 grains of sulfur per 100 standard cubic feet of natural gas. As a restricted alternate fuel, each gas turbine may fire ultra low sulfur distillate fuel oil no more than 0.0015% sulfur by weight. Each gas turbine shall fire no more than 500 hours of fuel oil during any ~~consecutive 12 months~~ calendar year.

The revised request has no practical effect on emissions or the BACT basis for SO₂. The Department will revise the Authorized Fuels condition per the revised request.

14. *In the July 2, 2004 letter, FP&L requests the following change to Section III, Specific Condition 9.f.:*

Each SCR system shall be designed and operated for ammonia slip limit of ~~less~~ no more than 5 ppmvd corrected to 15% oxygen based on the average of three test runs.

The Department will revise this emission standard adding the proposed language.

15. *In the July 2, 2004 letter, FPL states:*

"In Section III, pages 14-15, we request the clarifications below. Recognizing that quarterly reports contain all NSPS and State requirements, this clarification combines the quarterly and semi annual reports. The proposed language below also makes Condition 27 consistent with Condition 25a regarding the monitoring period".

Condition 27. ~~Semiannual NSPS Excess Emissions Report. Quarterly Excess Emission Report:~~ In accordance with 40 CFR 60.7 (d), the permittee shall submit a report to the Compliance Authority summarizing any emissions in excess of the NSPS standards w Within 30 days following the end of each calendar-quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of CO and NOx emissions in excess of the permit standards following the NSPS format provided in Appendix XS of this permit. For purposes of reporting emissions in excess of NSPS Subpart GG, excess emissions from the gas turbine are defined as: any CEMS hourly average value exceeding the NSPS NOx emission standard identified in Appendix GG; and any ~~daily~~ monitoring period during which the sulfur content of the fuel being fired in the gas turbine exceeds the NSPS standard identified in Appendix GG. For purposes of reporting emissions in excess of NSPS Subpart Da, excess emissions from duct firing are defined as: NO_x or PM emissions in excess of the NSPS standards except during periods of startup, shutdown, or malfunction; and SO₂ emissions in excess of the NSPS standards except during startup or shutdown. An example of the report is provided on Appendix XS. Such information shall be summarized for all exceedances including startups, shutdowns, malfunctions, and major tuning sessions. In addition, the report shall summarize the CEMS systems monitor availability for the previous quarter. [Rules 62-4.130, 62-204.800, 62-210.700(6), F.A.C.; and 40 CFR 60.7]

Condition 28. ~~Quarterly Permit Excess Emissions Report~~ Semiannual NSPS Excess Report: Within 30 days following the end of each quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of CO and NO_x emissions in excess of the permit standards. Such information shall be summarized for all exceedances including startups, shutdowns, malfunctions, and major tuning sessions. In addition, the report shall summarize the CEMS systems monitor availability for the previous quarter. [Rules 62 4.130, 62 204.800, 62-210.700(6), F.A.C.; and 40 CFR 60.7] The submittal of the Quarterly Excess Emission Reports shall constitute compliance with the requirements of 40 CFR 60.7(d) for the submittal of Semiannual Excess Emissions Report.

The Department will adopt these changes with some additional clarification. The reports will include excess emissions related to the BACT determination and any other SIP-based emission limits in addition to the NSPS excess emission reporting requirements.

The other change reflects the recent revision of 40 CFR 60 Subpart GG that defines excess emissions based on CEMS in lieu of water-to-fuel ratio.

16. *On August 18, 2004, EPA stayed the effectiveness of NESHAP Subpart YYYY for lean premix gas turbines such as those proposed for the Turkey Point Project. The relevant provision of the rule that stays the effectiveness for units such as proposed at Turkey Point follows:*

40 CFR 63.6095(d) Stay of standards for gas-fired subcategories.

If you start up a new or reconstructed stationary combustion turbine that is a lean premix gas-fired stationary combustion turbine or diffusion flame gas-fired stationary combustion turbine as defined by this subpart, you must comply with the Initial Notification requirements set forth in Sec. 63.6145 but need not comply with any other requirement of this subpart until EPA takes final action to require compliance and publishes a document in the Federal Register.

The Department has updated relevant parts of the permit and summarized in Appendix YYYY of the permit, the applicable requirements of Subparts A and YYYY in 40 CFR 63.

CONCLUSION

The final action of the Department is to issue the permit with the changes noted above.