PERMITTEE:

Orlando Utilities Commission (OUC)
500 South Orange Avenue
Orlando, Florida 32802

Authorized Representative:
Ms. Denise Stalls, Vice President
Environmental Affairs

DEP File No. 0950137-015-AC
Curtis H. Stanton Energy Center
Stanton Units 1 and 2
SIC No. 4911
Low NO_X burners and Overfire Air Project
Orange County, Florida

Permit Expires: Month day, year

PROJECT AND LOCATION

This permit authorizes the installation of low nitrogen oxides (NO_x) burners (LNB) and an overfire air (OFA) system on Units 1 and 2 at the OUC Curtis H. Stanton Energy Center. The facility is located at 5100 Alafaya Trail, Orlando, Orange County.

STATEMENT OF BASIS

This air pollution construction permit 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.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Florida Department of Environmental Protection (the Department).

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Joseph Kahn, Director (Date)
Division of Air Resource Management

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FACILITY AND PROJECT DESCRIPTION

The existing facility consists of two 468 megawatt (MW) fossil fuel fired steam electric generating units (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A recently permitted nominal 285 MW integrated gasification and combined cycle unit (Unit B) is under construction and will be operational by 2012.

As noted above, the project under this permit is for the installation of LNB and OFA equipment on Units 1 and 2. The burners shall be of a proven design which has been previously utilized to achieve similar emissions requirements when firing fuels similar to those fired at Unit 1 and Unit 2. The burners and OFA systems shall be designed specifically for low NO_x formation. Burner design shall provide accurate fuel-air ratio control and thorough mixing of fuel and air at all ratings. Burner design shall prevent flame impingement on steam generator tubes or burner tile at any time.

EU ID	Emissions Unit Description
001	Fossil Fuel Fired Steam Electric Generator No. 1
002	Fossil Fuel Fired Steam Electric Generator No. 2

REGULATORY CLASSIFICATION

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

The facility operates existing units subject to the Acid Rain provisions of Title IV of the Clean Air Act (CAA).

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

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

The facility operates units subject to the Standards of Performance for New Stationary Sources pursuant to 40 CFR Part 60.

The facility does not operate electrical generating units subject to National Emissions Standards for Hazardous Air Pollutants pursuant to 40 Code of Federal Regulations (CFR) Part 63.

The facility is subject to the Federal Clean Air Interstate Rule (CAIR) in accordance with the Final Department Rules issued pursuant to CAIR as implemented by the Department in Rule 62-296.470, F.A.C.

The facility is subject to the Federal Clean Air Mercury Rule (CAMR) implemented by the Department in Rule 62-296.480, F.A.C.

The facility operates units that were certified under the Florida Power Plant Siting Act, 403.501-518, F.S.

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; and the Department's Technical Evaluation and Preliminary Determination.

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SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Department. The mailing address for the Bureau of Air Regulation 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 Central District Office. The mailing address and phone number of the Central District Office are: Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando Florida 32803-3767. Telephone: (407)894-7555. Fax: (407)897-5963.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General 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. Title V Permit: This permit authorizes specific modifications and/or new construction on the affected emissions units as well as initial operation to determine compliance with conditions of this permit. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after completing the required work and commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Bureau of Air Regulation with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

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This section of the permit addresses the following existing emissions units.

Emissions Units 001 and 002
Fossil Fuel Fired Steam Generators 1 and 2 are wall-fired, dry bottom boilers, firing pulverized coal as the primary fuel and No. 6 fuel oil for purposes of startup and flame stabilization. Each unit has a maximum heat input rate of 4,286 million British thermal units (mmBtu) per hour with a nominal generating capacity of 468 MW. Each unit is equipped with an electrostatic precipitator (ESP) for control of particulate matter (PM/PM_{10}), a wet flue gas desulfurization (WFGD) system for sulfur dioxide (SO_2) control, and low NO_X burners for nitrogen oxides (NO_X) control. Unit 2 is also equipped with a selective catalytic reduction (SCR) system for further control of NO_X emissions. The following parameters are continuously monitored on both units: NO_X, opacity, SO_2, carbon dioxide (CO_2), and stack gas flow rate.

APPLICABLE STANDARDS AND REGULATIONS

1. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]
2. The facility is subject to all of the requirements specified in Title V Air Operation Permit Renewal No. 0950137-006-AV.

GENERAL OPERATION REQUIREMENTS

3. Unconfined Particulate Emissions. During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4), F.A.C.]
4. Plant Operation – Problems. If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Department as soon as possible, but at least within (1) working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; the steps being taken to correct the problem and prevent future recurrence; and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]
5. Operating Procedures. Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment.
[Rule 62-4.070(3), F.A.C.]
6. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650, F.A.C.]

EQUIPMENT AND CONTROL TECHNOLOGY

7. Low NO_x Burners and Overfire Air Equipment. The permittee is authorized to construct, operate and maintain low NO_x burners and overfire air equipment for Units 1 and 2 as described in the application. The burners and OFA systems shall be designed specifically for low NO_x formation. The existing burner configuration, control logic, and associated auxiliary combustion equipment shall be reused in its current configuration. Any replacement burners provided for Unit 2 and any new burners provided for Unit 1 shall be mounted within the existing wind box to the maximum extent possible. Any needed wind box modifications or internal supports shall be included in the configuration. Burner design shall provide accurate fuel-air ratio control and thorough mixing of fuel and air at all ratings. Burner design shall prevent

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flame impingement on steam generator tubes or burner tile at any time. Adequate burner cooling air shall be provided when the burner is out of service during steam generator operation. In addition, the burner shall be fabricated of materials designed to eliminate the thermal effects resulting in distortion of the burner during its design lifetime. Provision shall be made for burner maintenance to be performed from outside of the furnace. Both an air and coal flow monitoring system shall be provided at each burner. [Applicant Request.]

REPORTING AND NOTIFICATION REQUIREMENTS

8. Notification. Within one week of beginning construction of the low NO_x burners and overfire air project, the permittee shall notify the Compliance Authority that the project has commenced and provide a general schedule of construction activities. Within one week following the end of construction, the permittee shall notify the Compliance Authority that the project was completed. [Rule 62-4.210, F.A.C.]

EMISSION STANDARDS

9. Carbon Monoxide (CO):

   Emissions of CO from Unit 1 shall not exceed 0.018 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required continuous emissions monitoring system (CO-CEMS). Emissions of CO from Unit 2 shall not exceed 0.015 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required CO-CEMS. Emissions of CO shall not exceed these respective limits on a 3-hr average during the initial compliance demonstration. See Specific Condition **10.**

   [62-210.200 (BACT), and 62-212.400(PSD), F.A.C.]

EMISSIONS COMPLIANCE DEMONSTRATION

10. Continuous Compliance with CO limits: The applicant shall install a carbon monoxide (CO) continuous emissions monitor (CO-CEMS) and conduct the appropriate performance specification by June 30, 2008, for Unit 1, and December 31, 2008, for Unit 2, respectively. Upon certification of the CO-CEMS, compliance with the 30 operating day rolling average shall be demonstrated using data collected from the required CO-CEMS. See Specific Conditions **12.** and **15.** [Rule 62-4.070(3), F.A.C.]

11. Additional Requirements – Appendix CEMS: Additional requirements applicable to the CO-CEMS are given in Section 4, Appendix CEMS.

12. Initial Compliance Demonstration: Within 60 days of commencing operation of each respective unit, following installation of the Low-NO_X burners and overfire air system, tests shall be conducted to determine emissions of CO and NO_X. Tests shall be conducted between 90% and 100% of permitted capacity while firing coal and fuel oil. Tests shall consist of three, 1-hour test runs. [Rule 62-297.310(7)(a)1, F.A.C.]

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

Method	Description of Method and Comments
7E	Determination of Nitrogen Oxide Emissions (Instrumental).
10	Determination of Carbon Monoxide Emissions

   The methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used for compliance testing unless prior written approval is received from the administrator of the Department's Emissions Monitoring Section in accordance with an alternate sampling procedure pursuant to 62-297.620, F.A.C. [Rules 62-204.800, F.A.C.; 40 CFR 60, Appendix A]

14. Test Results. Compliance test results shall be submitted to the Department's Central District Office no later than 45 days after completion of the last test run. [Rule 62-297.310(8), F.A.C.]

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CONTINUOUS MONITORING REQUIREMENTS

15. Performance Specifications and Quality Assurance: The acceptability of the CO-CEMS shall be evaluated by conducting the appropriate performance specification, as follows.

    The CO monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4 or 4A within 180 calendar days of commencing operation following installation of the low NO_X burners and overfire air system. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F. The required RATA tests shall be performed using EPA Method 10 in Appendix A of 40 CFR 60 and shall be based on a continuous sampling train. The CO monitor span values shall be set appropriately, considering the expected range of emissions and corresponding emission standards.

    [Rules 62-4.070(3), 62-210.200(BACT), F.A.C.]

16. CEMS Data Requirements for CO BACT Standard:

    a. *Data Collection*: The CO-CEMS shall monitor and record emissions during all operations and whenever emissions are being generated, including during episodes of startups, shutdowns, and malfunctions. All data shall be used, except for invalid measurements taken during monitor system breakdowns, repairs, calibration checks, zero adjustments, and span adjustments.

    b. *Operating Hours and Operating Days*: An hour is the 60-minute period beginning at the top of each hour. Any hour during which an emissions unit is in operation for more than 15 minutes is an operating hour for that emission unit. A day is the 24-hour period from midnight to midnight. Any day with at least one operating hour for an emissions unit is an operating day for that emission unit.

    c. *Valid Hourly Averages*: The CO-CEMS shall be designed and operated to sample, analyze, and record data evenly spaced over the hour at a minimum of one measurement per minute. All valid measurements collected during an hour shall be used to calculate a 1-hour block average that begins at the top of each hour.

        1) Hours that are not **operating** hours are not **valid** hours.

        2) For each operating hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, there is insufficient data, the 1-hour block average is not valid, and the hour is considered as "monitor unavailable."

    d. *Rolling 30-day average:* Compliance shall be determined after each operating day by calculating the arithmetic average of all the valid hourly averages from that operating day and the prior 29 operating days.

    e. *Monitor Availability*: The quarterly excess emissions report shall identify monitor availability for each quarter in which the unit operated. Monitor availability for the CO-CEMS shall be 95% or greater in any calendar quarter in which the unit operated for more than 760 hours. In the event the applicable availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving the required availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit.

[Rules 62-4.070(3) and 62-210.200(BACT), F.A.C.]

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CEMS FOR ANNUAL EMISSIONS REPORTING

17. CO-CEMS Annual Emissions Requirement: The owner or operator shall use data from the CO-CEMS when calculating annual emissions for purposes of computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for purposes of computing emissions pursuant to the reporting requirements of Rule 62-210.370(3), F.A.C. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
[Rules 62-210.200, and 62-210.370(3), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

18. Emissions Performance Test Reports: A report indicating the results of any required emissions performance test shall be submitted to the Compliance Authority no later than 45 days after completion of the last test run. The test report shall provide sufficient detail on the tested emission unit and the procedures used to allow the Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C. and in Appendix GC of this permit.
[Rule 62-297.310(8), F.A.C.].

19. Excess Emissions Reporting:

    a. *Malfunction Notification:* If emissions in excess of a standard (subject to the specified averaging period) occur due to malfunction, the permittee shall notify the Compliance Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. The Department may request a written summary report of the incident.

    b. *SIP Quarterly Report*: Within 30 days following the end of each calendar-quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of CO emissions in excess of the BACT permit standard following the NSPS format in 40 CFR 60.7(c), Subpart A. In addition, the report shall summarize the CO-CEMS system monitor availability for the previous quarter.

    c. *NSPS Reporting*: Within 30 days following the calendar quarter, the permittee shall submit the written reports required by 40 CFR 60 Subpart Da (Standards of Performance for Fossil-Fuel Fired Steam Generators) for the previous semi-annual period to the Compliance Authority.

{Note: If there are no periods of excess emissions as defined in 40 CFR, Part 60, Subpart Da, a statement to that effect may be submitted with the SIP Quarterly Report to suffice for the NSPS Semi-Annual Report.}

[Rules 62-4.130, 62-204.800, 62-210.700(6) and 62-212.400(BACT), F.A.C., and 40 CFR 60.7]

20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating hours and emissions from this facility in accordance with 62-210.370. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

21. Monthly CO-CEMS Report: Upon certification of the CO-CEMS the permittee shall submit, on a monthly basis, a report in electronic file format which includes Unit 1 and Unit 2 CO, NO_X, and heat input data. The report shall be submitted by the 15th of each month by mailing a compact disc to the Department's Bureau of Air Regulation (BAR) Permitting South Section and shall include all hourly readings from the previous month. Alternatively, upon contacting the Bureau's project engineer, the file may be emailed to the appropriate BAR personnel.

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APPENDIX BD

The Department establishes the following standards as the best available control technology (BACT) for the OUC Stanton Energy Center Units 1 and 2:

Emissions of CO from Unit 1 shall not exceed 0.018 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required continuous emissions monitoring system (CO-CEMS). Emissions of CO from Unit 2 shall not exceed 0.015 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required CO-CEMS. Emissions of CO shall not exceed these respective limits on a 3-hr average during the initial compliance demonstration.

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UNITS 1 AND 2 CO EMISSION STANDARDS AND CO-CEMS

1. Emissions of CO from Unit 1 shall not exceed 0.018 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required continuous emissions monitoring system (CO-CEMS). Emissions of CO from Unit 2 shall not exceed 0.015 lb/mmBtu heat input on a 30-operating day rolling average as demonstrated by the required CO-CEMS. Emissions of CO shall not exceed these respective limits on a 3-hr average during the initial compliance demonstration. [62-210.200 (BACT) and 62-212.400(PSD), F.A.C.]

2. CEMS Required for Demonstrating Compliance: The owner or operator shall properly install, calibrate, maintain and operate a continuous emissions monitoring system (CEMS) to measure and record emissions of CO in the units of parts per million (ppm) and convert the reading to lb/mmBtu. The owner or operator shall comply with the conditions of Appendix CEMS for the CO-CEMS required to be installed by this permit as the compliance method for a SIP-based emission standard.

3. CEMS Required for Reporting Annual Emissions: The owner or operator shall use data from the CO-CEMS when calculating annual emissions for purposes of computing actual emissions, baseline actual emissions and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for purposes of computing emissions pursuant to the reporting requirements of Rules 62-210.370(3) and 62-212.300(1)(e), F.A.C. The owner or operator shall follow the procedures in Appendix CEMS for calculating annual emissions.

CEMS OPERATION PLAN

4. CEMS Operation Plan: The owner or operator shall create and implement a plan for the proper installation, calibration, maintenance and operation of the CO-CEMS required by this permit. The owner or operator shall submit the CEMS Operation Plan to the Bureau of Air Monitoring and Mobile Sources for approval at least 60 days prior to CEMS installation. The CEMS Operation Plan shall become effective 60 days after submittal or upon its approval. If the CEMS Operation Plan is not approved, the owner or operator shall submit a new or revised plan for approval.

   {Permitting Note: The Department maintains both guidelines for developing a CEMS Operation Plan and example language that can be used as the basis for the facility-wide plan required by this permit. Contact the Emissions Monitoring Section of the Bureau of Air Monitoring and Mobile Sources at (850)488-0114.}

INSTALLATION, PERFORMANCE SPECIFICATIONS AND QUALITY ASSURANCE

5. Timelines: The owner or operator shall install the CO-CEMS required by this permit and conduct the appropriate performance specification for the CO-CEMS no later than June 30, 2008, for Unit 1, and December 31, 2008, for Unit 2, respectively.

6. Installation: The CO-CEMS shall be installed such that representative measurements of emissions or process parameters from the facility are obtained. The owner or operator shall locate the CEMS by following the procedures contained in the applicable performance specification of 40 CFR Part 60, Appendix B.

7. Span Values and Dual Range Monitors: The owner or operator shall set appropriate span values for the CEMS. The owner or operator shall install dual range monitors if required by and in accordance with the CEMS Operation Plan.

8. Moisture Correction: If necessary, the owner or operator shall determine the moisture content of the exhaust gas and develop an algorithm to enable correction of the monitoring results to a dry basis (0% moisture).

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{Permitting Note: The CEMS Operation Plan will contain additional CEMS-specific details and procedures for installation.}

9. Performance Specifications: The owner or operator shall evaluate the acceptability of the CO-CEMS by conducting the appropriate performance specification, as follows. CEMS determined to be unacceptable shall not be considered installed for purposes of meeting the timelines of this permit. For CO monitors, the owner or operator shall conduct Performance Specification 4 or 4A of 40 CFR part 60, Appendix B.

10. Quality Assurance: The owner or operator shall follow the quality assurance procedures of 40 CFR Part 60, Appendix F. The required relative accuracy test audit (RATA) tests for the CO-CEMS shall be performed using EPA Method 10 in Appendix A of 40 CFR part 60 and shall be based on a continuous sampling train.

11. Substituting RATA Tests for Compliance Tests: Data collected during CEMS quality assurance RATA tests can substitute for annual stack tests, and vice versa, at the option of the owner or operator, provided the owner or operator indicates this intent in the submitted test protocol and follows the procedures outlined in the CEMS Operation Plan.

CALCULATION APPROACH

12. CEMS Used for Compliance: Once adherence to the applicable performance specification for each CEMS is demonstrated, the owner or operator shall use the CEMS to demonstrate compliance with the applicable emission standards as specified by this permit.

13. CEMS Data: Each CEMS shall monitor and record emissions during all periods of operation and whenever emissions are being generated, including during episodes of startups, shutdowns, and malfunctions. All data shall be used, except for invalid measurements taken during monitor system breakdowns, repairs, calibration checks, zero adjustments and span adjustments, and except for allowable data exclusions as per Condition 20 of this appendix.

14. Operating Hours and Operating Days: For purposes of this appendix, the following definitions shall apply. An hour is the 60-minute period beginning at the top of each hour. Any hour during which an emissions unit is in operation for more than 15 minutes is an operating hour for that emission unit. A day is the 24-hour period from midnight to midnight. Unless otherwise specified by this permit, any day with at least one operating hour for an emissions unit is an operating day for that emission unit.

15. Valid Hourly Averages: The CO-CEMS shall be designed and operated to sample, analyze and record data evenly spaced over the hour at a minimum of one measurement per minute. All valid measurements collected during an hour shall be used to calculate a 1-hour block average that begins at the top of each hour.

    a. Hours that are not operating hours are not valid hours.

    b. For each operating hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, there is insufficient data, the 1-hour block average is not valid, and the hour is considered as "monitor unavailable."

16. Calculation Approaches: The owner or operator shall implement the calculation approach specified by this permit for the CO-CEMS, as follows: For the 30-day rolling CO average, compliance shall be determined after each operating day by calculating the arithmetic average of all the valid hourly averages from that operating day and the prior 29 operating days.

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MONITOR AVAILABILITY

17. Monitor Availability: The quarterly excess emissions report shall identify monitor availability for each quarter in which the unit operated. Monitor availability for the CO-CEMS shall be 95% or greater in any calendar quarter in which the unit operated for more than 760 hours. In the event the applicable availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving the required availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit.

EXCESS EMISSIONS

18. Definitions:

    a. *Startup* is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.

    b. *Shutdown* means the cessation of the operation of an emissions unit for any purpose.

    c. *Malfunction* means any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.

19. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

20. Data Exclusion Procedures for SIP Compliance: As per the procedures in this condition, limited amounts of CEMS emissions data may be excluded from the corresponding compliance demonstration, provided that best operational practices to minimize emissions are adhered to and the duration of data excluded is minimized. The data exclusion procedures of this condition apply only to SIP-based emission limits.

    a. *Excess Emissions.* Data in excess of the applicable emission standard may be excluded from compliance calculations if the data are collected during periods of permitted excess emissions (for example, during startup, shutdown or malfunction). The maximum duration of excluded data is 2 hours in any 24-hour period, unless some other duration is specified by this permit.

    b. *Limited Data Exclusion.* If the compliance calculation using all valid CEMS emission data, as defined in Condition 13 of this appendix, indicates that the emission unit is in compliance, then no CEMS data shall be excluded from the compliance demonstration.

    c. *Event Driven Exclusion.* The underlying event (for example, the startup, shutdown or malfunction event) must precede the data exclusion. If there is no underlying event, then no data may be excluded. Only data collected during the event may be excluded.

    d. *Reporting Excluded Data.* The data exclusion procedures of this condition are not necessarily the same procedures used for excess emissions as defined by federal rules. Quarterly or semi-annual reports required by this permit shall indicate not only the duration of data excluded from SIP compliance calculations but also the number of excess emissions as defined by federal rules.

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21. Notification Requirements: The owner or operator shall notify the Compliance Authority within one working day of discovering any emissions that demonstrate noncompliance for a given averaging period. Within one working day of occurrence, the owner or operator shall notify the Compliance Authority of any malfunction resulting in the exclusion of CEMS data. For malfunctions, notification is sufficient for the owner or operator to exclude CEMS data.

ANNUAL EMISSIONS

22. CEMS Used for Calculating Annual Emissions: All valid data, as defined in Condition 13 of this appendix, shall be used when calculating annual emissions.

    a. Annual emissions shall include data collected during startup, shutdown and malfunction periods.

    b. Annual emissions shall include data collected during periods when the emission unit is not operating but emissions are being generated (for example, when firing fuel to warm up a process for some period of time prior to the emission unit's startup).

    c. Annual emissions shall not include data from periods of time where the monitor was functioning properly but was unable to collect data while conducting a mandated quality assurance/quality control activity such as calibration error tests, RATA, calibration gas audit or relative accuracy audit (RAA). These periods of time shall be considered missing data for purposes of calculating annual emissions.

    d. Annual emissions shall not include data from periods of time when emissions are in excess of the calibrated span of the CEMS. These periods of time shall be considered missing data for purposes of calculating annual emissions.

23. Accounting for Missing Data: All valid measurements collected during each hour shall be used to calculate a 1-hour block average. For each hour, the 1-hour block average shall be computed from at least two data points separated by a minimum of 15 minutes. If less than two such data points are available, the owner or operator shall account for emissions during that hour using site-specific data to generate a reasonable estimate of the 1-hour block average.

24. Emissions Calculation: Hourly emissions shall be calculated for each hour as the product of the 1-hour block average and the duration of pollutant emissions during that hour. Annual emissions shall be calculated as the sum of all hourly emissions occurring during the year.

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The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

   a. Have access to and copy and records that must be kept under the conditions of the permit;
   b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
   c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

   Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

   a. A description of and cause of non-compliance; and

b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

    a. Determination of Best Available Control Technology (Not Applicable);
    b. Determination of Prevention of Significant Deterioration (Not Applicable);
    c. Compliance with National Emission Standards for Hazardous Air Pollutants (Not Applicable); and
    d. Compliance with New Source Performance Standards (Not Applicable).

14. The permittee shall comply with the following:

    a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

    b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

    c. Records of monitoring information shall include:

        1) The date, exact place, and time of sampling or measurements;
        2) The person responsible for performing the sampling or measurements;
        3) The dates analyses were performed;
        4) The person responsible for performing the analyses;
        5) The analytical techniques or methods used; and
        6) The results of such analyses.

When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.