

# Florida Department of Environmental Protection

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## Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation  
THROUGH: Jon Holtom, Title V Section *JH*  
FROM: Tom Cascio *Tom*  
DATE: February 3, 2010  
SUBJECT: Draft/Proposed Permit Revision No. 0090196-013-AV  
RRI Energy Florida, LLC  
Title V Air Operation Permit Revision

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit Revision;
- Public Notice of Intent to Issue Air Permit Revision;
- Statement of Basis;
- Draft/proposed permit revision; and,
- P.E. Certification.

The draft/proposed permit revises the Title V permit for the RRI Energy Florida, LLC, Indian River Plant, which is located in Brevard County, Florida. The Statement of Basis provides a summary of the project and the rationale for issuance. The P.E. certification briefly summarizes the proposed project.

The application was received on 12/21/09 and deemed complete. Day 90 is 3/21/10. There is no ongoing/open enforcement case for this facility, according to the Central District Office.

I recommend your approval of the attached draft/proposed permit revision.

Attachments

**P.E. CERTIFICATION STATEMENT**

**PERMITTEE**

RRI Energy Florida, LLC  
7800 US Highway 1  
Titusville, Florida 32780


Permit No. 0090196-013-AV  
Facility ID No. 0090196  
Indian River Plant  
Title V Air Operation Permit Revision  
Brevard County, Florida

**PROJECT DESCRIPTION**

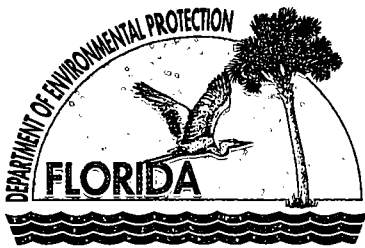
This project is for the revision of Title V air operation permit No. 0090196-011-AV for the above referenced facility. Revisions were requested by the applicant for this project, and the changes implemented are described in the Statement of Basis. The Basis of the revision is to incorporate changes made in permit number 0090196-010-AC, which was issued to specify an averaging time for the NO<sub>x</sub> emissions limit.

*I HEREBY CERTIFY that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).*

This review was conducted by Tom Cascio under my responsible supervision.

  
Jonathan K. Holtom, P.E.  
Registration Number: 0052664





# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

*Electronic Mail – Received Receipt Requested*

Dennis Shaulis, General Manager  
RRI Energy Florida, LLC  
7800 South US Highway 1  
Titusville, Florida 32780

Re: Permit No. 0090196-013-AV  
Indian River Plant  
Title V Permit Revision

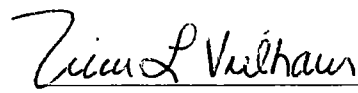
Dear Mr. Shaulis:

Enclosed is the draft/proposed permit revision package to revise the Title V air operation permit for the Indian River Plant by incorporating the applicable specific conditions of recently issued air construction permit No. 0090196-010-AC. An averaging time parameter was added to the calculation of maximum heat input rates for Units 001, 002 and 003. This facility is located in Brevard County at 7800 South US Highway 1, Titusville, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment and the primary rule applicability.
- The draft/proposed Title V air operation permit revision, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit Revision provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft/proposed permit revision; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit Revision is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Permit Revision must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication.

If you have any questions, please contact the Project Engineer, Tom Cascio, by telephone at 850/921-9526 or by email at [Tom.Cascio@dep.state.fl.us](mailto:Tom.Cascio@dep.state.fl.us).

Sincerely,

  
Trina L. Vielhauer, Chief  
Bureau of Air Regulation

2/4/10  
Date

Enclosures  
TLV/jkh/tbc

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**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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*In the Matter of an  
Application for Title V Air Operation Permit Revision by:*

RRI Energy Florida, LLC  
7800 South US Highway 1  
Titusville, Florida 32780

Permit No. 0090196-013-AV  
Facility ID No. 0090196  
Indian River Plant  
Title V Air Operation Permit Revision  
Brevard County, Florida

*Responsible Official:*  
Dennis Shaulis, General Manager

**Facility Location:** RRI Energy Florida, LLC, operates the Indian River Plant, which is located in Brevard County at 7800 South US Highway 1, Titusville, Florida.

**Project:** The purpose of this project is to revise Title V air operation permit No. 0090196-011-AV by incorporating the applicable specific conditions of recently issued air construction permit No. 0090196-010-AC. An averaging time parameter was added to the calculation of maximum heat input rates for Units 001, 002 and 003. Details of the project are provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for Title V air operation permits for facilities that contain Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit revision, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit revision by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a draft/proposed Title V air operation permit revision to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final Title V air operation permit revision in accordance with the conditions of the draft/proposed Title V air operation permit revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Title V Air Permit Revision (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication.

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

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Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit revision for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed Title V air operation permit revision, the Permitting Authority shall issue a revised draft/proposed Title V air operation permit revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

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means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

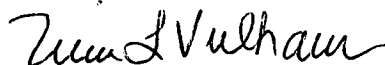
**Mediation:** Mediation is not available in this proceeding.

**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit revision as a proposed Title V air operation permit revision and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address:

<http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Title V Air Operation Permit Revision (including the Public Notice, the Statement of Basis, and the Draft/Proposed Permit Revision), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on

2/9/10 to the persons listed below.

- Mr. Dennis Shaulis, General Manager, Reliant Energy Florida, L.L.C.: [dshaulis@reliant.com](mailto:dshaulis@reliant.com)
- Mr. J. Derek Furstenwerth, Director, Environmental Reliant Energy Florida, L.L.C.: [dfurstenwerth@reliant.com](mailto:dfurstenwerth@reliant.com)
- Mr. Michael Ballenger, Senior Consultant, Trinity Consultant: [mballeng@trinityconsultants.com](mailto:mballeng@trinityconsultants.com)
- Ms. Caroline Shine, Central District Office: [caroline.shine@dep.state.fl.us](mailto:caroline.shine@dep.state.fl.us)
- Ms. Katy Forney, U.S. EPA Region 4: [forney.kathleen@epamail.epa.gov](mailto:forney.kathleen@epamail.epa.gov)
- Ms. Ana Oquendo, EPA Region 4: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov)
- Ms. Barbara Friday, DEP BAR: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)
- Ms. Victoria Gibson, DEP BAR: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us) (for reading file)

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.

Barbara J. Friday 2/9/10  
(Clerk) (Date)

## **PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft/Proposed Permit Revision No. 0090196-013-AV  
RRI Energy Florida, LLC, Indian River Plant  
Brevard County, Florida

**Applicant:** The applicant for this project is RRI Energy Florida, LLC. The applicant's responsible official and mailing address are: Dennis Shaulis, General Manager, RRI Energy Florida, LLC, Indian River Plant, 7800 South US Highway 1, Titusville, Florida 32780.

**Facility Location:** The applicant operates the existing Indian River Plant, which is located in Brevard County at 7800 South US Highway 1 in Titusville, Florida.

**Project:** The applicant applied on December 21, 2009, to the Department for a Title V air operation permit revision to incorporate the applicable specific conditions of recently issued air construction permit No. 0090196-010-AC. The air construction permit added an averaging time parameter to the calculation of maximum heat input rates for Units 001, 002 and 003. The existing facility consists of three boilers and a lime storage silo. Specifically, emissions units 001, 002 and 003 are three Combustion Engineering steam generators (boilers). The boilers may burn a variable combination of natural gas, propane, No. 6 and No. 2 fuel oils, and on-specification used oil from facility operations. Emissions units 001 and 002 share a common stack, with a height of 300 feet. Emissions unit 003 has a separate 300 foot stack. Unit 001 began operation on February 1, 1960; Unit 002 on September 1, 1964; and Unit 003 on February 1, 1974.

Emissions unit 008 is a lime storage silo filling system. The silo is equipped with a fabric filter baghouse made by General Resource Corporation, Model 13204.8. The baghouse is approximately 99 percent efficient in controlling particulate matter emissions. This unit is located at the water treatment building. The silo began operation on February 25, 1993.

**Permitting Authority:** Applications for Title V air operation permits for facilities that contain Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit revision, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit revision by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a draft/proposed Title V air operation permit revision to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final Title V air operation permit in accordance with the conditions of the draft/proposed Title V air operation permit revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**(Public Notice to be Published in the Newspaper)**



## **PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit revision for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit revision, the Permitting Authority shall issue a revised draft/proposed permit revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available for this proceeding.

**(Public Notice to be Published in the Newspaper)**

## **PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit revision as a proposed Title V air operation permit revision and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address:  
<http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

## STATEMENT OF BASIS

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### Title V Air Operation Permit Revision Permit No. 0090196-013-AV

#### **APPLICANT**

The applicant for this project is RRI Energy Florida, LLC. The applicant's responsible official and mailing address are: Dennis Shaulis, General Manager, RRI Energy Florida, LLC, Indian River Plant, 7800 South US Highway 1, Titusville, Florida 32780.

#### **FACILITY DESCRIPTION**

The applicant operates the existing Indian River Plant, which is located in Brevard County at 7800 South US Highway 1, Titusville, Florida.

This facility primarily consists of three boilers and a lime storage silo. Emissions units 001, 002 and 003 are three Combustion Engineering steam generators. The boilers may burn a variable combination of natural gas, propane, No. 6 and No. 2 fuel oils, and on-specification used oil from facility operations. Emissions units 001 and 002 share a common stack, with a height of 300 feet. Emissions unit 003 has a separate 300 foot stack. Unit 001 began operation on February 1, 1960; Unit 002 on September 1, 1964; and Unit 003 on February 1, 1974.

Emissions unit 008 is a lime storage silo filling system. The silo is equipped with a fabric filter baghouse made by General Resource Corporation, Model 13204.8. The baghouse is approximately 99 percent efficient in controlling particulate matter emissions. This unit is located at the water treatment building. The silo began operation on February 25, 1993.

Also included in this permit are miscellaneous unregulated and insignificant emissions units and activities.

#### **PROJECT DESCRIPTION**

The purpose of this permitting project is to revise the existing Title V air operation permit for the above referenced facility by incorporating applicable specific conditions from recently issued air construction permit No. 0090196-010-AC.

#### **PROCESSING SCHEDULE AND RELATED DOCUMENTS**

Application for a Title V Air Operation Permit Revision received on 12/21/09.

#### **PRIMARY REGULATORY REQUIREMENTS**

The existing facility is regulated under:

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

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

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 source of air pollution in accordance with Rule 62-212.400, F.A.C.

CAIR: The facility operates units subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

STATEMENT OF BASIS

PROJECT REVIEW

The applicant requested that the facility's current Title V air operation permit be revised to incorporate the applicable specific conditions of recently issued air construction permit No. 0090196-010-AC. Changes are indicated below. Deletions to the Title V air operation permit language are noted in ~~strike through~~ and additions are noted in double underline text.

Specific Condition A.1. is changed as follows:

A.1. Permitted Capacity. ~~The maximum operating heat input rate is as follows:~~

<u>Unit No.</u>	<u>Fuel Type</u>	<u>MMBtu/Hour</u>
<u>1</u>	<u>Natural Gas</u>	<u>865.5</u>
<u>1</u>	<u>Oil</u>	<u>832.2</u>
<u>2</u>	<u>Natural Gas</u>	<u>2248.7</u>
<u>2</u>	<u>Oil</u>	<u>2016.5</u>
<u>3</u>	<u>Natural Gas</u>	<u>3208.5</u>
<u>3</u>	<u>Oil</u>	<u>3048.8</u>

~~Additionally, on specification used oil may be fired at the rate of the lesser of:~~

- ~~a. Up to 1.5 million gallons per year; or~~
- ~~b. the equivalent heat input of 10 percent or less of the permitted heat input of No. 6 fuel oil while combusting either No. 6 fuel oil or natural gas.~~

~~[Rules 62-4.160(2), 62-204.800, 62-210.200 (PTE), and 62-296.405, F.A.C.]~~

*~~{Permitting Note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}~~*

A.1. Permitted Capacity. Based on a 4-hour rolling average, the maximum heat input rates are:

<u>Unit No.</u>	<u>Heat Input Rates (MMBtu/hour)</u>	
	<u>Gas</u>	<u>Oil</u>
<u>1</u>	<u>865.5</u>	<u>832.2</u>
<u>2</u>	<u>2248.7</u>	<u>2016.5</u>
<u>3</u>	<u>3208.5</u>	<u>3048.8</u>

The heat input rates shall be determined by fuel flow rates and the higher heating value of the fuel. [Rules 62-4.070(3), 62-4.160(2), 62-204.800, 62-210.200 (PTE), and 62-296.405, F.A.C.; 0090196-010-AC, Specific Condition 1]

New Specific Condition A.16. is added as follows:

A.16. Fuel Monitoring. The permittee shall calibrate, operate and maintain devices to continuously monitor and record the fuel flow rate and heat input rates. [0090196-010-AC, Specific Condition 2; and Rule 62-4.070(3), F.A.C.]

## STATEMENT OF BASIS

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New Specific Condition **A.31.** is added as follows:

**A.31. Fuel Monitoring Data. The permittee shall demonstrate compliance with the maximum heat input rate for each unit by maintaining records of the hourly fuel flow rate, the higher heating value of each fuel and the heat input rate. Written records shall be made available within three days of a request by the Department. If the actual heat input rate exceeds the permitted maximum heat input rate, the permittee shall notify the Compliance Authority within one working day of discovery. [0090196-010-AC, Specific Condition 3; and Rule 62-4.070(3), F.A.C.]**

Specific Conditions **A.16.** through **A.29.** are renumbered **A.17.** through **A.30.**, and Specific Condition **A.30.** is renumbered **A.32.**

### CONCLUSION

This project revises Title V air operation permit No. 0090196-011-AV, which was effective on January 1, 2010. This Title V air operation permit revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 62-214, F.A.C.

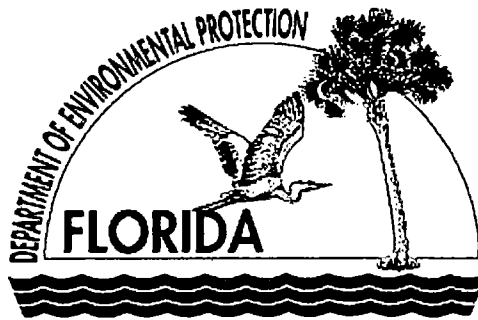
# RRI Energy Florida, LLC

Indian River Plant  
Facility ID No. 0090196  
Brevard County

## Title V Air Operation Permit Revision

**Permit No. 0090196-013-AV**

(First Revision of Title V Air Operation Permit No. 0090196-011-AV)



### **Permitting Authority:**

State of Florida  
Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation  
Title V Section  
2600 Blair Stone Road  
Mail Station #5505  
Tallahassee, Florida 32399-2400  
Telephone: (850) 488-0114  
Fax: (850) 921-9533

### **Compliance Authority:**

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2996

**Title V Air Operation Permit Revision**

Permit No. 0090196-013-AV

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# ***DRAFT/PROPOSED***

**PERMITTEE:**

RRI Energy Florida, LLC  
7800 South US Highway 1  
Titusville, Florida 32780

Permit No. 0090196-013-AV  
Indian River Plant  
Facility ID No. 0090196  
Title V Air Operation Permit Revision

The purpose of this permit is to revise the Title V Air Operation Permit for the above referenced facility. The existing Indian River Plant is located in Brevard County at US 1 and Kings Highway, Titusville, Florida. UTM Coordinates are: Zone 17, 521.5 km East and 3151.6 km North. Latitude is: 28° 29' 32" North; and, Longitude is: 80° 46' 59" 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, 62-213 and 62-214. The above named permittee is hereby authorized to operate the facility in accordance with the terms and conditions of this permit.

0090196-011-AV Effective Date: January 1, 2010  
0090196-013-AV Revision Effective Date: *(Day 55)*:  
Renewal Application Due Date: May 20, 2014  
Expiration Date: December 31, 2014

*(Draft/Proposed)*

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Joseph Kahn, Director  
Division of Air Resource Management

JK/tlv/jkh/tbc



**SECTION I. FACILITY INFORMATION.**

**Subsection A. Facility Description.**

This facility consists of three boilers and a lime storage silo. Also included in this permit are miscellaneous unregulated and insignificant emissions units and activities.

**Subsection B. Summary of Emissions Units.**

<b>EU No.</b>	<b>Brief Description</b>
<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
008	Lime Storage Silo
<i>Unregulated Emissions Units and Activities</i>	
009	Three No. 6 Fuel Oil Storage Tanks (two with 3.67 million gallon capacity, one with 7.5 million gallon capacity)
	No. 2 Fuel Oil Storage Tank (20,000 gallon capacity)
	One Gasoline Fuel Storage "Day" Tank (1000 gallon capacity)
	Fuel Loading and Unloading Activities

**Subsection C. Applicable Regulations.**

Based on the Title V Air Operation Renewal application received May 19, 2009, this facility is a major source of hazardous air pollutants (HAP). Because this facility operates a stationary reciprocating internal combustion engine, it is subject to regulation under 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. However, since the engine being operated meets the Subpart ZZZZ definition of "existing unit", there are no unit specific applicable requirements that must be met pursuant to this rule at this time. The existing facility is a 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.

<b>Regulation</b>	<b>EU No(s).</b>
<i>Federal Rule Citations</i>	
Federal Acid Rain Program, Phase II	001, 002, 003
<i>State Rule Citations</i>	
Rule 62-4, F.A.C. (Permitting Requirements)	001, 002, 003, 008
Rule 62-204, F.A.C. (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference)	
Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms)	
Rule 62-212, F.A.C. (Preconstruction Review, PSD Review and BACT)	
Rule 62-213, F.A.C. (Title V Air Operation Permits for Major Sources of Air Pollution)	

**SECTION I. FACILITY INFORMATION.**

<b>Regulation</b>	<b>EU No(s).</b>
Rule 62-296, F.A.C. (Emission Limiting Standards)	001, 002, 003, 008
Rule 62-296.470, F.A.C. (CAIR)	001, 002, 003
Rule 62-297, F.A.C. (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures)	001, 002, 003, 008
Rule 62-214, F.A.C. (Requirements For Sources Subject To The Federal Acid Rain Program)	001, 002, 003

## SECTION II. FACILITY-WIDE CONDITIONS.

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

**FW1. Appendices.** The permittee shall comply with all documents identified in Section VI, 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. Nothing is deemed necessary and ordered at this time. [Rule 62-296.320(1), F.A.C.]

**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. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, 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:

- Receiving delivery of fuel oil by barge rather than trucks, and using paved roads for the fuel trucks which deliver vehicle fuel. Additionally, watering will be used as needed to prevent emissions from unpaved areas.
- Reasonable precautions are taken by RRI Energy Florida, LLC to control unconfined particulate matter emissions from plant grounds, including the transfer point at which materials are loaded or unloaded. RRI Energy Florida, LLC will use water to suppress dust should any unconfined emissions occur. The silo loading operation will continue to be maintained and properly operated.

[Rule 62-296.320(4)(c), F.A.C.; and proposed by applicant in Title V air operation permit renewal application received May 19, 2009.]

### **Annual Reports and Fees**

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

**FW6. Annual Operating Report.** The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by April 1<sup>st</sup> of each year. [Rule 62-210.370(3), F.A.C.]

**FW7. Annual Emissions Fee Form and Fee.** The annual Title V emissions fees are due (postmarked) by March 1<sup>st</sup> of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download 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>. [Rule 62-213.205, F.A.C.]

## SECTION II. FACILITY-WIDE CONDITIONS.

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**FW8. 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.]

**FW9. Prevention of Accidental Releases (Section 112(r) of CAA).**

- a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to: RMP Reporting Center, Post Office Box 10162, Fairfax, VA 22038, Telephone: (703) 227-7650.
- b. The permittee shall 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]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Units 001, 002 and 003**

The specific conditions in this section apply to the following emissions unit(s):

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

Emissions units 001, 002, and 003 consist of three Combustion Engineering Steam Generators (boilers). The boilers may burn a variable combination of natural gas, propane, No. 6 and No. 2 fuel oils, and on-specification used oil. Emissions units 001 and 002 share a common stack, with a height of 300 feet. Emissions unit 003 has a separate 300 foot stack. Unit 001 began operation on February 1, 1960; Unit 002 on September 1, 1964; and Unit 003 on February 1, 1974. Compliance assurance monitoring (CAM) does not apply to these emissions units because there are no add-on pollution control devices installed.

*{Permitting Note: The emissions units are regulated under Acid Rain-Phase II, and Fossil Fuel Steam Generators with more than 250 million British thermal unit (Btu) per Hour Heat Input - Rule 62-296.405, F.A.C. and AO 05-183384.}*

**Essential Potential to Emit (PTE) Parameters**

**A.1. Permitted Capacity.** The maximum operating heat input rate is as follows:

Unit No.	Fuel Type	MMBtu/Hour
1	Natural Gas	865.5
1	Oil	832.2
2	Natural Gas	2248.7
2	Oil	2016.5
3	Natural Gas	3208.5
3	Oil	3048.8

Additionally, on-specification used oil may be fired at the rate of the lesser of:

- a. Up to 1.5 million gallons per year; or
- b. the equivalent heat input of 10 percent or less of the permitted heat input of No. 6 fuel oil while combusting either No. 6 fuel oil or natural gas.

[Rules 62-4.160(2), 62-204.800, 62-210.200 (PTE), and 62-296.405, F.A.C.]

*{Permitting Note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}*

**A.1. Permitted Capacity.** Based on a 4-hour rolling average, the maximum heat input rates are:

<u>Unit No.</u>	<u>Heat Input Rates (MMBtu/hour)</u>	
	<u>Gas</u>	<u>Oil</u>
<u>1</u>	<u>865.5</u>	<u>832.2</u>
<u>2</u>	<u>2248.7</u>	<u>2016.5</u>
<u>3</u>	<u>3208.5</u>	<u>3048.8</u>

## SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

### Subsection A. Emissions Units 001, 002 and 003

The heat input rates shall be determined by fuel flow rates and the higher heating value of the fuel. [Rules 62-4.070(3), 62-4.160(2), 62-204.800, 62-210.200 (PTE), and 62-296.405, F.A.C.; 0090196-010-AC, Specific Condition 1]

- 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.** The only fuels allowed to be burned are No. 2 fuel oil, No. 6 residual oil, natural gas, propane, and on-specification used oil. Magnesium based fuel oil additives may be used when firing No. 6 residual oil to control soot formation and particulate matter emissions. The used oil shall comply with the limits given in Specific Condition **A.302**. Off-specification used oil shall not be burned. [Rules 62-4.160(2), 62-210.200, 62-213.410, 62-213.440(1), F.A.C.; AO 05-183384; and Consent Order OGC File No. 92-0546.]
- A.4. Hours of Operation.** These emissions units may operate continuously (8,400 hours per year). The facility is required to keep daily records of the operating hours and associated fuel use. [Rules 62-210.200 (PTE) and 62-213.440(1)(b)1.b., F.A.C.]

#### Emission Limitations and Standards

*{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

Unless otherwise specified, the averaging times for Specific Conditions **A.5.-A.10.** are based on the specified averaging time of the applicable test method.

- A.5. Visible Emissions - Steady State.** Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall compliance test for particulate matter emissions annually. [Rule 62-296.405(1)(a), F.A.C. and Order OGC File No. 88-1257, 88-1258, and 88-1259 dated March 13, 1989.]
- A.6. Visible Emissions - Soot Blowing and Load Change.** Visible emissions shall not exceed 60 percent opacity during the 3 hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
- A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.
- Visible emissions above 60 percent opacity shall be allowed for not more than four, six-minute periods, during the three-hour period of excess emissions allowed by this subparagraph, for boiler cleaning and load changes, at units which have installed and are operating, or have committed to install or operate, continuous opacity monitors. [Rule 62-210.700(3), F.A.C.]
- A.7. Particulate Matter - Steady State.** Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods. [Rule 62-296.405(1)(b), F.A.C.]
- A.8. Particulate Matter - Soot Blowing and Load Change.** Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change. [Rule 62-210.700(3), F.A.C.]
- A.9. Sulfur Dioxide.** Sulfur dioxide emissions when burning liquid fuel shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods. [Rule 62-296.405(1)(c)1.j., F.A.C.]
- A.10. Sulfur Content.** The as-fired sulfur content of the fuels shall not exceed 2.5 percent, by weight. [Rule 62-296.405(1)(e)3., F.A.C.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Units 001, 002 and 003**

**Excess Emissions**

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

- A.11. Excess Emissions Allowed.** Excess emissions resulting from malfunction shall be permitted provided that 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.12. Excess Emissions Allowed.** Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized. [Rule 62-210.700(2), F.A.C.]
- A.13. 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.]

**Monitoring of Operations**

- A.14. Sulfur Dioxide.** The permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit. RRI Energy Florida, LLC will perform a daily sulfur content analysis of the as-fired fuel. This protocol is allowed since the emissions unit has no operating flue gas desulfurization device. [Rule 62-296.405(1)(f)1.b., F.A.C.]
- A.15. COMS for Periodic Monitoring.** RRI Energy Florida, LLC has installed continuous opacity monitoring systems (COMS) pursuant to 40 CFR Part 75. The permittee shall maintain and operate the COMS and shall make and maintain records of opacity measured by the COMS, for purposes of periodic monitoring. [Rule 62-213.440, F.A.C., and applicant requested]
- A.16. Fuel Monitoring.** The permittee shall calibrate, operate and maintain devices to continuously monitor and record the fuel flow rate and heat input rates. [0090196-010-AC, Specific Condition 2; and Rule 62-4.070(3), F.A.C.]

**Test Methods and Procedures**

*{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

- A.17. A.16. Test Methods.** Required tests shall be performed in accordance with the following reference methods:

<b>Method</b>	<b>Description of Method and Comments</b>
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
5	Method for Determining Particulate Matter Emissions (All PM is assumed to be PM <sub>10</sub> .)
6, 6A, 6B, 6C	Determination of Sulfur Dioxide (SO <sub>2</sub> ) Emissions
9	Visual Determination of the Opacity of Emissions from Stationary Sources
17	Determination of Particulate Matter Emissions from Stationary Sources
19	Determination of Sulfur Dioxide Removal Efficiency and Particulate Matter, Sulfur Dioxide, and Nitrogen Oxides Emission Rates (Optional F-factor method may be used to determine flow rate and gas analysis to calculate mass emissions in lieu of Methods 1-4.)

### SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

#### Subsection A. Emissions Units 001, 002 and 003

The above 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 unless prior written approval is received from the Department. [Rules 62-296.405, 62-297.401, 62-297.440 and 62-297.620, F.A.C.]

- A.18. ~~A.17.~~ 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, F.A.C.]
- A.19. ~~A.18.~~ Annual Compliance Tests Required.** During each federal fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>), each EU shall be tested to demonstrate compliance with the emissions standards for visible emissions and particulate matter. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours. [Rule 62-297.310(7), F.A.C.; and Administrative Permit Correction clerked on February 19, 2002]
- A.20. ~~A.19.~~ Compliance Tests Prior To Renewal.** Compliance tests shall be performed for sulfur dioxide once every 5 years. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions **A.9. – A.10.** [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.]
- A.21. ~~A.20.~~ Visible Emissions.** The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. In lieu of Method 9 testing, a transmissometer utilizing a 6-minute block average for opacity measurements may be used, provided such transmissometer is installed, certified, calibrated, operated and maintained in accordance with the provisions of 40 C.F.R. Part 75. [Rule 62-296.405(1)(e)1., F.A.C.]
- A.22. ~~A.21.~~ DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:
- a. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
  - b. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
    - (1) For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
    - (2) For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.
- In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value. [Rule 62-297.401, F.A.C.]
- A.23. ~~A.22.~~ Particulate Matter.** The test method for particulate emissions shall be EPA Method 17 incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. RRI Energy Florida, LLC may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis



**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Units 001, 002 and 003**

shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 17. [Rule 62-296.405(1)(e)2., F.A.C.]

**A.24. ~~A.23.~~ Sulfur Dioxide.** The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedances of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. The permittee may use the EPA test methods referenced above to demonstrate compliance; however, the permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit. RRI Energy Florida, LLC will perform a daily analysis of the as-fired fuel. [Rules 62-296.405(1)(e)3., 62-297.620, F.A.C.]

**A.25. ~~A.24.~~ Alternate Sampling Procedure.** The following fuel sampling and analysis protocol shall be used as an alternate sampling procedure:

- a. Determine and record the as-fired fuel sulfur content, percent by weight, for liquid fuels using either ASTM D2622-94, ASTM D4294-90 (95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 (or latest editions).
- b. Record daily the amount of each fuel fired, the density of each fuel, and the percent sulfur content by weight of the as-fired fuel.
- c. Utilize the information in a. and b., above, to calculate the SO<sub>2</sub> emission rate to ensure compliance at all times.

[Rules 62-297.440, and 62-297.620(2)(d), F.A.C.]

*{Permitting Note: The density of each fuel may be obtained by using appropriate data from the in use fuel flow monitors that measure mass flow.}*

**A.26. ~~A.25.~~ Concurrent Testing.** The particulate matter and visible emissions test shall be conducted concurrently. [Rule 62-4.070(3), F.A.C. and AO 05-183384]

**Recordkeeping and Reporting Requirements**

**A.27. ~~A.26.~~ Reporting Schedule.** The following reports and notifications shall be submitted to the Compliance Authority:

<b>Report</b>	<b>Reporting Deadline</b>	<b>Related Condition(s)</b>
Notice of Fuel Oil Used and Analysis	Quarterly	<b><u>A.289.</u></b>
<u>Excess Emissions Reporting</u>	<u>Quarterly</u>	<b><u>A.30.</u></b>
Used Oil	Quarterly	<b><u>A.302.g.</u></b>

**A.28. ~~A.27.~~ Other Reporting Requirements.** See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

**A.29. ~~A.28.~~ Fuel Oil Used and Analysis.** On a quarterly basis, the permittee shall submit a report showing the types of fuels burned and state the sulfur content of the as-fired fuel, recorded from the daily analysis required. The records shall be maintained for a minimum of five years and shall be made available to the Department upon request. The permittee shall submit a copy of the fuel oil analysis for the fuel oil burned during each compliance test with the results from the test. [Rule 62-4.070(3), F.A.C., and AO05-183384]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Units 001, 002 and 003**

**A.30. ~~A.29.~~ Quarterly Excess Emissions Reporting Requirements.** Submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the permittee of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years. [Rule 62-296.405(1)(g), F.A.C.]

**A.31. Fuel Monitoring Data.** The permittee shall demonstrate compliance with the maximum heat input rate for each unit by maintaining records of the hourly fuel flow rate, the higher heating value of each fuel and the heat input rate. Written records shall be made available within three days of a request by the Department. If the actual heat input rate exceeds the permitted maximum heat input rate, the permittee shall notify the Compliance Authority within one working day of discovery. [0090196-010-AC, Specific Condition 3; and Rule 62-4.070(3), F.A.C.]

**Other Requirements**

**A.32. ~~A.30.~~ Used Oil.** Burning of on-specification used oil is allowed by these emissions units in accordance with all other conditions of this permit and the following conditions:

- a. *On-specification Used Oil Emissions Limitations.* This emissions unit is permitted to burn only on-specification used oil, which contains a polychlorinated biphenyls (PCB) concentration of less than 50 parts per million (ppm). "On-specification" used oil is defined as used oil that meets the specifications of 40 CFR 279.11, Table 1, Standards for the Management of Used Oil, as listed below. "Off-specification" used oil shall not be burned. Used oil which exceeds any of the allowable levels of the constituents and properties in the following table is considered off-specification used oil.

CONSTITUENT/PROPERTY	ALLOWABLE LEVEL
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flash point	100 degrees F minimum

- b. *Quantity Limitation.* No more than 1.5 million gallons of on-specification used oil may be burned during any federal fiscal year.
- c. *PCB Limitation.* Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. *Operational Requirements.* On-specification used oil with a PCB concentration of greater than or equal to 2, and less than 50 ppm shall be burned only at normal source operating temperatures. Used oil with a PCB concentration of greater than or equal to 2 ppm shall not be burned during periods of startup or shutdown.
- e. *Testing Requirements.* For used oil generated on-site, RRI Energy Florida, LLC shall sample and analyze each batch of used oil to be burned for the following parameters:
  - Arsenic, cadmium, chromium, lead, total halogens, flash point and PCBs.
  - Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

For used oil obtained off-site, RRI Energy Florida, LLC shall receive from the marketer, for each load of used oil received, a *certification* that the used oil meets the criteria for on-specification used oil and contains a PCB concentration of no greater than 49 ppm. This certification shall also describe the basis for the certification, such as analytical results. Any claim that used oil does not contain quantifiable levels of PCBs (that is, the used oil contains less than 2 ppm of PCBs) must be documented by testing or

### SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

#### Subsection A. Emissions Units 001, 002 and 003

other information. The first person making that claim is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that it contains no detectable PCBs. If RRI Energy Florida, LLC does not receive certification from the marketer as described above, they must sample and test each load of used oil as outlined above for on-site testing. If RRI Energy Florida, LLC relies on the certification from the marketer, RRI Energy Florida, LLC shall, at a minimum, each calendar quarter, test one load of the used oil received, selected at random, for the above parameters. If the analytical results show that the used oil does not meet the "on-specification" criteria, or that it contains PCB's of 50 ppm or greater, RRI Energy Florida, LLC shall immediately notify and provide these results to the Department's Central District Office and immediately stop burning the used oil.

- f. *Recordkeeping Requirements.* RRI Energy Florida, LLC shall obtain, make, and keep the following records for used oil in a form suitable for inspection by the Department:
- (1) The gallons of on-specification used oil generated and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
  - (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
  - (3) The name and address of all marketers delivering used oil to the facility.
  - (4) Copies of the marketer certifications and any supporting information.
  - (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
  - (6) Results of the analyses required above.
  - (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
  - (8) Total lead emissions as a result of burning on-specification used oil on a monthly basis.
- g. *Reporting Requirements.* RRI Energy Florida, LLC shall submit to the Department, within thirty days of the end of each calendar quarter, the analytical results and the total amount of on-specification used oil generated and burned during the quarter. The permittee shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rule 62-4.070(3), F.A.C., and 40 CFR 279 and 40 CFR 761]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection B. Emissions Unit 008**

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

<b>EU No.</b>	<b>Brief Description</b>
008	Lime Storage Silo

Emissions unit 008 is a lime storage silo filling system. The silo is equipped with a fabric filter baghouse made by General Resource Corporation, Model 13204.8. The baghouse is approximately 99 percent efficient in controlling particulate matter emissions. This source is located at the water treatment building. The silo began operation on February 25, 1993. Compliance assurance monitoring (CAM) does not apply to this emissions unit because the pre-control potential to emit particulate matter is below the threshold amount of 100 tons per year.

**Essential Potential to Emit (PTE) Parameters**

**B.1. Capacity.** This silo is permitted to be loaded 14 hours per week. The maximum permitted loading rate is ten (10) tons per hour. The facility is required to keep records of the operating hours and loading rate. [Rules 62-4.160(2), 62-210.200 (PTE), 62-213.440(1)(b)1.b., F.A.C., and AO 05-229996]

**Emission Limitations and Standards**

*{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

Unless otherwise specified, the averaging times for Specific Condition **B.2.** are based on the specified averaging time of the applicable test method.

**B.2. Visible and Particulate Matter Emissions.** No owner or operator of an emissions unit source governed by Rule 62-296.711, F.A.C., shall cause, permit, or allow any visible emissions (five percent opacity) from such emissions unit. If, in order to comply with the requirements of paragraph (a) above, it is necessary to totally or partially enclose an operation and exhaust particulate laden gases through a vent or stack, emissions of particulate from such vent or stack shall not exceed 0.03 gr/dscf. An owner or operator may request the Department to determine that the emission standards of Rule 62-296.711(2)(a) and (b), F.A.C., do not constitute RACT for a facility. If the Department finds that the emission standards do not represent RACT, the Department shall make a determination of RACT for that facility. [Rule 62-296.711, F.A.C.]

**B.3. Unconfined Emissions.** Particulate matter emissions from plant grounds, including the transfer point at which materials are loaded into trucks shall be subject to the following:

- a. Area must be watered down should unconfined emissions occur.
- b. The loading operation shall be maintained and properly operated.

[Rule 62-296.320(4)(c), F.A.C. and AO 05-229996]

**Test Methods and Procedures**

*{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}*

**B.4. Test Methods.** Required tests shall be performed in accordance with the following reference methods:

<b>Method</b>	<b>Description of Method and Comments</b>
5	Method for Determining Particulate Matter Emissions (All PM is assumed to be PM <sub>10</sub> .)
9	Visual Determination of the Opacity of Emissions from Stationary Sources
22	Fugitive Opacity

The above 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 unless prior written approval is received from the Department. [Rules 62-296.405, 62-297.401, 62-297.440 and 62-297.620, F.A.C.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection B. Emissions Unit 008**

- B.5. Visible and Particulate Matter Emissions.** An annual test method for visible emissions shall be performed. The test method shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. The test method for particulate matter emissions shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. A visible emissions test indicating no visible emissions (5 percent opacity) may be submitted in lieu of a particulate stack test for materials handling emissions units subject to this rule, where the emissions unit is equipped with a baghouse. The permittee must perform and record the results of a qualitative observation of opacity (40 CFR, Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions. If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded. It is presumed that the threshold of visibility for opacity is equal to 5%. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. [Rules 62-4.070(3), 62-213.440(1)(b)1.b. and 62-297, F.A.C.; and U.S. EPA Region 4 Objection Letter, Issue No. 4, 10/27/99.]
- B.6. Silo Operation.** During compliance testing, the silo must be operated at the highest pressure and filling rate ever intended to be used. The process rate achieved during the compliance test must be recorded on the visible emission test report. [Rule 62-4.070(3), F.A.C. and AO 05-229996]

**Reporting and Recordkeeping**

- B.7. Reporting Schedule.** The following reports and notifications shall be submitted to the Compliance Authority:

<b>Report</b>	<b>Reporting Deadline</b>	<b>Related Condition(s)</b>
Notice of Operating Hours and Process Loading Rate	On Demand	<b>B.8.</b>

- B.8. Records.** RRI Energy Florida, LLC shall keep records of the operating hours and process loading rate of the lime storage silo to ensure continuous compliance with the limits in Specific Condition **B.2.** [Rules 62-4.160(2), 62-210.200 (PTE), and 62-4.070(3), F.A.C.]
- B.9. Other Reporting Requirements.** See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

SECTION IV. ACID RAIN PART.

Subsection A. Phase II

Operated by: RRI Energy Florida, LLC  
ORIS Code: 55318

The emissions units listed below are regulated under Acid Rain, Phase II.

**E.U.**

<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
001	87 MW Unit No. 1 Boiler
002	188 MW Unit No. 2 Boiler
003	328 MW Unit No. 3 Boiler

- A.1. Application.** The Phase II Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:
- DEP Form No. 62-210.900(1)(a), dated 05/19/09, received 05/21/09.  
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]
- A.2. Sulfur Dioxide (SO<sub>2</sub>) Emission Allowances.** SO<sub>2</sub> emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.
- No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.
  - No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.
  - Allowances shall be accounted for under the Federal Acid Rain Program.  
[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]
- A.3. Comments, notes, and justifications.** None.

**SECTION IV. ACID RAIN PART.**

**Subsection A. Phase II**

## Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30, 72.31, and 74; and Chapter 62-214, F.A.C.

This submission is:  New     Revised     Renewal

**STEP 1**

Identify the source by plant name, state, and ORIS or plant code.

Plant name Indian River	State FL	55318 ORIS/Plant Code
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**STEP 2**

Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a."

If unit a SO<sub>2</sub> Opt-in unit, enter "yes" in column "b".

For new units or SO<sub>2</sub> Opt-in units, enter the requested information in columns "d" and "e."

a	b	c	d	e
Unit ID#	SO <sub>2</sub> Opt-in Unit? (Yes or No)	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	New or SO <sub>2</sub> Opt-in Units Commence Operation Date	New or SO <sub>2</sub> Opt-in Units Monitor Certification Deadline
EU001	No	Yes		
EU002	No	Yes		
EU003	No	Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		

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## SECTION IV. ACID RAIN PART.

### Subsection A. Phase II

Plant Name (from STEP 1) Indian River

#### STEP 3

Read the  
standard  
requirements.

#### Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain Part application (including a compliance plan) under 40 CFR Part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the DEP determines is necessary in order to review an Acid Rain Part application and issue or deny an Acid Rain Part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain Part application or a superseding Acid Rain Part issued by the DEP; and
  - (ii) Have an Acid Rain Part.

#### Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.
- (4) For applications including a SO<sub>2</sub> Opt-in unit, a monitoring plan for each SO<sub>2</sub> Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for SO<sub>2</sub> Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

#### Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000, or the deadline for monitor certification under 40 CFR Part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Part application, the Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

#### Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR Part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR Part 77.

#### Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain 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 prior to the end of 5 years, in writing by the EPA or the DEP:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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 changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 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 Acid Rain Program; and,



**SECTION IV. ACID RAIN PART.**

**Subsection A. Phase II**

Plant Name (from STEP 1) **Indian River**

**STEP 3,  
Continued.**

Recordkeeping and Reporting Requirements (cont)

(iv) Copies of all documents used to complete an Acid Rain Part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR Part 72, Subpart I, and 40 CFR Part 75.

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities.

No provision of the Acid Rain Program, an Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudance review requirements under such state law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.

**STEP 4  
For SO<sub>2</sub> Opt-in  
units only.**

In column "f" enter the unit ID# for every SO<sub>2</sub> Opt-in unit identified in column "a" of STEP 2.

For column "g" describe the combustion unit and attach information and diagrams on the combustion unit's configuration.

In column "h" enter the hours.

f	g	h (not required for renewal application)
Unit ID#	Description of the combustion unit	Number of hours unit operated in the six months preceding initial application

**SECTION IV. ACID RAIN PART.**

**Subsection A. Phase II**

Plant Name (from STEP 1) <b>Indian River</b>
----------------------------------------------

**STEP 5**

For SO<sub>2</sub> Opt-in units only.  
(Not required for SO<sub>2</sub> Opt-in renewal applications.)

In column "i" enter the unit ID# for every SO<sub>2</sub> Opt-in unit identified in column "a" (and in column "f").

For columns "j" through "n," enter the information required under 40 CFR 74.20-74.25 and attach all supporting documentation required by 40 CFR 74.20-74.25.

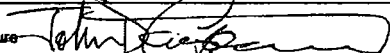
i	j	k	l	m	n
Unit ID#	Baseline or Alternative Baseline under 40 CFR 74.20 (mmBtu)	Actual SO <sub>2</sub> Emissions Rate under 40 CFR 74.22 (lbs/mmBtu)	Allowable 1985 SO <sub>2</sub> Emissions Rate under 40 CFR 74.23 (lbs/mmBtu)	Current Allowable SO <sub>2</sub> Emissions Rate under 40 CFR 74.24 (lbs/mmBtu)	Current Promulgated SO <sub>2</sub> Emissions Rate under 40 CFR 74.25 (lbs/mmBtu)

**STEP 6**

For SO<sub>2</sub> Opt-in units only.

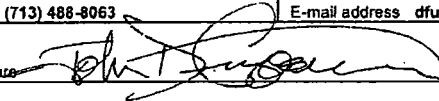
Attach additional requirements, certify and sign.

- A. If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in 40 CFR 74.47 for combustion sources must be attached.
- B. A statement whether the combustion unit was previously an affected unit under 40 CFR 74.
- C. A statement that the combustion unit is not an affected unit under 40 CFR 72.6 and does not have an exemption under 40 CFR 72.7, 72.8, or 72.14.
- D. Attach a complete compliance plan for SO<sub>2</sub> under 40 CFR 72.40.
- E. The designated representative of the combustion unit shall submit a monitoring plan in accordance with 40 CFR 74.61. For renewal application, submit an updated monitoring plan if applicable under 40 CFR 75.53(b).
- F. The following statement must be signed by the designated representative or alternate designated representative of the combustion source: "I certify that the data submitted under 40 CFR Part 74, Subpart C, reflects actual operations of the combustion source and has not been adjusted in any way."

Signature 	Date <b>19 May 09</b>
-----------------------------------------------------------------------------------------------	-----------------------

**STEP 7**

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

<b>Certification (for Designated representative or alternate designated representative only)</b>	
I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 <b>John D. Furstenwerth</b>	Title <b>Director, Air Resources</b>
Owner Company Name <b>RRI Energy Florida, LLC</b>	
Phone (713) <b>488-8063</b>	E-mail address <b>dfurstenwerth@rellant.com</b>
Signature 	Date <b>19 May 09</b>

DEP Form No. 62-210.900(1)(a) - Form Effective: 3/16/08

**SECTION V. CAIR PART.**

**Clean Air Interstate Rule**

**Clean Air Interstate Rule (CAIR).**

**Operated by:** RRI Energy Florida, LLC

**Plant:** Indian River Plant

**ORIS Code:** 55318

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

<b>EU No.</b>	<b>EPA Unit ID#</b>	<b>Brief Description</b>
001	1	87 Megawatt (MW) Unit No. 1 Boiler
002	2	188 MW Unit No. 2 Boiler
003	3	328 MW Unit No. 3 Boiler

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 March 16, 2008, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

**SECTION V. CAIR PART.**

**Clean Air Interstate Rule**

**RECEIVED**

**Clean Air Interstate Rule (CAIR) Part**

MAY 21 2009

For more information, see instructions and refer to 40 CFR 98.121, 98.122, 98.221, 98.222, 98.321 and 98.322; and Rule 62-296.470, F.A.C.

This submission is:  New  Revised  Renewal

DEPARTMENT OF AIR REGULATION

**STEP 1**

Identify the source by plant name and ORIS or EIA plant code

Plant Name: Indian River	State: Florida	ORIS or EIA Plant Code: 055318
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**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 <sub>x</sub> ) allowances in accordance with 40 CFR 98.106(c)(1)	Unit will hold sulfur dioxide (SO <sub>2</sub> ) allowances in accordance with 40 CFR 98.208(c)(1)	Unit will hold NO <sub>x</sub> Ozone Season allowances in accordance with 40 CFR 98.306(c)(1)	New Units Expected Commence Commercial Operation Date	New Units Expected Monitor Certification Deadline
EU001	X	X	X		
EU002	X	X	X		
EU003	X	X	X		

DEP Form No. 62-210.900(1)(b) – Form Effective: 3/16/08

## SECTION V. CAIR PART.

### Clean Air Interstate Rule

#### STEP 3

Read the standard requirements.

Plant Name (from STEP 1) **Indian River**

#### CAIR NO<sub>x</sub> ANNUAL TRADING PROGRAM

##### CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 98.122 and Rule 62-298.470, 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<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 98, Subpart CC, 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<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 98, Subpart HH, and Rule 62-298.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 98, Subpart HH, shall be used to determine compliance by each CAIR NO<sub>x</sub> source with the following CAIR-NO<sub>x</sub> Emissions Requirements.

##### NO<sub>x</sub> Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under 40 CFR 98.154(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with 40 CFR Part 98, Subpart HH.
- (2) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 98.170(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.
- (4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with 40 CFR Part 98, Subparts FF and GG.
- (5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 98.105 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<sub>x</sub> allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 98, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> unit.

##### Excess Emissions Requirements.

If a CAIR NO<sub>x</sub> source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 40 CFR 98.154(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 98, 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<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall keep on file at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
  - (i) The certificate of representation under 40 CFR 98.113 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> 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 98.113 changing the CAIR designated representative.
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 98, Subpart HH, of this part, provided that to the extent that 40 CFR Part 98, 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<sub>x</sub> Annual Trading Program.
  - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, including those under 40 CFR Part 98, Subpart HH.

DEP Form No. 62-210.900(1)(a) - Instructions  
Effective: 7-1-95

## SECTION V. CAIR PART.

### Clean Air Interstate Rule

STEP 3,  
Continued

Plant Name (from STEP 1) **Indian River**

#### Liability.

- (1) Each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.
- (2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> source or the CAIR designated representative of a CAIR NO<sub>x</sub> source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units at the source.
- (3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit shall also apply to the owners and operators of such unit.

#### Effect on Other Authorities.

No provision of the CAIR NO<sub>x</sub> Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 98.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source or CAIR NO<sub>x</sub> 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<sub>2</sub> TRADING PROGRAM

##### CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 98.222 and Rule 62-298.470, 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 SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 98, 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<sub>2</sub> source and each SO<sub>2</sub> CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 98, Subpart HHH, and Rule 62-298.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 98, Subpart HHH, shall be used to determine compliance by each CAIR SO<sub>2</sub> source with the following CAIR SO<sub>2</sub> Emission Requirements.

##### SO<sub>2</sub> Emission Requirements.

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

##### Excess Emissions Requirements.

- If a CAIR SO<sub>2</sub> source emits SO<sub>2</sub> during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:
- (1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 40 CFR 98.254(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 98, Subpart AAA, the Clean Air Act, and applicable state law.

DEP Form No. 62-210.900(1)(a) - Instructions  
Effective: 7-1-95

**SECTION V. CAIR PART.**  
**Clean Air Interstate Rule**

Plant Name (from STEP 1) **Indian River**

**STEP 3,**  
**Continued**

**Recordkeeping and Reporting Requirements.**

(1) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> 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<sub>2</sub> 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<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.

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

**Liability.**

(1) Each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit shall meet the requirements of the CAIR SO<sub>2</sub> Trading Program.

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

(3) Any provision of the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR SO<sub>2</sub> unit or the CAIR designated representative of a CAIR SO<sub>2</sub> unit shall also apply to the owners and operators of such unit.

**Effect on Other Authorities.**

No provision of the CAIR SO<sub>2</sub> 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<sub>2</sub> source or CAIR SO<sub>2</sub> 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<sub>x</sub> OZONE SEASON TRADING PROGRAM**

**CAIR Part Requirements.**

(1) The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> 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<sub>x</sub> Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO<sub>x</sub> Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source, and operate the source and the unit in compliance with such CAIR Part.

**Monitoring, Reporting, and Recordkeeping Requirements.**

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> 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<sub>x</sub> Ozone Season source with the following CAIR NO<sub>x</sub> Ozone Season Emissions Requirements.

**NO<sub>x</sub> Ozone Season Emission Requirements.**

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> 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<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.

(2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements starting on the later of May 1, 2009 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<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.

(5) A CAIR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> 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<sub>x</sub> 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 CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> Ozone Season unit.

DEP Form No. 62-210.900(1)(a) - Instructions  
Effective: 7-1-95

**SECTION V. CAIR PART.**

**Clean Air Interstate Rule**

Plant Name (from STEP 1) Indian River

**STEP 3,  
Continued**

Excess Emissions Requirements.

If a CAIR NO<sub>x</sub> Ozone Season source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR 96.354(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 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<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> 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 96.313 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> 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<sub>x</sub> Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.

(2) The CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

(1) Each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit shall meet the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.

(2) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season source or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> Ozone Season units at the source.

(3) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season unit or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

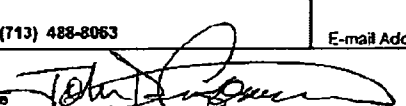
No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season source or CAIR NO<sub>x</sub> Ozone 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**

**Certification (for designated representative or alternate designated representative only)**

**Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.**

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 John D. Furstenwerth	Title Director, Air Resources
Company Owner Name RRI Energy Florida, LLC	
Phone (713) 488-8063	E-mail Address dfurstenwerth@reliant.com
Signature 	Date 19 May 09



**SECTION VI. APPENDICES.**

**The Following Appendices Are Enforceable Parts of This Permit:**

Appendix A, Glossary.

Appendix I, List of Insignificant Emissions Units and/or Activities.

Appendix O, Order OGC File No. 88-1257, 88-1258, and 88-1259

Appendix RR, Facility-wide Reporting Requirements.

Appendix TR, Facility-wide Testing Requirements.

Appendix TV, Title V General Conditions.

Appendix U, List of Unregulated Emissions Units and/or Activities.

## Friday, Barbara

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**From:** Friday, Barbara  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**To:** 'dshaulis@reliant.com'  
**Cc:** 'dfurstenwerth@reliant.com'; 'mballeng@trinityconsultants.com'; Shine, Caroline; 'Forney.Kathleen@epamail.epa.gov'; 'Oquendo.Ana@epamail.epa.gov'; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV  
**Attachments:** 0090196013AVSignedWrittenNoticeofIntent.pdf

Dear Sir/ Madam:

Attached is the official **Written Notice of Intent to Issue Air Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Attention: Tom Cascio

Owner/Company Name: RELIANT ENERGY FLORIDA, L.L.C.  
Facility Name: RELIANT INDIAN RIVER PLANT  
Project Number: 0090196-013-AV  
Permit Status: DRAFT/PROPOSED  
Permit Activity: PERMIT REVISION  
Facility County: BREVARD

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0090196.013.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0090196.013.AV.D_pdf.zip)

“The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the “*Air Permit Documents Search*” website at <http://www.dep.state.fl.us/air/emission/apds/default.asp> . “

Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
(850)921-9524

Recipient	Delivery	Read
'dshaulis@reliant.com'		
'dfurstenwerth@reliant.com'		
'mballeng@trinityconsultants.com'		
Shine, Caroline	Delivered: 2/9/2010 10:30 AM	
'Forney.Kathleen@epamail.epa.gov'		
'Oquendo.Ana@epamail.epa.gov'		
Gibson, Victoria	Delivered: 2/9/2010 10:30 AM	Read: 2/9/2010 10:32 AM
Cascio, Tom	Delivered: 2/9/2010 10:30 AM	
Holtom, Jonathan	Delivered: 2/9/2010 10:30 AM	

**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** dshaulis@reliant.com; dfurstenwerth@reliant.com  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**Subject:** Relayed: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

[dshaulis@reliant.com](mailto:dshaulis@reliant.com)

[dfurstenwerth@reliant.com](mailto:dfurstenwerth@reliant.com)

Subject: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

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Sent by Microsoft Exchange Server 2007

**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** mballeng@trinityconsultants.com  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**Subject:** Relayed: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

[mballeng@trinityconsultants.com](mailto:mballeng@trinityconsultants.com)

**Subject:** RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

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Sent by Microsoft Exchange Server 2007

**Friday, Barbara**

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**From:** Michael Ballenger [MBalleng@trinityconsultants.com]  
**Sent:** Tuesday, February 09, 2010 10:32 AM  
**To:** Friday, Barbara  
**Subject:** RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

Return Receipt

Your RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV  
document:

was received  
by:

at: 02/09/2010 10:32:53 AM

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The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you Received this in error, please contact the sender and delete the material from any computer.

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## Friday, Barbara

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**From:** Michael Ballenger [MBalleng@trinityconsultants.com]  
**Sent:** Tuesday, February 09, 2010 10:34 AM  
**To:** Friday, Barbara  
**Subject:** Re: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

I have received the draft permit.

Thanks,

Michael Ballenger, P.E.  
4767 New Broad Street  
Orlando, FL 32814  
(407) 514-2632  
Fax: (407) 641-8911

From: "Friday, Barbara" <Barbara.Friday@dep.state.fl.us>  
To: "dshaulis@reliant.com" <dshaulis@reliant.com>  
Cc: "dfurstenwerth@reliant.com" <dfurstenwerth@reliant.com>, "mballeng@trinityconsultants.com" <mballeng@trinityconsultants.com>, "Shine, Caroline" <Caroline.Shine@dep.state.fl.us>, "Forney.Kathleen@epamail.epa.gov" <Forney.Kathleen@epamail.epa.gov>, "Oquendo.Ana@epamail.epa.gov" <Oquendo.Ana@epamail.epa.gov>, "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>, "Cascio, Tom" <Tom.Cascio@dep.state.fl.us>, "Holtom, Jonathan" <Jonathan.Holtom@dep.state.fl.us>  
Date: 02/09/2010 10:30 AM  
Subject: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

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Dear Sir/ Madam:

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*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Attention: Tom Cascio

Owner/Company Name: RELIANT ENERGY FLORIDA, L.L.C.  
Facility Name: RELIANT INDIAN RIVER PLANT  
Project Number: 0090196-013-AV  
Permit Status: DRAFT/PROPOSED  
Permit Activity: PERMIT REVISION  
Facility County: BREVARD

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0090196.013.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0090196.013.AV.D_pdf.zip)

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Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
(850)921-9524

[attachment "0090196013AVSignedWrittenNoticeofIntent.pdf" deleted by Michael Ballenger/Trinity Consultants]

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The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you Received this in error, please contact the sender and delete the material from any computer.

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**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** Shine, Caroline  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**Subject:** Delivered: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Your message has been delivered to the following recipients:**

Shine, Caroline

Subject: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

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Sent by Microsoft Exchange Server 2007

**Friday, Barbara**

---

**From:** Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]  
**To:** Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**Subject:** Relayed: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

[Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov)

[Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov)

Subject: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** Cascio, Tom; Holtom, Jonathan; Gibson, Victoria  
**Sent:** Tuesday, February 09, 2010 10:30 AM  
**Subject:** Delivered: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

**Your message has been delivered to the following recipients:**

Cascio, Tom

Holtom, Jonathan

Gibson, Victoria

Subject: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

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Sent by Microsoft Exchange Server 2007

**Friday, Barbara**

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**From:** Cascio, Tom  
**To:** Friday, Barbara  
**Sent:** Tuesday, February 09, 2010 10:41 AM  
**Subject:** Read: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

Your message was read on Tuesday, February 09, 2010 10:41:03 AM (GMT-05:00) Eastern Time (US & Canada).

**Friday, Barbara**

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**From:** Holtom, Jonathan  
**To:** Friday, Barbara  
**Sent:** Tuesday, February 09, 2010 10:54 AM  
**Subject:** Read: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

Your message was read on Tuesday, February 09, 2010 10:53:39 AM (GMT-05:00) Eastern Time (US & Canada).

## Friday, Barbara

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**From:** Gibson, Victoria  
**To:** Friday, Barbara  
**Sent:** Tuesday, February 09, 2010 10:32 AM  
**Subject:** Read: RRI ENERGY FLORIDA, LLC - INDIAN RIVER PLANT; 0090196-013-AV

Your message was read on Tuesday, February 09, 2010 10:31:58 AM (GMT-05:00) Eastern Time (US & Canada).