Memorandum

Florida Department of
Environmental Protection

TO: Joseph Kahn

THRU: Trina Vielhauer
Jeff Koerner

FROM: Jonathan Holtom

DATE: February 8, 2007

SUBJECT: Permit No.: 0170004-015-AV
Final Title V Revision Permit for Progress Energy Florida's Crystal River Power Plant

Attached for approval and signature is a Final Title V permit revision for Progress Energy Florida's Crystal River Power Plant. The purpose of this revision is to reflect changes made to the coal yard that are authorized by permit number 0170004-014-AC (which was issued concurrently with this Title V permit revision). In order to decrease the time required to unload a coal barge, Progress Energy has chosen to replace the existing clamshell bucket and traveling gantry with a new crane-operated clamshell bucket on a traveling gantry.

The Public Notice requirements were met on November 3, 2006, by publishing in Citrus County Chronicle. No comments were received from EPA in response to the Proposed Permit during their 55 day review period.

I recommend your approval and signature.

Attachments

/jh

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Mr. Bernie M. Cumbie, Manager
Florida Power Corporation dba Progress Energy Florida, Inc.
2929 Allen Parkway, Suite 2200
St. Petersburg, Florida 33701

Title V Permit Project No.: 0170004-015-AV
Crystal River Power Plant
Citrus County

Enclosed is Final Permit Number 0170004-015-AV. The purpose of this revision is to reflect changes made to the coal yard that are authorized by permit number 0170004-014-AC (which was issued concurrently with this Title V permit revision). In order to decrease the time required to unload a coal barge, Progress Energy has chosen to replace the existing clamshell bucket and traveling gantry with a new crane-operated clamshell bucket on a traveling gantry. This replacement will increase the unloading capabilities from 1,500 tons of coal per hour to 2,500 tons of coal per hour. To accommodate this increase, the speed of the conveyors and crusher feeding boilers 1 and 2 is being increased from 600 tons per hour to 900 tons per hour. This permitting action will also be used to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-6, Title V Conditions (version dated 6/23/06), as well as other minor administrative corrections as described in the Statement of Basis.

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

Executed in Tallahassee, Florida.

Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final permit) was sent by Internet e-mail before the close of business on 2/22/07 to the person(s) listed:

Mr. Bernie M. Cumbie, Manager, Progress Energy Florida, Inc. (bernie.cumbie@pgnmail.com)
Mr. Dave Meyer, Progress Energy Florida, Inc. (dave.meyer@pgnmail.com)
Mr. Scott Osbourn, P.E., Golder Associates (sosbourn@golder.com)
Ms. Cindy Zhang-Torres, P.E., DEP – SWD (cindy.zhang-torres@dep.state.fl.us)
U.S. EPA, Region 4

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Barbara J. Farley 2/22/07
(Clerk) (Date)

FINAL Determination

Title V Air Operation Permit Revision
FINAL Title V Air Operation Permit No.: 0170004-015-AV
Florida Power Corporation dba Progress Energy Florida, Inc.
Crystal River Power Plant

I. Comment(s).

No comments were received from the USEPA during their 45 day review period of the PROPOSED Permit.

II. Conclusion.

In conclusion, the permitting authority hereby issues the FINAL Permit.

STATEMENT OF BASIS

FINAL Title V Revision Permit No.: 0170004-015-AV
Florida Power Corporation dba Progress Energy Florida, Inc.
Crystal River Power Plant
Citrus County

The Title V air operation permit renewal (permit number 0170004-011-AV) became final on December 28, 2004, and effective on January 1, 2005. This Title V air operation permit revision 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 perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The purpose of this revision is to reflect changes made to the coal yard that are authorized by permit number 0170004-014-AC (which is being issued concurrently with this Title V permit revision). In order to decrease the time required to unload a coal barge, Progress Energy has chosen to replace the existing clamshell bucket and traveling gantry with a new crane-operated clamshell bucket on a traveling gantry. This replacement will increase the unloading capabilities from 1,500 tons of coal per hour to 2,500 tons of coal per hour. To accommodate this increase, the speed of the conveyors and crusher feeding boilers 1 and 2 is being increased from 600 tons per hour to 900 tons per hour. This permitting action will also be used to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-6, Title V Conditions (version dated 6/23/06), as well as other minor administrative corrections as described below.

This facility consists of four coal-fired fossil fuel steam generating (FFSG) units with electrostatic precipitators; two natural draft cooling towers for FFSG Units 4 and 5; helper mechanical cooling towers for FFSG Units 1, 2 and Nuclear Unit 3; coal, fly ash, and bottom ash handling facilities; and relocatable diesel fired generator(s). The nuclear unit (Unit 3) is not considered part of this permit, although certain emissions units associated with Unit 3 are included in this permit.

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

Based on the renewal Title V permit application received June 30, 2004, this facility is a major source of hazardous air pollutants (HAPs).

The following changes are being made to Title V Air Operation Permit Renewal No. 0170004-011-AV as a result of this permitting action:

1. All occurrences of "Appendix TV-4, Title V Conditions (version dated 2/12/02)" have been replaced by "Appendix TV-6, Title V Conditions (version dated 6/23/06)".

2. To update the contact address for the Southwest District office, Facility-wide Condition 10. is changed as follows:

10. The Permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office:

Department of Environmental Protection
Southwest District Office
~~3804 Coconut Palm Drive~~13051 North Telecom Parkway
~~Tampa, Florida 33619-8218~~ Temple Terrace, FL 33637-0926
Telephone: ~~813/744-6100~~813/632-7600
Fax: ~~813/744-6084~~813/632-7668

3. The following conditions in Section III, Subsection H. (Emissions Unit 016) have been changed as follows:

Subsection H. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
016	Material handling activities for coal-fired steam units.

Emissions Unit 016 is material handling activities for coal-fired steam units. This emissions unit consists of a crane-operated clam-shell bucket mounted on a traveling gantry, enclosed conveyor belts, coal crushers and storage bunkers used for the storage and transport of coal, ~~fly ash and bottom ash~~ for FFSG Units 1, 2, 4 and 5. This unit also encompasses fly ash and bottom ash handling equipment associated with Units 4 and 5 which are ~~and~~ not addressed by other emissions units. Emissions are particulate matter and PM_{10} from these activities.

{Permitting note(s): This emissions unit is regulated partially under Power Plant Siting Certification PA 77-09(Units 4 and 5 only). The material handling activities are also regulated by PSD permit AC 09-162037 / PSD-FL-139; and, are subject to NSPS 40 CFR 60 Subpart Y. This emissions unit is also regulated under permit number 0170004-014-AC (issued concurrently with this revised permit number 0170004-015-AV), which authorized the replacement of the barge unloading equipment to decrease the time required to unload coal barges, and the increase in conveying and crushing speeds of the equipment feeding coal to units 1 and 2.}

The following specific conditions apply to the emissions unit(s) listed above:

Emission Limitations and Standards

H.1. Pursuant to 40 CFR 60.252 Standards for Particulate Matter.
(c) The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.
[40 CFR 60.252 (coal facilities associated with Units 1, 2, 4 and 5)]

H.2. Visible Emissions. The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater, six minute average. To the extent possible, the equipment that comprises the coal

processing equipment at this facility (crushers, conveyors, drop points, and storage bunkers) shall be covered or enclosed at all times the equipment is in operation. Except for the barge load-out and the stacker re-claimer sections of the conveying system that are required by design to be open, and which are not specifically subject to regulation under 40 CFR 60, Subpart Y, any other open section of the coal processing equipment shall be required to have an annual visible emission test conducted upon it, as outlined in Condition H.4.
[PPSC PA 77-09 (coal facilities associated with Units 1, 2, 4 and 5); and, 0170004-014-AC]

H.3. No Change

Test Methods and Procedures

H.4. Visible Emissions. **(This condition applies to coal facilities associated with emissions units 001, 002, 004 and 003 -- FFSG Units 1, 2, 4 and 5.)** ~~Pursuant to 40 CFR 60.254 Test Methods and Procedures.~~
~~(2) EPA Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.~~
When required by the Department, or annually as specified in Condition 3, EPA Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity (see Appendix A - 40 CFR 60, Subpart A Standard Conditions, attached).
[40 CFR 60.254(2); and, 0170004-014-AC]

{Permitting Note: Except as specified in Condition H.2., annual testing is not being required because the regulated emissions points are either enclosed or confined within a building.}

~~**H.5.** Visible Emissions. **(This condition applies to coal facilities associated with emissions units 001 and 002 -- FFSG Units 1 and 2.)** VE Test Method. EPA Method 9 shall be used to determine opacity.~~
~~[Rules 62-4.070(3), 62-213.440 and 62-297.401, F.A.C.]~~

{Permitting note: For those emissions points containing a baghouse (ash silos), the permittee shall perform and record the results of weekly qualitative observations of visible emissions checks (e.g., Method 22) with follow-up Method 9 tests within 24 hours of any abnormal visible emissions.}

Common Conditions

H.6~~5~~. This emissions unit is also subject to conditions **I.1**, **~~I.2~~**, **I.4**, **I.5,** and **I.14** ~~(condition I.2 is also not applicable to activities at units subject to NSPS 40 CFR 60 (i.e., activities at FFSG Units 4 and 5)~~ contained in **Subsection I. Common Conditions.** This emissions unit is also subject to conditions **I.6.(a)9** & **(b)**, **I.12(a)2** and **I.15.(a)** & **(b)**; the other provisions of conditions **I.6**, **I.12** and **I.15** are not applicable to this emissions unit.

H.7~~6~~. These emissions units are also subject to conditions **J.1**, **J.2**, **J.3(b), (c) and (d)** and **J.4** contained in **Subsection J. NSPS Common Conditions.**

H.7. This emissions unit is also subject to the applicable terms and conditions contained in the attached Appendix A, 40 CFR 60, Subpart A Standard Conditions, and the attached Appendix Y, 40 CFR 60, Subpart Y Standard Conditions.
[0170004-014-AC]

4. For consistency with changes made to Specific Condition H.5., Common Conditions I.2. and I.3. are changed as follows:

I.2. ~~**(This condition is not applicable to emissions units 004 and 003 – FFSG Units 4 and 5.)**~~ Excess emissions resulting from startup, shutdown or 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.]

I.3. ~~**(This condition applies to emissions units 001 and 002 – FFSG Units 1 and 2.)**~~ 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.]

Florida Power Corporation dba Progress Energy Florida, Inc.
Crystal River Power Plant
Facility ID No.: 0170004
Citrus County

Title V Air Operation Permit Revision
FINAL Permit No.: 0170004-015-AV

Permitting Authority:
State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section

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

Telephone: 850/488-1344
Fax: 850/922-6979

Compliance Authority:
Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
Telephone: 813/632-7600
Fax: 813/632-7668

Title V Air Operation Permit Revision
FINAL Permit No.: 0170004-015-AV

Table of Contents

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

Permittee:
Florida Power Corporation
dba Progress Energy Florida, Inc.
One Power Plaza
263 13th Avenue South, BB1A
St. Petersburg, FL 33701-5511

FINAL Permit No.: 0170004-015-AV
Facility ID No.: 0170004
SIC Nos.: 49, 4911
Project: Title V Air Operation Permit Revision

This facility is located on Power Line Road, West of U.S. Hwy. 19, Crystal River, Citrus County; UTM Coordinates: Zone 17, 334.3 km East and 3204.5 km North; Latitude: 28° 57' 34" North and Longitude: 82° 42' 1" West.

STATEMENT OF BASIS: This 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 perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit. The purpose of this revision is to incorporate the terms and conditions of permit number 0170004-014-AC relating to the replacement of the coal barge unloading equipment.

Referenced attachments made a part of this permit:
Appendix A, 40 CFR 60, Subpart A Standard Conditions
Appendix Y, 40 CFR 60, Subpart Y Standard Conditions
Appendix U-1, List of Unregulated Emissions Units and/or Activities
Appendix I-1, List of Insignificant Emissions Units and/or Activities
Appendix CAM
Appendix TV-6, Title V Conditions (version dated 06/23/06)
Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)
Appendix P, Sensitive Paper Sampling Locations and Apparatus
Table 297.310-1, Calibration Schedule (version dated 10/07/96)
Figure 1 - Summary Report-Gaseous And Opacity Excess Emission And Monitoring System Performance Report (version dated 7/96)
Phase II Acid Rain Application/Compliance Plans received 12/22/95 and 06/30/2004
Phase I Acid Rain permit dated 3/27/97
Alternate Sampling Procedure: ASP Number 97-B-01 and ASP Number 00-E-01
Order Granting Petition for Reduced Frequency of Particulate Testing, OGC Case No. 86-1576, Order dated December 12, 1986 (Emissions Unit 001)
Best Management Plan, KBN, November 1990
Figure A, Ambient Air Monitoring Locations, Crystal River, Florida

Effective Date: May 29, 2006
Revision Effective Date: February 14, 2007
Renewal Application Due Date: July 5, 2009
Expiration Date: December 31, 2009

Joseph Kahn, Director
Division of Air Resource Management

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of four coal-fired fossil fuel steam generating (FFSG) units with electrostatic precipitators; two natural draft cooling towers for FFSG Units 4 and 5; helper mechanical cooling towers for FFSG Units 1, 2 and Nuclear Unit 3; coal, fly ash, and bottom ash handling facilities, and relocatable diesel fired generator(s). The nuclear unit (Unit 3) is not considered part of this permit, although certain emissions units associated with Unit 3 are included in this permit.

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

Based on the initial Title V permit application received June 14, 1996 and renewal application received June 30, 2004, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator (FFSG), Unit 1
002	FFSG, Unit 2
004	FFSG, Unit 4
003	FFSG, Unit 5
006	Fly ash transfer (Source 1) from FFSG Unit 1
008	Fly ash storage silo (Source 3) for FFSG Units 1 and 2
009	Fly ash transfer (Source 4) from FFSG Unit 2
010	Fly ash transfer (Source 5) from FFSG Unit 2
014	Bottom ash storage silo for FFSG Units 1 and 2, with associated vacuum blower exhausts and bin vent filter (total of three emission points)
7775047, 001	Relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts.
013	Cooling towers for FFSG Units 1, 2, and 3, used to reduce plant discharge water temperature
015	Cooling towers for FFSG Units 4 and 5 used to reduce plant discharge water temperature
016	Material handling activities for coal-fired steam units

Unregulated Emissions Units and/or Activities	
017	Fuel and lube oil tanks and vents
018	Sewage treatment, water treatment, lime storage
019	Three 3500 kW diesel generators associated with Unit 3

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:
Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
Appendix H-1, Permit History/ID Number Changes
Table 1-1, Summary of Air Pollutant Standards and Terms
Table 2-1, Summary of Compliance Requirements

Documents on file with USEPA:
Risk Management Plan submitted to the RMP Reporting Center on 06/21/99 (received date).

These documents are on file with the permitting authority:
Initial Title V Permit Application received June 14, 1996
BACT Determination dated 8/29/90 (Cooling Tower Drift Emission Rate)
BACT Determinations ordered 2/5/79 (proposed 1/26/79) and 8/16/79 (Fly Ash Transfer)
Revision to Permit Application received April 17, 1998
Letter received November 9, 1998, from Mr. Scott Osbourn.
Letter received August 2, 1999, from Mr. J. Michael Kennedy
Title V Permit Revision Application received September 5, 2000
Renewal Title V Permit Application received June 30, 2004
Letter received September 22, 2004, from Mr. Mike Olive
Title V Revision Application Received July 14, 2006
Request for Additional Information Sent August 11, 2006
Additional Information Letter Received September 5, 2006, from Mr. Scott Osbourn

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-6, TITLE V CONDITIONS is a part of this permit.
{Permitting note: APPENDIX TV-6, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}

2. Not Federally Enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.
The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. & 4, F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA).
a. As required by Section 112(r)(7)(B)(iii) of the CAAA and 40 CFR 68, the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.
b. As required under Section 252.941(1)(c), F.S., the owner or operator shall report to the appropriate representative of the Department of Community Affairs (DCA), as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the CAAA.
c. The owner or operator shall submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.

Any required written reports, notifications, certifications, and data required to be sent to the DCA, should be sent to:
Department of Community Affairs
Division of Emergency Management
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
Telephone: 850/413-9921, Fax: 850/488-1739

Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:
RMP Reporting Center
Post Office Box 1515
Lanham-Seabrook, MD 20703-1515
Telephone: 301/429-5018

Any required reports to be sent to the National Response Center, should be sent to:

National Response Center
EPA Office of Solid Waste and Emergency Response
USEPA (5305 W)
401 M Street, SW
Washington, D.C. 20460
Telephone: 1/800/424-8802

Send the required annual registration fee using approved forms made payable to:

Cashier
Department of Community Affairs
State Emergency Response Commission
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2149

[Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.]

5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.
[Rule 62-213.440(1), F.A.C.]

6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. Not Federally Enforceable. General Pollutant Emission Limiting Standards. 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 (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The owner or operator shall:

a. Tightly cover or close all VOC or OS containers when they are not in use.
b. Tightly cover all open tanks which contain VOC or OS when they are not in use.
c. Maintain all pipes, valves, fittings, etc., which handle VOC or OS in good operating condition.
d. Immediately confine and clean up VOC or OS spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1)(a), F.A.C.; Proposed by applicant in the initial Title V permit application received June 14, 1996]

8. Not Federally Enforceable. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility may include, as needed:

a. Maintenance of paved areas as needed.
b. Regular mowing of grass and care of vegetation.
c. Limiting access to plant property by unnecessary vehicles.

[Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application received June 14, 1996]

9. When appropriate any recording, monitoring or reporting requirements that are time-specific shall be in accordance with the effective date of this permit, which defines day one.
[Rule 62-213.440, F.A.C.]

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office:

Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
Telephone: 813/632-7600
Fax: 813/632-7668

Any reports, data, notifications, certifications and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPRCA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, GA 30303-8960
Phone: 404/562-9155
Fax: 404/562-9163 or 404/562-9164

11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year using DEP Form number 62-213.900(7), F.A.C. [Rule 62-213.440(3), F.A.C.]
{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-6, TITLE V CONDITIONS)}

12. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
[Rule 62-213.420(4), F.A.C.]

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1: a tangentially fired unit, rated at 440.5 MW, 3750 MMBtu/hr, burning bituminous coal; or a bituminous coal and bituminous coal briquette mixture. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 499 ft. stack. This unit may also burn oily flyash.
002	Fossil Fuel Steam Generator, Unit 2: a tangentially fired unit, rated at 523.8 MW, 4795 MMBtu/hr, burning bituminous coal; or a bituminous coal and bituminous coal briquette mixture. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 502 ft. stack. This unit may also burn oily flyash.

Fossil Fuel Steam Generators, Units 1 and 2, are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc.

Compliance Assurance Monitoring (CAM) Requirements
These emissions units are subject to the Compliance Assurance Monitoring (CAM) requirements contained in the attached Appendix CAM. Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation; however, it may constitute good reason to require compliance testing pursuant to Rule 62-297.310(7)(b), F.A.C.
[40 CFR 64; and, Rules 62-204.800 and 62-213.440(1)(b)1.a., F.A.C.]

{Permitting Notes: These emissions units are regulated under Acid Rain, Phase I and II and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input, and Power Plant Siting Certification PA 77-09 conditions. Fossil fuel fired steam generator Unit 1 began commercial operation in 1966. Fossil fuel fired steam generator Unit 2 began commercial operation in 1969.}

The following specific conditions apply to the emissions unit(s) listed above:

{Permitting note: In addition to the requirements listed below, these emissions units are also subject to the standards and requirements contained in the Acid Rain Part of this permit (see Section IV).}

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
001	3750	Bituminous Coal; or Bituminous Coal and Bituminous Coal Briquette Mixture
002	4795	Bituminous Coal; or Bituminous Coal and Bituminous Coal Briquette Mixture

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

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

determining future rule applicability. Regular record keeping is not required for heat input. Instead the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.}

A.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **I.11**.
[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation. Fuels. The only fuels allowed to be burned by this permit are: bituminous coal; a bituminous coal and bituminous coal briquette mixture, and distillate fuel oil for startup. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**). Emissions units 001 and 002 may also burn oily flyash in accordance with specific condition **A.16** of this permit.
[Rule 62-213.410, F.A.C.; 0170004-002-AO; 0170004-005-AO; and, 0170004-006-AC]

Emission Limitations and Standards

A.4.a. Visible Emissions - Emissions Unit 001. Visible emissions shall not exceed 40 percent opacity, six minute average. 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 OGC Case No. 86-1576, Order dated December 12, 1986.]

A.4.b. Visible Emissions - Emissions Unit 002. Visible emissions shall not exceed 20 percent opacity, six minute average, except for one two-minute period per hour during which opacity shall not exceed 40 percent. Emissions units governed by this visible emissions limit shall compliance test for particulate matter emissions annually and as otherwise required by Chapter 62-297, F.A.C.
[Rule 62-296.405(1)(a), F.A.C.]

A.5. Visible Emissions - Soot Blowing and Load Change. Excess emissions from existing fossil fuel steam generators resulting from boiler cleaning (soot blowing) and load change shall be permitted provided the duration of such excess emissions shall not exceed 3-hours in any 24 hour period and visible emissions shall not exceed Number 3 of the Ringelmann Chart (60 percent opacity), six minute average, and providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of the excess emissions shall be minimized.

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 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition, for boiler cleaning and load changes, at units which have installed and are operating continuous opacity monitors.
[Rule 62-210.700(3), F.A.C. Note: these units have operational continuous opacity monitors.]

A.6. Particulate Matter. 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.7. 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.]

{Permitting note: The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

A.8. Sulfur Dioxide.
(a) When burning coal, sulfur dioxide emissions shall not exceed 2.1 pounds per million Btu heat input, 24-hour average.
(b) The maximum percent sulfur content of the coal/briquette mixture shall not exceed 1.05%, by weight, averaged on an annual basis.
[Rule 62-213.440, F.A.C.; PPSC PA 77-09; 0170004-003-AC; and, 0170004-006-AC]

Test Methods and Procedures

A.9. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17 or 5 incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis 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 5 or 17.
[Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

A.10. Visible Emissions. The test method for visible emissions shall be EPA Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C.
[Rules 62-296.405(1)(e)1. and 62-297.401, F.A.C.]

A.11. 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 exceedences 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, as an alternate sampling procedure authorized by permit, the permittee may demonstrate compliance using fuel sampling and analysis.** If the permittee elects to discontinue fuel sampling and analysis, it shall perform a stack test for sulfur dioxide at the time of the next particulate matter test, and annually thereafter until fuel sampling and analysis is resumed.
[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.]

A.12. Sulfur Dioxide. The owner or operator may demonstrate compliance with the sulfur dioxide limitation using fuel sampling and analysis. This protocol is allowed because the emissions unit does not have an operating flue gas desulfurization device. See specific conditions **A.11** and **A.13**. [Rule 62-296.405(1)(f)1.b., F.A.C.]

A.13. Sulfur Dioxide - Fuel Sampling. The following fuel sampling and analysis program shall be used as an alternate sampling procedure authorized by permit to demonstrate compliance with the sulfur dioxide standard:

a. Determine and record the as-fired fuel sulfur content, percent by weight, for coal using appropriate ASTM methods such as, ASTM D2013-72, ASTM D3177-75, and ASTM D4239-85, or latest ASTM edition methods, to analyze a representative sample of coal following each fuel delivery.

b. Record daily the amount of coal fired, the density of each fuel, the Btu value, and the percent sulfur content by weight of each fuel.

c. Utilize the information in a. and b., above, to calculate the SO_2 emission rate to ensure compliance at all times.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

Monitoring of Operations

A.14. Annual Tests Required - PM and VE. Except as provided in specific conditions **I.6** and **I.7** of this permit, emission testing for particulate matter emissions and visible emissions shall be performed annually.
[Rules 62-4.070(3), 62-213.440, and 62-297.310(7), F.A.C.]

A.15. Excess Emissions - Report. Submit to the Southwest District Air Section a written report of emissions in excess of emission limiting standards as set forth in this permit, for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. [Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

Oily Flyash

A.16. Oily Flyash. These emissions units may burn oily flyash ("flyash") from Bartow Unit 1 in accordance with the following:

a. Only flyash from Bartow Unit 1 may be burned in these emissions units. Once the accumulated backlog of Bartow Unit 1 flyash (estimated at approximately 13,000 tons) is burned, only the additional flyash generated at Bartow Unit 1 shall be burned in these emissions units.
b. The maximum flyash blend rate shall not exceed 2% of the total boiler feed on a weight basis.
c. The owner or operator shall make and maintain the following records for each day that flyash is burned in the boiler:

1. Date and Unit number;
2. Time period of flyash burning and start and end times;
3. Total quantity of flyash burned in tons per day;
4. Maximum flyash blend rate during period of flyash burn (percent flyash in total emissions unit fuel feed on a weight basis).

[Rules 62-4.070(3) and 62-213.440, F.A.C.; and, 0170004-005-AO]

Common Conditions

A.17. These emissions units are also subject to conditions **I.1** through **I.15** contained in **Subsection I. Common Conditions.**

A.18. These emissions units are also subject to condition **K.1** contained in **Subsection K. Used Oil Common Condition.**

Record Keeping and Reporting Requirements:

A.19. COMS for Periodic Monitoring:
Periodic monitoring for opacity shall be COMS, which are maintained and operated in conformance with 40 CFR Part 75.
[Rule 62-213.440, F.A.C.]

Subsection B. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
004	Fossil Fuel Steam Generator, Unit 4, a dry bottom wall-fired unit, rated at 760 MW, 6665 MMBtu/hr, capable of burning bituminous coal, a bituminous coal and bituminous coal briquette mixture, and used oil, with number 2 fuel oil as a startup fuel, and natural gas as a startup and low-load flame stabilization fuel, with emissions exhausted through a 600 ft. stack.
003	Fossil Fuel Steam Generator, Unit 5, a dry bottom wall-fired unit, rated at 760 MW, 6665 MMBtu/hr, capable of burning bituminous coal, a bituminous coal and bituminous coal briquette mixture, and used oil, with number 2 fuel oil as a startup fuel, and natural gas as a startup and low-load flame stabilization fuel, with emissions exhausted through a 600 ft. stack.

Fossil Fuel Steam Generators, Units 4 and 5, are pulverized coal dry bottom boilers, wall-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Combustion Engineering.

Compliance Assurance Monitoring (CAM) Requirements
These emissions units are subject to the Compliance Assurance Monitoring (CAM) requirements contained in the attached Appendix CAM. Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation; however, it may constitute good reason to require compliance testing pursuant to Rule 62-297.310(7)(b), F.A.C.
[40 CFR 64; and, Rules 62-204.800 and 62-213.440(1)(b)1.a., F.A.C.]

{Permitting Notes: These emissions units are regulated under Acid Rain, Phase I and II and Rule 62-210.300, F.A.C., Permits Required; 40 CFR 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971; and, Power Plant Siting Certification PA 77-09 conditions. Fossil fuel fired steam generator Unit 4 began commercial operation in 1982. Fossil fuel fired steam generator Unit 5 began commercial operation in 1984.}

The following specific conditions apply to the emissions unit(s) listed above:

{Permitting note: In addition to the requirements listed below, these emissions units are also subject to the standards and requirements contained in the Acid Rain Part of this permit (see Section IV).}

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
004	6665	Bituminous Coal and Bituminous Coal /Bituminous Coal Briquette Mixture
003	6665	Bituminous Coal and Bituminous Coal /Bituminous Coal Briquette Mixture

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

{Permitting note: The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability. Regular record keeping is not required for heat input. Instead the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what

percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.}

B.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **I.11.**
[Rule 62-297.310(2), F.A.C.]

B.3. Methods of Operation. Fuels. The only fuel allowed to be burned is bituminous coal or bituminous coal and bituminous coal briquette mixture with the exception that number 2 fuel oil may be used as an ignitor fuel, and natural gas may be used as a startup and low-load flame stabilization fuel. Fuel oil shall not contain more than 0.73% sulfur by weight. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**).
[Rule 62-213.410, F.A.C.; and, PPSC PA 77-09 and modified conditions]

Emission Limitations and Standards

B.4. Pursuant to 40 CFR 60.42 Standard For Particulate Matter.

(a) No owner or operator shall cause to be discharged into the atmosphere from any affected facility any gases which:
(1) Contain particulate matter in excess of 43 nanograms per joule heat input (0.10 lb per million Btu) derived from fossil fuel.
(2) Exhibit greater than 20 percent opacity, six minute average, except for one six-minute period per hour of not more than 27 percent opacity.
[40 CFR 60.42(a)(1) & (2)]

B.5.a. Standard For Sulfur Dioxide.

(a) No owner or operator shall cause to be discharged into the atmosphere from any affected facility any gases which contain sulfur dioxide in excess of:
(1) 340 nanograms per joule heat input (0.80 lb per million Btu), 24-hour average, derived from liquid fossil fuel.
(2) 520 nanograms per joule heat input (1.2 lb per million Btu), 24-hour average, derived from solid fossil fuel.
(b) When different fossil fuels are burned simultaneously in any combination, the applicable standard (in ng/J) shall be determined by proration using the following formula:

$PS_{SO2} = [y(340) + z(520)]/(y+z)$

where:
PS_{SO2} is the prorated standard for sulfur dioxide when burning different fuels simultaneously, in nanograms per joule heat input derived from all fossil fuels fired or from all fossil fuels and wood residue fired,
y is the percentage of total heat input derived from liquid fossil fuel, and
z is the percentage of total heat input derived from solid fossil fuel.
(c) Compliance shall be based on the total heat input from all fossil fuels burned, including gaseous fuels.
[40 CFR 60.43(a), (b) and (c); and, PPSC PA 77-09]

B.5.b. Standard For Sulfur Dioxide. The maximum percent sulfur content of the coal/briquette mixture shall not exceed 0.68%, by weight, averaged on an annual basis. {See specific conditions **B.10.** and **B.11.**}
[Rule 62-213.440, F.A.C.; and, 0170004-006-AC]

B.6. Pursuant to 40 CFR 60.44 Standard For Nitrogen Oxides.

(a) On and after the date on which the performance test required to be conducted by 40 CFR 60.8 is completed, no owner or operator subject to the provisions of 40 CFR 60, Subpart D, shall cause to be discharged into the atmosphere from any affected facility any gases which contain nitrogen oxides, expressed as NO_2 in excess of:
(1) 86 nanograms per joule heat input (0.20 lb per million Btu), 30-day rolling average, derived from gaseous fossil fuel.
(2) 129 nanograms per joule heat input (0.30 lb per million Btu), 30-day rolling average, derived from liquid fossil fuel.
(3) 300 nanograms per joule heat input (0.70 lb per million Btu), 30-day rolling average, derived from solid fossil fuel.
(b) When different fossil fuels are burned simultaneously in any combination, the applicable standard (in ng/J) is determined by proration using the following formula:

$$PS_{NOx} = \frac{x(86)+y(130)+z(300)}{x+y+z}$$

where:
PS_{NOx} = is the prorated standard for nitrogen oxides when burning different fuels simultaneously, in nanograms per joule heat input derived from all fossil fuels fired or from all fossil fuels fired;
x = is the percentage of total heat input derived from gaseous fossil fuel;
y = is the percentage of total heat input derived from liquid fossil fuel; and,
z = is the percentage of total heat input derived from solid fossil fuel.
[40 CFR 60.44(a)(2) and (3), and (b); and, PPSC PA 77-09]

B.7. Unit Specific State Only Limit For Nitrogen Oxides. A unit specific, state-only average annual NO_X emission limit of 0.50 lb/mmBtu applies. Compliance shall be demonstrated within the Annual Operating Report (AOR). [Applicant Request]

Test Methods and Procedures

B.8. Pursuant to 40 CFR 60.46 Test methods and Procedures.

(a) When conducting emissions tests, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of 40 CFR 60 or other methods and procedures as specified in 40 CFR 60.46, except as provided in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in 40 CFR 60.46(d).
(b) The owner or operator shall determine compliance with the particulate matter, SO_2, and NO_x standards in 40 CFR 60.42, 60.43, and 60.44 as follows:
(1) The emission rate (E) of particulate matter, SO_2, or NO_x shall be computed for each run using the following equation:

$$E = C F_d (20.9)/(20.9 - \%O_2)$$

E = emission rate of pollutant, ng/J (1b/million Btu).
C = concentration of pollutant, ng/dscm (1b/dscf).
$\%\ O_2$ = oxygen concentration, percent dry basis.
F_d = factor as determined from Method 19.

(2) Method 5 shall be used to determine the particulate matter concentration (C) at affected facilities without wet flue-gas-desulfurization (FGD) systems.
(i) The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). The probe and filter holder heating systems in the sampling train may be set to provide a gas temperature no greater than 160 ± 14 °C (320 ± 25 °F).

(ii) The emission rate correction factor, integrated or grab sampling and analysis procedure of Method 3B shall be used to determine the O_2 concentration ($\%O_2$). The O_2 sample shall be obtained simultaneously with, and at the same traverse points as, the particulate sample. If the grab sampling procedure is used, the O_2 concentration for the run shall be the arithmetic mean of all the individual O_2 sample concentrations at each traverse point.

(iii) If the particulate run has more than 12 traverse points, the O_2 traverse points may be reduced to 12 provided that Method 1 is used to locate the 12 O_2 traverse points.

(3) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.

(4) Method 6 shall be used to determine the SO_2 concentration.

(i) The sampling site shall be the same as that selected for the particulate sample. The sampling location in the duct shall be at the centroid of the cross section or at a point no closer to the walls than 1 m (3.28 ft). The sampling time and sample volume for each sample run shall be at least 20 minutes and 0.020 dscm (0.71 dscf). Two samples shall be taken during a 1-hour period, with each sample taken within a 30-minute interval.

(ii) The emission rate correction factor, integrated sampling and analysis procedure of Method 3B shall be used to determine the O_2 concentration ($\%O_2$). The O_2 sample shall be taken simultaneously with, and at the same point as, the SO_2 sample. The SO_2 emission rate shall be computed for each pair of SO_2 and O_2 samples. The SO_2 emission rate (E) for each run shall be the arithmetic mean of the results of the two pairs of samples.

(5) Method 7 shall be used to determine the NO_x concentration.

(i) The sampling site and location shall be the same as for the SO_2 sample. Each run shall consist of four grab samples, with each sample taken at about 15-minute intervals.

(ii) For each NO_x sample, the emission rate correction factor, grab sampling and analysis procedure of Method 3B shall be used to determine the O_2 concentration ($\%O_2$). The sample shall be taken simultaneously with, and at the same point as, the NO_x sample.

(iii) The NO_x emission rate shall be computed for each pair of NO_x and O_2 samples. The NO_x emission rate (E) for each run shall be the arithmetic mean of the results of the four pairs of samples.

(c) When combinations of fossil fuels are fired, the owner or operator (in order to compute the prorated standard as shown in 40 CFR 60.43(b) and 60.44(b)) shall determine the percentage (x, y, or z) of the total heat input derived from each type of fuel as follows:

(1) The heat input rate of each fuel shall be determined by multiplying the gross calorific value of each fuel fired by the rate of each fuel burned.

(2) ASTM Methods D 2015-77 (solid fuels), D 240-76 (liquid fuels), or D 1826-77 (gaseous fuels) (incorporated by reference-see 40 CFR 60.17) shall be used to determine the gross calorific values of the fuels.

(3) Suitable methods shall be used to determine the rate of each fuel burned during each test period, and a material balance over the steam generating system shall be used to confirm the rate.

(d) The owner or operator may use the following as alternatives to the reference methods and procedures in 40 CFR 60.46 or in other sections as specified:

(1) The emission rate (E) of particulate matter, SO_2 and NO_x may be determined by using the Fc factor, provided that the following procedure is used:

(i) The emission rate (E) shall be computed using the following equation:

$$E = C F_c (100 / \%CO_2)$$

where:
E = emission rate of pollutant, ng/J (lb/million Btu).
C = concentration of pollutant, ng/dscm (lb/dscf).
$\%CO_2$ = carbon dioxide concentration, percent dry basis.
F_c = factor as determined in appropriate sections of Method 19.

(ii) If and only if the average F_c factor in Method 19 is used to calculate E and either E is from 0.97 to 1.00 of the emission standard or the relative accuracy of a continuous emission monitoring system is from 17 to 20 percent, then three runs of Method 3B shall be used to determine the O_2 and CO_2 concentration according to the procedures in 40 CFR 60.46(b) (2)(ii), (4)(ii), or (5)(ii). Then if F_o (average of three runs), as calculated from the equation in Method 3B, is more than ± 3 percent than the average F_o value, as determined from the average values of F_d and F_c in Method 19, i.e., $F_{oa} = 0.209 (F_{da} / F_{ca})$, then the following procedure shall be followed:

(A) When F_o is less than 0.97 F_{oa}, then E shall be increased by that proportion under 0.97 F_{oa}, e.g., if F_o is 0.95 F_{oa}, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the emission standard.

(B) When F_o is less than 0.97 F_{oa} and when the average difference ($\bar{d}$) between the continuous monitor minus the reference methods is negative, then E shall be increased by that proportion under 0.97 F_{oa}, e.g., if Fo is 0.95 F_{oa}, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

(C) When F_o is greater than 1.03 F_{oa} and when $\bar{d}$ is positive, then E shall be decreased by that proportion over 1.03 F_{oa}, e.g., if F_o is 1.05 F_{oa}, E shall be decreased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

(2) For Method 5 or 5B, Method 17 may be used at facilities with or without wet FGD systems if the stack gas temperature at the sampling location does not exceed an average temperature of 160 °C (320 °F). The procedures of sections 2.1 and 2.3 of Method 5B may be used with Method 17 only if it is used after wet FGD systems. Method 17 shall not be used after wet FGD systems if the effluent gas is saturated or laden with water droplets.

(3) Particulate matter and SO_2 may be determined simultaneously with the Method 5 train provided that the following changes are made:

(i) The filter and impinger apparatus in sections 2.1.5 and 2.1.6 of Method 8 is used in place of the condenser (section 2.1.7) of Method 5.

(ii) All applicable procedures in Method 8 for the determination of SO_2 (including moisture) are used:

(4) For Method 6, Method 6C may be used. Method 6A may also be used whenever Methods 6 and 3B data are specified to determine the SO_2 emission rate, under the conditions in 40 CFR 60.46(d)(1).

(5) For Method 7, Method 7A, 7C, 7D, or 7E may be used. If Method 7C, 7D, or 7E is used, the sampling time for each run shall be at least 1 hour and the integrated sampling approach shall be used to determine the O_2 concentration ($\%O_2$) for the emission rate correction factor.

(6) For Method 3, Method 3A or 3B may be used.

(7) For Method 3B, Method 3A may be used.

[40 CFR 60.46(a), (b), (c) & (d)]

B.9. Annual RATA Tests May Substitute for Annual NOx and SO_2 Tests. Annual RATA tests performed for nitrogen oxides and sulfur dioxide may be substituted for the annual compliance tests for these pollutants. To substitute for the annual compliance tests, the owner or operator must notify the Department of the RATA tests and the results must be submitted as the compliance tests, in accordance with the requirements of specific conditions I.6.(a)9. and I.15 of this permit. The requirements of specific conditions I.9 and I.12.(a)1. shall not apply to these tests. The test runs shall be consecutively completed in a manner that fulfills the test length requirements of the EPA test methods.

[Request of applicant, February 11, 1998]

B.10. The permittee shall demonstrate compliance with the sulfur dioxide limit in specific condition **B.5.b.** by means of a fuel analysis provided by the vendor or the permittee upon each fuel delivery. See specific condition **B.5.b.** and **B.11.**

[Rule 62-213.440, F.A.C.; and, 0170004-006-AC]

B.11. Sulfur Dioxide - Fuel Sampling. The following fuel sampling and analysis program shall be used as an alternate sampling procedure authorized by permit to demonstrate compliance with the fuel sulfur standard:

a. Determine and record the as-fired fuel sulfur content, percent by weight, for coal using appropriate ASTM methods such as, ASTM D2013-72, ASTM D3177-75, and ASTM D4239-85, or latest ASTM edition methods, to analyze a representative sample of coal following each fuel delivery.

b. Record daily the amount of coal fired, the density of each fuel, the Btu value, and the percent sulfur content by weight of each fuel.

c. Utilize the information in a. and b., above, to calculate the SO_2 emission rate to ensure compliance at all times.

[Rule 62-213.440, F.A.C.; and, 0170004-006-AC]

Monitoring of Operations

B.12. Maintain Daily Log. The owner or operator shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values to facilitate calculations of emissions.
[PPSC PA 77-09]

B.13. Annual Tests Required - PM, VE, SO_2 and NOx. Except as provided in specific conditions **I.6** and **I.7** of this permit, emission testing for particulate matter emissions, visible emissions, sulfur dioxide and nitrogen oxides shall be performed annually.
[Rules 62-4.070(3), 62-213.440, and 62-297.310(7), F.A.C.]

B.14. Pursuant to 40 CFR 60.45 Emission Monitoring.

CMS for Opacity, SO_2, NOx, and CO_2 are Required.
(a) Each owner or operator shall install, calibrate, maintain, and operate continuous monitoring systems for measuring the opacity of emissions, sulfur dioxide emissions, nitrogen oxides emissions, and carbon dioxide except as provided in 40 CFR 60.45(b).
(c) For performance evaluations under 40 CFR 60.13(c) and calibration checks under 40 CFR 60.13(d), the following procedures shall be used:
(1) Methods 6, 7, and 3B, as applicable, shall be used for the performance evaluations of sulfur dioxide and nitrogen oxides continuous monitoring systems. Acceptable alternative methods for Methods 6, 7, and 3B are given in 40 CFR 60.46(d).
(2) Sulfur dioxide or nitric oxide, as applicable, shall be used for preparing calibration gas mixtures under Performance Specification 2 of Appendix B to 40 CFR 60.
(3) For affected facilities burning fossil fuel(s), the span value for a continuous monitoring system measuring the opacity of emissions shall be 80, 90, or 100 percent and for a continuous monitoring system measuring sulfur oxides or nitrogen oxides the span value shall be determined per the applicable requirements in 40 CFR Part 75.
(4) All span values computed under 40 CFR 60.45(c)(3) for burning combinations of fossil fuels shall be rounded to the nearest 500 ppm.
(e) For any continuous monitoring system installed under 40 CFR 60.45(a), the following conversion procedures shall be used to convert the continuous monitoring data into units of the applicable standards (ng/J, lb/million Btu):
(1) When a continuous monitoring system for measuring oxygen is selected, the measurement of the pollutant concentration and oxygen concentration shall each be on a consistent basis (wet or dry). Alternative procedures approved by the Administrator shall be used when measurements are on a wet basis. When measurements are on a dry basis, the following conversion procedure shall be used:

$E = CF[20.9/(20.9\text{-percent } O_2)]$
where:
E, C, F, and % O_2 are determined under 40 CFR 60.45(f).

(2) When a continuous monitoring system for measuring carbon dioxide is selected, the measurement of the pollutant concentration and carbon dioxide concentration shall each be on a consistent basis (wet or dry) and the following conversion procedure shall be used:

$E = CF_c\,[100/\text{percent } CO_2]$
where:
E, C, F_c and $\%CO_2$ are determined under 40 CFR 60.45(f).
(f) The values used in the equations under 40 CFR 60.45(e) (1) and (2) are derived as follows:
(1) E = pollutant emissions, ng/J (lb/million Btu).

(2) C = pollutant concentration, ng/dscm (lb/dscf), determined by multiplying the average concentration (ppm) for each one-hour period by 4.15×10^{-4} M ng/dscm per ppm (2.59×10^{-9} M lb/dscf per ppm) where M = pollutant molecular weight, g/g-mole (lb/lb-mole). M = 64.07 for sulfur dioxide and 46.01 for nitrogen oxides.

(3) % O_2, % CO_2 = oxygen or carbon dioxide volume (expressed as percent), determined with equipment specified under 40 CFR 60.45(a).

(4) F, F_c = a factor representing a ratio of the volume of dry flue gases generated to the calorific value of the fuel combusted (F), and a factor representing a ratio of the volume of carbon dioxide generated to the calorific value of the fuel combusted (F_c), respectively. Values of F and F_c are given as follows:

(ii) For subbituminous and bituminous coal as classified according to ASTM D388-77 (incorporated by reference-see 40 CFR 60.17), $F = 2.637 \times 10^{-7}$ dscm/J (9,820 dscf/million Btu) and $F_c = 0.486 \times 10^{-7}$ scm CO_2 /J (1,810 scf CO_2 /million Btu).

(iii) For liquid fossil fuels including crude, residual, and distillate oils, $F = 2.476 \times 10^{-7}$ dscm/J (9,220 dscf/million Btu) and $F_c = 0.384 \times 10^{-7}$ scm CO_2 /J (1,430 scf CO_2 /million Btu).

(iv) For gaseous fossil fuels, $F = 2.347 \times 10^{-7}$ dscm/J (8,740 dscf/million Btu). For natural gas, propane, and butane fuels, $F_c = 0.279 \times 10^{-7}$ scm CO_2 /J (1,040 scf CO_2 /million Btu) for natural gas, 0.322×10^{-7} scm CO_2 /J (1,200 scf CO_2/million Btu) for propane, and 0.338×10^{-7} scm CO_2 /J (1,260 scf CO_2 /million Btu) for butane.

(5) The owner or operator may use the following equation to determine an F factor (dscm/J or dscf/million Btu) on a dry basis (if it is desired to calculate F on a wet basis, consult the Administrator) or F_c factor (scm CO_2 /J, or scf CO_2 /million Btu) on either basis in lieu of the F or F_c factors specified in 40 CFR 60.45(f)(4):

$$F = 10^{-6} \frac{[227.2\ (\text{pct. H}) + 95.5\ (\text{pct. C}) + 35.6\ (\text{pct. S}) + 8.7\ (\text{pct. N}) - 28.7\ (\text{pct. O})]}{\text{GCV}}$$

$$F_c = \frac{2.0 \times 10^{-5}\ (\text{pct. C})}{\text{GCV}}$$

(SI units)

$$F = 10^{6} \frac{3.64(\%H) + 1.53(\%C) + 0.57(\%S) + 0.14(\%N) - 0.46(\%O)}{\text{GCV}}$$

(English units)

$$F_c = \frac{20.0(\%C)}{\text{GCV}}$$

(SI units)

$$F_c = \frac{321 \times 10^{3}\ (\%C)}{\text{GCV}}$$

(English units)

(i) H, C, S, N, and O are content by weight of hydrogen, carbon, sulfur, nitrogen, and oxygen (expressed as percent), respectively, as determined on the same basis as GCV by ultimate analysis of the fuel fired, using ASTM method D3178-74 or D3176 (solid fuels) or computed from results using ASTM method D1137-53(75), D1945-64(76), or D1946-77 (gaseous fuels) as applicable. (These five methods are incorporated by reference-see 40 CFR 60.17.)

(ii) GCV is the gross calorific value (kJ/kg, Btu/lb) of the fuel combusted determined by the ASTM test methods D2015-77 for solid fuels and D1826-77 for gaseous fuels as applicable. (These two methods are incorporated by reference-see 40 CFR 60.17.)

(6) For affected facilities firing combinations of fossil fuels, the F or F_c factors determined by paragraphs 40 CFR 60.45(f)(4) or (f)(5) shall be prorated in accordance with the applicable formula as follows:

$$F = \sum_{i=1}^{n} X_i F_i \quad \text{or} \quad F_c = \sum_{i=1}^{n} X_i (F_c)_i$$

where:
X_i = the fraction of total heat input derived from each type of fuel (e.g. natural gas, bituminous coal, etc.)
F_i or $(F_c)_i$ = the applicable F or F_c factor for each fuel type determined in accordance with paragraphs (f)(4) and (f)(5) of this section.
n = the number of fuels being burned in combination.
[40 CFR 60.45(a), (b), (c), (e) and (f); PPSC PA 77-09]

COMS for Periodic Monitoring:
Periodic monitoring for opacity shall be COMS, which are maintained and operated in conformance with 40 CFR Part 75.
[Rule 62-213.440, F.A.C.]

B.15. Excess Emission Reports.
(g) Excess emission reports shall be submitted to the Department for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. Each excess emission report shall include the information required in 40 CFR 60.7(c). Periods of excess emissions that shall be reported are defined as follows:
(1) Opacity. Excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20 percent opacity, except that one six-minute average per hour of up to 27 percent opacity need not be reported.
(2) Sulfur dioxide. Excess emissions for affected facilities are defined as:
(i) Any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) of sulfur dioxide as measured by a continuous monitoring system exceed the applicable standard under 40 CFR 60.43.
(3) Nitrogen oxides. Excess emissions for affected facilities using a continuous monitoring system for measuring nitrogen oxides are defined as any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standards under 40 CFR 60.44.
[40 CFR 60.45(g)]

Other NSPS Subpart D Conditions

B.16. Pursuant to 40 CFR 60.41 Definitions. As used in 40 CFR 60 Subpart D, all terms not defined in 40 CFR 60.41 shall have the meaning given them in the Act, and in Subpart A of 40 CFR 60.

Ambient Air Monitoring

B.17. Ambient Air Monitoring. The owner or operator shall continue to operate the existing ambient monitoring devices for sulfur dioxide and suspended particulate at the two existing locations (sites) designated on Figure A, Ambient Air Monitoring Locations, Crystal River, Florida, attached to this permit. The frequency of operation of each monitoring device for suspended particulate shall be every six days, and continuously for sulfur dioxide, unless otherwise specified by the Department. New or existing monitoring devices shall be located as designated by the Department. The monitoring devices for sulfur dioxide shall meet the requirements of 40 CFR 53.
[PPSC PA 77-09, and order modifying conditions of certification, OGC Case No. 83-0818, dated February 2, 1984, and Rules 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

B.18. Flue Gas Desulfurization (FGD) equipment. Prior to the installation of any FGD equipment, plans and specifications for such equipment shall be submitted to the Department for review and approval. [PPSC PA 77-09]

Common Conditions

B.19. These emissions units are also subject to conditions **I.1** through **I.15**, except for **I.2** and **I.3**, contained in **Subsection I. Common Conditions.**

B.20. These emissions units are also subject to conditions **J.1** through **J.5** contained in **Subsection J. NSPS Common Conditions.**

B.21. These emissions units are also subject to condition **K.1** contained in **Subsection K. Used Oil Common Condition.**

Subsection C. This section addresses the following emissions units.

E.U. ID No.	Brief Description
006	Fly ash transfer (Source 1) from Fossil Fuel Steam Generator (FFSG) Unit 1.
008	Fly ash storage silo (Source 3) for FFSG Units 1 and 2.
009	Fly ash transfer (Source 4) from FFSG Unit 2.
010	Fly ash transfer (Source 5) from FFSG Unit 2.

Emissions unit 006 is a fly ash transfer (Source 1) from Fossil Fuel Steam Generator (FFSG) Unit 1. This emissions unit consists of the fly ash conveying line, dense phase transfer vessel and separator used to transfer fly ash from the FFSG Unit 1 electrostatic precipitator to the fly ash storage silo (Source 3) at a design transfer rate of 44 tons per hour. Particulate matter emissions are controlled by a Monex Resources, Inc. Model MD80 baghouse at a design air flow of 1820 acfm.

Emissions unit 008 is a fly ash storage silo (Source 3) for FFSG Units 1 and 2. This emissions unit consists of the fly ash storage silo used to store fly ash from the electrostatic precipitators of FFSG Units 1 and 2. Fly ash is pneumatically conveyed from the FFSG Units 1 and 2 ESPs at a combined transfer rate of 174 tons per hour. Particulate matter emissions are controlled by a PulseKing Model M 100 S baghouse at a design air flow of 2546 acfm. Fly ash from the storage silo is disposed of either in a dry form by loading into enclosed tanker trucks or in a wet form by loading wet ash into open trucks.

Emissions unit 009 is a fly ash transfer (Source 4) from FFSG Unit 2. This emissions unit consists of the fly ash conveying line, dense phase transfer vessel and separator used to transfer fly ash from the FFSG Unit 2 ESP number 2C to the fly ash storage silo (Source 3) at a design transfer rate of 60 tons per hour. Particulate matter emissions are controlled by a Monex Resources, Inc. Model MD80 baghouse at a design air flow of 2200 acfm.

Emissions unit 010 is a fly ash transfer (Source 5) from FFSG Unit 2. This emissions unit consists of the fly ash conveying line, dense phase transfer vessel and separator used to transfer fly ash from the FFSG Unit 2 ESP number 2A and 2B to the fly ash storage silo (Source 3) at a maximum design transfer rate of 70 tons per hour. Particulate matter emissions are controlled by a Monex Resources, Inc. Model MD80 baghouse at a design air flow of 2800 acfm.

{Permitting note(s): These emissions units are regulated under Best Available Control Technology (BACT) Determinations ordered 2/5/79 (proposed 1/26/79) and 8/16/79.}

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

C.1. Permitted Capacity. The transfer rates shall not exceed:

Emissions Unit	Transfer Rate (tons per hour)
006	44
008	174
009	60
010	70

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

Emission Limitations and Standards

C.2. Emission Limitations. Emissions of particulate matter from the following emissions units shall not exceed:

Emissions Unit	Emission Limit (pounds per hour)	Emission Limit (tons per year)
006	3.5 [a]	15.4 [a]
008	0.6 [a]	2.6 [a]
009	2.2 [b]	9.6 [b, c]
010	2.2 [b]	9.6 [b, c]

Notes:

a Emission limits based on a BACT Determination proposed 1/26/79, ordered 2/5/79. BACT for emissions units 006 and 007 included a VE limit of 5% opacity, six minute average.
b Emission limits based on a BACT Determination ordered 8/16/79.
c The tons per year limits for emissions units 009 and 010 have been corrected to one decimal place.
[AC 09-25791]

C.3. VE in Lieu of Stack Test. Because the ash handling system emissions units are controlled with baghouses, the Department has waived particulate matter testing requirements and specified an alternate standard of 5% opacity. If the Department has reason to believe that the particulate emission standard applicable to each emissions unit (006, 008, 009 and 010) is not being met, it may require that compliance be demonstrated by stack testing in accordance with Chapter 62-297, F.A.C.
[Rule 62-297.620(4), F.A.C.; and, AC 09-256791]

C.4. Additional Reasonable Precautions for Control of Particulate Matter Emissions. The owner or operator shall take the following reasonable precautions to control emissions of particulate matter from transport of ash from emissions unit 008 for disposal or use. Ash for transport shall be wetted before loading into open trucks, or dry ash shall be transferred to enclosed tanker trucks.
[Rule 62-4.070(3), F.A.C.; and, AC 09-256791]

Monitoring of Operations

C.5. Annual VE Tests Required. Each emissions unit (006, 008, 009 and 010) shall be tested for visible emissions annually using EPA Method 9. Each test shall be a minimum of thirty minutes in duration from each exhaust point, while transferring fly ash from both FFSG Units 1 and 2 to the silo (emissions unit 008) at the same time. The tests shall be conducted during a period when both FFSG Units 1 and 2 are operating at 90 to 100% of full load while sootblowing. A statement of the FFSG unit loads, verifying the tests were conducted during sootblowing, shall be submitted with the test reports.
[Rule 62-4.070(3), F.A.C.; and, AC 09-256791]

{Permitting note: For those emissions points containing a baghouse, the permittee shall perform and record the results of weekly qualitative observations of visible emissions checks (e.g., Method 22) with follow-up Method 9 tests within 24 hours of any abnormal visible emissions.}

Common Conditions

C.6. These emissions units are also subject to conditions **I.1** through **I.15**, except for **I.3**, contained in **Subsection I. Common Conditions.**

Subsection D. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
014	Bottom ash storage silo for FFSG Units 1 and 2, with associated vacuum blower exhausts and bin vent filter (total of three emission points).

Emissions unit 014 is a bottom ash storage silo for FFSG Units 1 and 2, with associated vacuum blower exhausts and bin vent filter (total of three emission points). This emissions unit consists of the system to collect and store bottom ash and economizer ash from both FFSG Units 1 and 2 at a total rate of 16 tons per hour (8 tons per hour from each FFSG unit) at an airflow rate of 2200 scfm from each unit. Ash is conveyed by vacuum from each FFSG unit by a separate vacuum blower, with air and ash passing through a baghouse (filter/separator) where ash is deposited in the silo and air is exhausted through the vacuum blower. Air displaced in the silo is vented through an additional bag filter (the bin vent filter) at an airflow rate of 2400 scfm. Ash stored in the silo is unloaded into trucks for sale, use or disposal at the on-site ash disposal facility. Ash will be wet via a pugmill before loading into open trucks, or dry ash will be transferred to enclosed tanker trucks.

{Permitting note(s): This emissions unit is regulated under Rule 62-296.320, F.A.C., and by applicable requirements of AC 09-235915.}

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

D.1. Permitted Capacity. The transfer rates shall not exceed 16 tons per hour (8 tons per hour from each FFSG unit).
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

D.2. Visible Emissions (VE) Limitation. Visible emissions shall be less than 20% opacity, six minute average, established by Rule 62-296.320(4)(b)1, F.A.C. See Section II, condition **3** of this permit.
[Rule 62-296.320(4)(b)1, F.A.C.]

D.3. Additional Reasonable Precautions for Control of Particulate Matter Emissions. The owner or operator shall take the following reasonable precautions to control emissions of particulate matter from transport of ash from emissions unit 014 for disposal or use. Ash for transport shall be wet via a pugmill before loading into open trucks, or dry ash shall be transferred to enclosed tanker trucks.
[Rule 62-4.070(3), F.A.C.; and, AC 09-235915]

Monitoring of Operations

D.4. Annual VE Tests Required. Each emission point of emissions unit 014 shall be tested for visible emissions annually using EPA Method 9. Each test shall be a minimum of thirty minutes in duration from each exhaust point, while transferring bottom ash and economizer ash from both FFSG Units 1 and 2 to the silo at the same time at 90-100% of design throughput rate of 8 TPH.
[Rules 62-4.070(3) and 62-296.320(4)(b)4, F.A.C.; AC 09-235915; and, AO 09-248541]

{Permitting note: For those emissions points containing a baghouse, the permittee shall perform and record the results of weekly qualitative observations of visible emissions checks (e.g., Method 22) with follow-up Method 9 tests within 24 hours of any abnormal visible emissions.}

Common Conditions

D.5. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.3**, contained in **Subsection I. Common Conditions.**

Subsection E. This section addresses the following emissions unit.

Facility ID No.	E. U. ID No.	Brief Description
7775047	-001	Relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled.

The generators may be relocated to any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. Hines Energy Complex, County Road 555, 1 mi. southwest of Homeland, Polk County.
7. Anclote Power Plant, 1729 Baileys Road, Holiday, Pasco County

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Each generator has its own stack. This section of the permit is only applicable when the generator(s) is(are) located at the Crystal River Plant.}

The following specific conditions apply to the emissions units listed above regardless of location:

Essential Potential to Emit (PTE) Parameters

E.1. Permitted Capacity. The maximum (combined) heat input rate shall not exceed 25.74 million Btu per hour.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

E.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **E.9.**
[Rule 62-297.310(2), F.A.C.]

E.3. Methods of Operation - Fuels. Only new No. 2 fuel oil with a maximum sulfur content of 0.5%, by weight, shall be fired in the diesel generator(s).
[Rule 62-213.410, F.A.C.; and, AC 09-202080.]

E.4. Hours of Operation. The hours of operation expressed as "engine-hours" shall not exceed 2970 hours in any consecutive 12 month period. The total hours of operation expressed as "engine-hours" shall be the summation of the individual hours of operation of each generator.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AC 09-202080.]

Emission Limitations and Standards

E.5. Visible Emissions. Visible emissions from each generator shall not be equal to or greater than 20 percent opacity, six minute average.
[Rule 62-296.320(4)(b)1., F.A.C.; and, AC 09-202080.]

Monitoring of Operations

E.6. Fuel Sulfur Analysis. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor or permittee upon each fuel delivery. See specific condition **E.3.** and **E.8.**
[Rule 62-213.440, F.A.C.]

Test Methods and Procedures

E.7. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

E.8. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s).
[Rules 62-213.440 and 62-297.440, F.A.C.]

E.9. Operating Rate During Testing. Testing of emissions shall be conducted with the generator(s) operating at 90 to 100 percent of the maximum fuel firing rate for each generator. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operations may be limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Failure to submit the actual operating rate may invalidate the test.
[Rule 62-297.310(2), F.A.C.; and, AC 09-202080]

E.10. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning liquid fuels for less than 400 hours per year.
[Rules 62-297.310(7)(a)4. & 8., F.A.C.]

E.11. After each relocation, each generator shall be tested within 30 days of startup for opacity and the fuel shall be analyzed for the sulfur content. See specific conditions **E.3.**, **E.5.**, and **E.6.**
[Rules 62-4.070(3) and 62-297.310(7)(b),F.A.C.; and, AO 09-205952.]

Record Keeping and Reporting Requirements

E.12. To demonstrate compliance with specific condition **E.4.**, records shall indicate the daily hours of operation for each of the generators, the daily hours of operation expressed as "engine- hours" and the cumulative total hours of operation expressed as "engine-hours" for each month. The records shall be maintained for a minimum of 5 years and made available to the Southwest District Office upon request.
[Rules 62-213.440 and 62-297.310(8), F.A.C.; and, AO 09-205952.]

E.13. To demonstrate compliance with specific condition **E.3.**, records of the sulfur content, in percent by weight, of all the fuel burned shall be kept based on either vendor provided as-delivered or as-received fuel sample analysis. The records shall be maintained for a minimum of 5 years and made available to the Southwest District Office upon request.
[Rule 62-297.310(8), F.A.C.; and, AC 09-202080.]

Source Obligation

E.14. Specific conditions in construction permit AC 09-202080, limiting the "engine hours", were accepted by the applicant to escape Prevention of Significant Deterioration review. If Progress Energy Florida requests a relaxation of any of the federally enforceable emission limits in this permit, the relaxation of limits may be subject to the preconstruction review requirements of Rule 62-212.400(5), F.A.C., as though construction had not yet begun. [Rule 62-212.400(2)(g), F.A.C.; and, AC 09-202080.]

E.15. Progress Energy Florida shall notify the Department's Southwest District Office, in writing, at least 15 days prior to the date on which any diesel generator is to be relocated. The notification shall specify the following;

a. which generator, by serial number, is being relocated,
b. which location the generator is being relocated from and which location it is being relocated to, and
c. the approximate startup date at the new location.

If a diesel generator is to be relocated within Pinellas County, then Progress Energy Florida shall provide the same notification to the Air Quality Division of the Pinellas County Department of Environmental Management. [Rule 62-4.070(3), F.A.C.; and, AC 09-202080]

Common Conditions

E.16. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.3** and **I.8**, contained in **Subsection I. Common Conditions.**

Subsection F. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
013	Cooling towers for FFSG Units 1, 2 and nuclear Unit 3, used to reduce plant discharge water temperature.

Emissions unit 013 is cooling towers for FFSG Units 1, 2 and nuclear Unit 3, used to reduce plant discharge water temperature. (This emission unit may be referred to as "helper cooling towers.") This emissions unit consists of four towers with nine cells per tower, with high efficiency drift eliminators, operating at a maximum seawater flow rate of 735,000 gallons per minute for all cells combined, with a design airflow rate of 1.46×10^6 acfm from each cell. Seawater is sprayed through the towers where fan induced air flow causes evaporative cooling. Water vapor, saltwater droplets (drift) and salt particles are emitted. Drift emissions are controlled by high efficiency drift eliminators.

{Permitting note(s): This emissions unit is regulated under Prevention of Significant Deterioration (PSD) (PSD permit AC 09-162037/PSD-FL-139 issued 8/29/90) and Best Available Control Technology (BACT), Determination dated 8/29/90, which set a drift emission rate of 0.004%.}

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

F.1. Hours of Operation. The operating hours for each cooling tower pump shall not exceed 4320 hours per year (12-month rolling total).
[Rule 62-210.200(PTE), F.A.C.; and, AC 09-162037 (PSD-FL-139)]

Emission Limitations and Standards

F.2. Cooling Tower Emission Limit. Emissions of particulate matter from each cooling tower cell shall not exceed 11.9 pounds per hour.
{Note: The emission limit is based on a BACT Determination setting the maximum drift emissions at 0.004%. Equivalent maximum emissions are 428 lb/hr and 925 tons per year total for all cells. PM_{10} emissions are estimated to be approximately 50% of the particulate matter emission rate.}
[Rule 62-213.440, F.A.C.; and, AC 09-162037 (PSD-FL-139)]

F.3. Drift Eliminators. Drift eliminators shall be installed and maintained so that minimum bypass occurs. Regular maintenance shall be scheduled to ensure proper operation of the drift eliminators.
[Rule 62-213.440, F.A.C.; and, AC 09-162037 (PSD-FL-139)]

{Note: This emissions unit is not subject to a visible emissions limitation. Emissions from this emissions unit include water droplets so visible emissions testing is not possible.}

Test Methods and Procedures

F.4. Emission Test Method. The drift elimination system on the helper cooling towers shall be maintained so as to minimize pluggage and to insure timely repair of broken sections of the drift eliminators. During the warm months when the helper cooling towers are used, the following work practice shall be implemented, in lieu of EPA Method 5, to demonstrate compliance with the originally designed removal efficiency (no more than 0.004% drift rate):

(a) Daily "walkdown" inspection of each operational cell visually checking for problems with the drift eliminators such as pluggage, algae build-up, and mechanical components (fans and pumps).
(b) Daily visual inspection of the cells which are in operation to ascertain the presence of higher than expected visible emissions when atmospheric conditions allow, and follow-up inspections and correction of problems when the daily visual inspection of the cells indicates a problem.
(c) Weekly visual inspection of the inlet water screens and prompt correction when broken sections or pluggage is discovered.

[Rule 62-213.440, F.A.C.; and, AC 09-162037 (PSD-FL-139); and, ASP No. 00-E-01 dated June 7, 2000]

Monitoring of Operations

F.5. Any problems detected during the work practice inspections identified in Specific Condition **F.4.** shall be documented in a log identifying the cell (or water screen), the inspector, the time (when discovered and the hours operated before the problem was corrected), and a description of the problem and the corrective actions taken. This log shall be maintained onsite and shall be made available to DEP upon request. The log shall be maintained so as to provide an indication as to whether routine inspections have been conducted as required even when there are no problems to record.
[Rules 62-213.440 and 62-297.310(7), F.A.C.; AC 09-162037 (PSD-FL-139); and, ASP No. 00-E-01 dated June 7, 2000]

Record Keeping and Reporting Requirements

F.6. Pump Run Time Meters Required. Equip each cooling tower seawater pump with a run-hour meter and maintain records of run time for each pump based on run-hour meters for each calendar month.
[Rule 62-213.440, F.A.C.; and, AC 09-162037 (PSD-FL-139)]

Common Conditions

F.7. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.3**, **I.7** and **I.8**, contained in **Subsection I. Common Conditions.**

Subsection G. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
015	Cooling towers for FFSG Units 4 and 5 used to reduce plant discharge water temperature.

Emissions unit 015 is cooling towers for FFSG Units 4 and 5 used to reduce plant discharge water temperature. (These towers are hyperbolic cooling towers.) Seawater is sprayed through the towers where induced air flow causes evaporative cooling. Water vapor, saltwater droplets (drift) and salt particles are emitted. Drift emissions controlled by high efficiency drift eliminators. Seawater flow rate is 331,000 gallons per minute.

{Permitting note(s): This emissions unit is regulated under Prevention of Significant Deterioration (PSD) (PSD permit PSD-FL-007 issued by EPA as modified by EPA on 11/30/88.)}

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

G.1. Permitted Capacity. The maximum seawater flow rate shall not exceed 331,000 gallons per minute per cooling tower.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

{Permitting note: The seawater flow rate limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load) and to aid in determining future rule applicability. Regular record keeping is not required for seawater flow rates. Instead the owner or operator is expected to determine the seawater flow rate whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such seawater flow rate determination may be based on measurements of flow by various methods including but not limited to flow metering or the use of pump curves supplied by the manufacturer to calculate an average hourly seawater flow rate during the test.}

Emission Limitations and Standards

G.2. Cooling Tower Emission Limit. Emissions of particulate matter shall not exceed 175 lb/hr from each cooling tower.
{Note: The emission limit is based on a BACT Determination requiring control of drift emissions with drift eliminators. The modified PSD permit removed a limitation on drift rate, substituting an emissions limit in pounds per hour. PM emissions are assumed to be all PM_{10}.}
[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88]

{Note: This emissions unit is not subject to a visible emissions limitation. Emissions from this emissions unit include water droplets so visible emissions testing is not possible.}

Test Methods and Procedures

G.3. Emission Test Method. Testing shall be in accordance with following requirements:

a. Particulate matter emissions shall be measured by the sensitive paper method.
b. Testing shall be conducted either at the drift eliminator level within the tower or at the tower exit plane. (The sampling locations at the drift eliminator level and apparatus are shown in diagrams attached as Appendix P.)
c. No less than three test runs shall be conducted for each test and all valid data from each of these test runs shall be averaged to demonstrate compliance. No individual test run result shall determine compliance or noncompliance. The emission rate reported as a percent of the circulating water, as well as lb/hr., and total dissolved solids in the cooling tower basin and intake water, shall be reported for each test run.

[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88]

Monitoring of Operations

G.4. Test Every Five Years. The FFSG Unit 4 cooling tower shall be tested every five years from 1988 (the next required year from the effective date of this permit is 2003). The FFSG Unit 5 cooling tower shall be tested every five years from 1992 (the next required year from the effective date of this permit is 2002).
[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88, request of applicant]

G.5. Inspection. The drift eliminators of both towers shall be inspected from the concrete walkways not less than every three months by Progress Energy Florida staff or representatives to assure that the drift eliminators are clean and in good working order. Not less than annually, a complete inspection of the towers shall be conducted by a qualified inspector with recognized expertise in the field.
Certification that the drift eliminators are properly installed and in good working order shall be provided in the record keeping and reporting requirements noted below.
[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88]

Record Keeping and Reporting Requirements

G.6. Reporting. Reports on tower testing and inspection shall be handled as follows:

a. Maintained within onsite files within 30 days after all visual inspections of the drift eliminators.
b. Agency Submittal within 45 days after the compliance testing of either tower.

[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88]

G.7. Excess Emissions. Should either tower emission rate exceed 175 lb/hr, the permittee shall:

a. Notify EPA and the Department within 10 days of becoming aware of the exceedence.
b. Provide an assessment of necessary corrective actions and a proposed schedule of implementation within an additional 20 days.
c. Expeditiously complete corrective actions.
d. Retest the tower within three months after the correction is completed.
e. Submit the testing report within 45 days after completion of said tests.

[Rule 62-213.440, F.A.C.; and, Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88]

Common Conditions

G.8. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.3**, **I.7** and **I.8**, contained in **Subsection I. Common Conditions.**

Subsection H. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
016	Material handling activities for coal-fired steam units.

Emissions Unit 016 is material handling activities for coal-fired steam units. This emissions unit consists of a crane-operated clam-shell bucket mounted on a traveling gantry, enclosed conveyor belts, coal crushers and storage bunkers used for the storage and transport of coal, for FFSG Units 1, 2, 4 and 5. This unit also encompasses fly ash and bottom ash handling equipment associated with Units 4 and 5 which are ~~and~~ not addressed by other emissions units. Emissions are particulate matter and PM_{10} from these activities.

{Permitting note(s): This emissions unit is regulated partially under Power Plant Siting Certification PA 77-09 (Units 4 and 5 only). The material handling activities are also regulated by PSD permit AC 09-162037 / PSD-FL-139; and, are subject to NSPS 40 CFR 60 Subpart Y. This emissions unit is also regulated under permit number 0170004-014-AC (issued concurrently with this revised permit number 0170004-015-AV), which authorized the replacement of the barge unloading equipment to decrease the time required to unload coal barges, and the increase in conveying and crushing speeds of the equipment feeding coal to units 1 and 2.}

The following specific conditions apply to the emissions unit(s) listed above:

Emission Limitations and Standards

H.1. Pursuant to 40 CFR 60.252 Standards for Particulate Matter.
(c) The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.
[40 CFR 60.252 (coal facilities associated with Units 1, 2, 4 and 5)]

H.2. Visible Emissions. The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater, six minute average. To the extent possible, the equipment that comprises the coal processing equipment at this facility (crushers, conveyors, drop points, and storage bunkers) shall be covered or enclosed at all times the equipment is in operation. Except for the barge load-out and the stacker reclaimer sections of the conveying system that are required by design to be open, and which are not specifically subject to regulation under 40 CFR 60, Subpart Y, any other open section of the coal processing equipment shall be required to have an annual visible emission test conducted upon it, as outlined in Condition H.4.
[PPSC PA 77-09 (coal facilities associated with Units 1, 2, 4 and 5); and, 0170004-014-AC]

H.3. PM Control -- BMPs. The owner or operator shall control particulate emissions (PM and PM_{10}) through the practices described in the Best Management Plan authored by KBN, November 1990, and distributed to FPC staff November 21, 1990, by Mr. W. Jeffrey Pardue.
[AC 09-162037, PSD-FL-139 (for construction of helper cooling towers) specific condition 3]

Test Methods and Procedures

H.4. Visible Emissions. **(This condition applies to coal facilities associated with emissions units 001, 002, 004 and 003 -- FFSG Units 1, 2, 4 and 5.)** When required by the Department, or annually as specified in Condition 3, EPA Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity (see Appendix A - 40 CFR 60, Subpart A Standard Conditions, attached).
[40 CFR 60.254(2); and, 0170004-014-AC]

{Permitting Note: Except as specified in Specific Condition H.2., annual testing is not being required because the regulated emissions points are either enclosed or confined within a building.}

{Permitting note: For those emissions points containing a baghouse (ash silos), the permittee shall perform and record the results of weekly qualitative observations of visible emissions checks (e.g., Method 22) with follow-up Method 9 tests within 24 hours of any abnormal visible emissions.}

Common Conditions

H.5. This emissions unit is also subject to conditions **I.1**, **I.4**, **I.5**, and **I.14** contained in **Subsection I. Common Conditions.** This emissions unit is also subject to conditions **I.6.(a)9 & (b)**, **I.12(a)2** and **I.15.(a) & (b)**; the other provisions of conditions **I.6**, **I.12** and **I.15** are not applicable to this emissions unit.

H.6. These emissions units are also subject to conditions **J.1**, **J.2**, **J.3(b), (c) and (d)** and **J.4** contained in **Subsection J. NSPS Common Conditions.**

H.7. This emissions unit is also subject to the applicable terms and conditions contained in the attached Appendix A, 40 CFR 60, Subpart A Standard Conditions, and the attached Appendix Y, 40 CFR 60, Subpart Y Standard Conditions.
[0170004-014-AC]

Subsection I. Common Conditions.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator (FFSG), Unit 1
002	FFSG, Unit 2
004	FFSG, Unit 4
003	FFSG, Unit 5
006	Fly ash transfer (Source 1) from FFSG Unit 1
008	Fly ash storage silo (Source 3) for FFSG Units 1 and 2
009	Fly ash transfer (Source 4) from FFSG Unit 2
010	Fly ash transfer (Source 5) from FFSG Unit 2
014	Bottom ash storage silo for FFSG Units 1 and 2, with associated vacuum blower exhausts and bin vent filter (total of three emission points)
7775047, 001	Three relocatable diesel fired generators, rated at 0.82 MW, 8.58 MMBtu/hr
013	Cooling towers for FFSG Units 1, 2, and 3, used to reduce plant discharge water temperature
015	Cooling towers for FFSG Units 4 and 5 used to reduce plant discharge water temperature
016	Material handling activities for coal-fired steam units

Except as otherwise specified under Subsections A. through H., the following conditions apply to the emissions units listed above:

Essential Potential to Emit (PTE) Parameters

I.1. Hours of Operation. The emissions units may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

{Permitting Notes: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Excess Emissions

{Permitting Note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of an NSPS, NESHAP, or Acid Rain program provision.}

I.2. Excess emissions resulting from startup, shutdown or 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.]

I.3. 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.]

I.4. 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

I.5. Determination of Process Variables.
(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5), F.A.C.]

I.6. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.
(a) General Compliance Testing.
2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
a. Did not operate; or
b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.
4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
a. Visible emissions, if there is an applicable standard;
b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or 100 tons per year or more of any other regulated air pollutant; and
c. Any NESHAP pollutant.
5. 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.
9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and

quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.
(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; SIP approved]

I.7. When PM Tests Not Required. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:
a. only gaseous fuel(s); or
b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
c. only liquid fuel(s) for less than 400 hours per year.
[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

Test Methods and Procedures

{Permitting Notes: The attached Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

I.8. (This conditions applies to emissions units 001, 002, 003, 004, 006, 008, 009, 010, & 014.) Visible Emissions. The test method for visible emissions shall be EPA Method 9, adopted and incorporated by reference in Rule 62-204.800, F.A.C., and referenced in Chapter 62-297, F.A.C.
[Rules 62-204.800 and 62-297.401, F.A.C.]

I.9. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.
[Rule 62-297.310(1), F.A.C.]

I.10. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.
[Rule 62-297.310(3), F.A.C.]

I.11. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15

consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

I.12. Applicable Test Procedures.
(a) Required Sampling Time.
1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.
(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.
(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.
(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]

I.13. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

Record Keeping and Reporting Requirements

I.14. Malfunctions - Notification. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Southwest District Air Section in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Southwest District Air Section.
[Rule 62-210.700(6), F.A.C.]

I.15. Test Reports.
(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Southwest District Air Section on the results of each such test.
(b) The required test report shall be filed with the Southwest District Air Section as soon as practical but no later than 45 days after the last sampling run of each test is completed.
(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Southwest District Air Section to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.

3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

Subsection J. NSPS Common Conditions.

E.U. ID No.	Brief Description
004	Fossil Fuel Steam Generator, Unit 4, rated at 760 MW, 6665 MMBtu/hr, capable of burning bituminous coal, with number 2 fuel oil as a startup fuel, with emissions exhausted through a 600 ft. stack.
003	Fossil Fuel Steam Generator, Unit 5, rated at 760 MW, 6665 MMBtu/hr, capable of burning bituminous coal, with number 2 fuel oil as a startup fuel, with emissions exhausted through a 600 ft. stack.
016	Material handling activities for coal-fired steam units subject to NSPS (i.e., activities at Fossil Fuel Fired Steam Generators Units 4 and 5.

{Permitting Notes: The emissions units above are subject to the following conditions from 40 CFR 60 Subpart A, General Provisions. The affected facilities to which this subpart applies are fossil fuel steam generators Unit 4 and Unit 5. To the extent allowed by law, the "Administrator" shall mean the "Department."}

The following conditions apply to the NSPS emissions units listed above:

J.1. Pursuant to 40 CFR 60.7, Notification And Record Keeping.

(a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
(b) The owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
(c) The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see 40 CFR 60.7(d)) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:
(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in Figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

[See Attached Figure 1-Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance]

(e)(1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For one full year (e.g., four quarterly or twelve monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under 40 CFR 60 continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all record keeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required record keeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) The owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7 and Rule 62-213.440(1)(b)2.b., F.A.C.]

J.2. Pursuant to 40 CFR 60.8 Performance Tests.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart.
(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.
[40 CFR 60.8]

J.3. Pursuant to 40 CFR 60.11, Compliance With Standards And Maintenance Requirements.

(a) Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
(b) Compliance with opacity standards in 40 CFR 60.11 shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of 40 CFR 60.11, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5).
(c) The opacity standards set forth in 40 CFR 60.11 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(e)(5) The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.
[40 CFR 60.11]

J.4. Pursuant to 40 CFR 60.12, Circumvention.

No owner or operator subject to the provisions of 40 CFR 60.12 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.
[40 CFR 60.12]

J.5. Pursuant to 40 CFR 60.13 Monitoring Requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B of 40 CFR 60 and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.
(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he/she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40 CFR 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.
(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under 40 CFR 60.8 and as described in 40 CFR 60.11(e)(5), shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in 40 CFR 60.13(c) at least 10 days before the performance test required under 40 CFR 60.8 is conducted.
(2) Except as provided in 40 CFR 60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.
(d)(1) Owners and operators of all continuous emission monitoring systems installed in accordance with the provisions of 40 CFR 60.13 shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
(2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.
(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
(2) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of 40 CFR 60 shall be used.
(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.
(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorder during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
[40 CFR 60.13]

Subsection K. Used Oil Common Condition.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
004	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

{Permitting Notes: The emissions units above are subject to the following condition which allows the burning of on-specification used oil pursuant to the requirements of this permit and this subsection.}

The following condition applies to the emissions units listed above:

K.1. Used Oil. Burning of on-specification used oil is allowed in emissions units 001, 002, 004 and 003 in accordance with all other conditions of this permit and the following conditions:

a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a PCB concentration of less than 50 ppm. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

Arsenic shall not exceed 5.0 ppm;
Cadmium shall not exceed 2.0 ppm;
Chromium shall not exceed 10.0 ppm;
Lead shall not exceed 100.0 ppm;
Total halogens shall not exceed 1000 ppm;
Flash point shall not be less than 100 degrees F.

b. Quantity Limited: The maximum quantity of on-specification used oil that may be burned in all four emissions units combined is 10 million gallons in any consecutive 12-month period.

c. Used Oil Containing PCBs Not Allowed: 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. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities shall be submitted to the EPA or may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. A copy of the notice provided to each marketer shall be maintained at the facility. [40 CFR 279.61 and 761.20(e)]

e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs 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 the used oil contains no detectable PCBs.

f. Testing Required: The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and specific gravity.

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), latest edition.
* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

g. Record Keeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]

(1) The gallons of on-specification used oil accepted and burned each month in each unit. (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 in each unit. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(3) Results of the analyses required above, including documentation if a claim is made that the used oil does not contain quantifiable levels of PCBs.
(4) The source and quantity of each batch of used oil received each month, including the name, address and EPA identification number (if applicable) of all marketers that delivered used oil to the facility, and the quantity delivered.
(5) Records of the operating rate of each unit while burning used oil and the dates and time periods each unit burns used oil.

h. Reporting Required: The owner or operator shall submit to the Department's Southwest District office, with the Annual Operation Report form, an attachment showing the total amount of on-specification used oil burned during the previous calendar year. The quantity of used oil shall be individually reported and shall not be combined with other fuels.

[Rules 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40.CFR 761, and 0170004-002-AO, unless otherwise noted]

Subsection L. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
020	Cooling towers for FFSG Units 1 and 2 used to reduce plant discharge water temperature.

Emissions unit 020 is cooling towers for FFSG Units 1 and 2, used to reduce plant discharge water temperature. (This emission unit may be referred to as "portable cooling towers.") This emissions unit consists of 71 or 72 cells (dependent upon manufacturer), is 12' wide and 11' high, includes drift eliminators, operates at a maximum seawater flow rate of 180,000 gallons per minute for all cells combined, and a design airflow rate of 25,000 acfm from each cell. Seawater is sprayed through the towers where fan induced air flow causes evaporative cooling. Water vapor, saltwater droplets (drift) and salt particles are emitted. Drift emissions are controlled by drift eliminators.

{Permitting note(s): This emissions unit is regulated under Prevention of Significant Deterioration (PSD) (permit 0170004-010-AC) and includes a Best Available Control Technology (BACT) Determination, which allows for a drift emission rate of 0.0015% with limited usage.}

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

L.1. Hours of Operation. The operating hours for the portable cooling towers shall not exceed an equivalent of 2920 hours per year of operation (12-month rolling total). This condition shall be complied with by limiting the circulating water flow usage through the portable cooling towers to 31.5E9 gallons per calendar year.
[Rule 62-210.200(PTE), F.A.C.; and 0170004-010-AC)]

Emission Limitations and Standards

L.2. Cooling Tower Design: The portable cooling towers shall be designed, operated and maintained to achieve a drift rate of no more than 0.0015% of the circulating water flow. This equates to an estimated emission rate of particulate matter (PM) from the cooling tower at 35.1 pounds per hour. Within 60 days of commencing operation, the permittee shall certify that the cooling tower was constructed and installed so as to achieve the specified drift rate of no more than 0.0015 percent of the circulating water flow rate.

{Note: The emission limit is based on a BACT Determination setting the maximum drift emissions at 0.0015%. PM_{10} emissions are estimated to be approximately 6% of the particulate matter emission rate.}
[Rule 62-213.440, F.A.C., 0170004-010-AC) and Rule 62-212.400 (BACT)]

L.3. Drift Eliminators. Drift eliminators shall be installed and maintained as per the manufacturer's specifications. Regular maintenance shall be scheduled to ensure proper operation of the drift eliminators.
[Rule 62-213.440, F.A.C.; and 0170004-010-AC)]

{Note: This emissions unit is not subject to a visible emissions limitation. Emissions from this emissions unit include water droplets, so visible emission testing is not possible.}

Test Methods and Procedures

L.4. Emission Test Method. The drift elimination system on the helper cooling towers shall be maintained so as to minimize pluggage and to insure timely repair of broken sections of the drift eliminators. During those calendar days when the portable cooling towers are used, the following work practice shall be implemented, in lieu of EPA Method 5, to demonstrate compliance with the originally designed removal efficiency (no more than 0.0015% drift rate):

(a) Daily "walkdown" inspection of each operational cell visually checking for problems with the drift eliminators such as pluggage, algae build-up, and mechanical components (fans and pumps).
(b) Daily visual inspection of the cells which are in operation to ascertain the presence of higher than expected visible emissions when atmospheric conditions allow, and follow-up inspections and correction of problems when the daily visual inspection of the cells indicates a problem.
(c) Weekly visual inspections of the inlet water screens and prompt correction when broken sections or pluggage is discovered.

[Rule 62-213.440, F.A.C., 0170004-010-AC; and ASP No. 00-E-01 dated June 7, 2000]

Monitoring of Operations

L.5. Inspection Log: Any problems detected during the work practice inspections identified in Specific Condition **L.4.** shall be documented in a log identifying the cell (or water screen), the inspector, the time (when discovered and the hours operated before the problem was corrected), and a description of the problem and the corrective actions taken. This log shall be maintained onsite and shall be made available to DEP upon request. The log shall be maintained so as to provide an indication as to whether routine inspections have been conducted as required even when there are no problems to record.
[Rules 62-213.440 and 62-297.310(7), F.A.C., 0170004-010-AC and ASP No. 00-E-01 dated June 7, 2000]

Record Keeping and Reporting Requirements

L.6. Circulating Water Flow-meters Required. Circulating water flow will be measured by monitoring the hours of each circulating water pump. For each hour of operation, each north pump will flow 15 kgpm (900 kgph) and each south pump will flow 4 kgpm (240 khph). The fans in bank C1 through C15 will be monitored for operation. If any of the fans are operating in those cells, the circulating water flow will be 39 kgpm (2,340 kgph). Partial hours of operation shall be prorated. Records of circulating water flow shall be maintained for each calendar month..
[Rule 62-213.440, F.A.C.; and 0170004-10-AC]

Common Conditions

L.7. This emissions unit is also subject to conditions **I.2, I.4, I.5, I.6, I.14 and I.15** contained in **Subsection I. Common Conditions.**

Section IV. This section is the Acid Rain Part.

Operated by: Progress Energy Florida/Crystal River Plant
ORIS code: 628

This subsection addresses Acid Rain, Phase II.

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

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
004	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

A.1. The Phase II permit applications, the Phase II NO_X compliance plans and the Phase II NO_X averaging plans submitted for this facility, as approved by the Department, are a part of this permit (included as Attachments). The owners and operators of these Phase II acid rain units must comply with the standard requirements and special provisions set forth in the applications listed below:

a. DEP Form No. 62-210.900(1)(a), F.A.C., Signed 6/29/04.
b. DEP Form No. 62-210.900(1)(a)4., F.A.C., Signed 6/29/04.
c. DEP Form No. 62-210.900(1)(a)5., F.A.C., Signed 06/29/04.

[Chapter 62-213 and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO_2) allowance allocations for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2005	2006	2007	2008	2009
001	1	**SO_2 allowances, under Table 2 or 3 of 40 CFR Part 73**	12425*	12425*	12425*	12425*	12425*
002	2	**SO_2 allowances, under Table 2 or 3 of 40 CFR Part 73**	14291*	14291*	14291*	14291*	14291*
004	4	**SO_2 allowances, under Table 2 or 3 of 40 CFR Part 73**	23651*	23651*	23651*	23651*	23651*
003	5	**SO_2 allowances, under Table 2 or 3 of 40 CFR Part 73**	25248*	25248*	25248*	25248*	25248*

* The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

E.U. ID No.	EPA ID	NOx limit	Pursuant to 40 CFR 76.11, the Florida Department of Environmental Protection approves five (5) NO_X emissions averaging plans for this unit. Each plan is effective for one calendar year for the 2005, 2006, 2007, 2008 and 2009. Under each plan, the unit's NO_X emissions shall not exceed the annual average alternative contemporaneous emission limitation of:
001	1		**0.45** lb/MMBtu with an annual heat input of **36,312,329** MMBtu.
002	2		**0.45** lb/MMBtu with an annual heat input of **41,934,711** MMBtu.
004	4		**0.52** lb/MMBtu with an annual heat input of **70,658,210** MMBtu.
003	5		**0.52** lb/MMBtu with an annual heat input of **70,208,037** MMBtu.
			Also, see Additional Requirements 1, 2 and 3, below.

{Permitting note: See Specific Condition B.7. for unit specific state-only annual NO_X emission limits related to E.U. 003 and 004}

Additional Requirements

1. Under the plan (NO_X Phase II averaging plan), the actual Btu-weighted annual average NO_X emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_X emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.

2. In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only after the North Carolina Department of Environment and Natural Resources Division of Air Quality and the South Carolina Department of Health and Environmental Control Bureau of Air Quality have also approved this averaging plan.

3. In addition to the described NO_X compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_X compliance plan and requirements covering excess emissions.

A.3. Emission Allowances. 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.

1. 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.
2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.
3. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

A.4. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described at Rule 62-214.370(4), F.A.C., may request such change as provided in Rule 62-213.413, F.A.C.
[Rules 62-213.413 and 62-214.370(4), F.A.C.]

A.5. Where an applicable requirement of the Act is more stringent than applicable regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.

[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, F.A.C., Definitions – Applicable Requirements.]

Reporting Requirements

A.6. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 51., APPENDIX TV-6 TITLE V CONDITIONS}
[Rule 62-214.420(11), F.A.C.]

A.7. Demonstration of Compliance with the Phase II NO_X Averaging Plan. The Designated Representative shall provide a copy of the demonstration of compliance, prepared in accordance with 40 CFR 76.11(d), to the Department within 60 (sixty) days after the end of the calendar year.
[Rule 62-213.440, F.A.C.]

Appendix A - 40 CFR 60, Subpart A Standard Conditions

40 CFR 60.1 Applicability.

(a) Except as provided in 40 CFR 60 subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced
after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution controlagency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (CAA) as amended November 15, 1990 (42 U.S.C. 7661).
[40 CFR 60.1(a), (b) and (c)]

40 CFR 60.5 Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

§ 60.6 Review of plans.

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b)(1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

40 CFR 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

1. A notification of the date construction (or reconstruction as defined under § 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

2. Reserved.

3. A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

4. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

5. A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

6. A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

7. A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5) of 40 CFR 60. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in Figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

[See Attached Figure 1-Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance]

(e) (1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance re-port (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in 40 CFR 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR 60.7(a).
(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.
[40 CFR 60.7(a), (b), (c), (d), (e), (f), (g), (h)]

40 CFR 60.8 Performance tests.

(a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
[40 CFR 60.8(a)]

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves

shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in 40 CFR 60.8 shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
[40 CFR 60.8(b)(1), (2), (3), (4) & (5)]

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
[40 CFR 60.8(c)].

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems , etc) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the perfomance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes

(i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and

(ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

[40 CFR 60.8(e)].

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.
[40 CFR 60.8(f)].

§ 60.9 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator

for the purposes of §§ 60.5 and 60.6 is governed by §§ 2.201 through 2.213 of this chapter and not by § 2.301 of this chapter.)

40 CFR 60.10 State authority.

The provisions of 40 CFR 60 shall not be construed in any manner to preclude any State or political subdivision thereof from:
(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.

(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.
[40 CFR 60.10(a) and (b)].

40 CFR 60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with

opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in 40 CFR 60.11(e)(3), the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with 40 CFR 60.11(b), shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 40 CFR 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in 40 CFR 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of 40 CFR 60.7(e)(1) shall apply.

(4) The owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by 40 CFR 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and 40 CFR 60.8 performance test results.

(5) The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by 40 CFR 60.8, the opacity observation results and observer certification required by 40 CFR 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by 40 CFR 60.8. If the Administrator finds that an affected facility is in compliance with all

applicable standards for which performance tests are conducted in accordance with 40 CFR 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, the shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.

(f) Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of 40 CFR 60.11.
[40 CFR 60.11(a), (b), (c), (d), (e) and (f)]

40 CFR 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.
[40 CFR 60.12]

40 CFR 60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B of 40 CFR 60 and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under 40 CFR 60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuos opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he/she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40 CFR 60. The

owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under 40 CFR 60.8 and as described in 40 CFR 60.11(e)(5), shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in 40 CFR 60.13(c) at least 10 days before the performance test required under 40 CFR 60.8 is conducted.

(2) Except as provided in 40 CFR 60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d) (1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure.The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of 40 CFR 60 shall be used.

(g) (1) When more than one continuous monitoring system is used to measure the emissions from only one affected facility (e.g. multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless installation of fewer systems is approved by the Administrator.

(2) When the effluents from two or more affected facilities subject to the same opacity standard are combined before being released to the atmosphere, the owner or operator may either install a continuous opacity monitoring system at a location monitoring the combined effluent or install an opacity combiner system comprised of opacity and flow monitoring systems on each stream, and shall report as per Sec. 60.7(c) on the combined effluent. When the affected facilities are not subject to the same opacity standard applicable, except for documented periods of shutdown of the affected facility, subject to the most stringent opacity standard shall apply
(3) When the effluents from two or more affected facilities subject to the same emissions standard, other than opacity, are combined before released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the continuous monitoring standard, separate continuous monitoring systems shall be installed on each effluent and the owner or operator shall report as required for each affected facility.

(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. For owners or operators complying with the requirements in Sec. 60.7(f)(1) or (2), data averages must include any data recorded during periods of monitor breakdown or malfunction. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O2 or ng or pollutant per J of heat input). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
[Rule 62-296.800, F.A.C.; 40 CFR 60.13(h)].

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying

with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

[Rule 62-296.800, F.A.C.; 40 CFR 60.13(i)].

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in section 8.4 of Performance Specification 2 and substitute the procedures in section 16.0 if the results of a performance test conducted according to the requirements in 40 CFR 60.8 of this subpart or other tests performed
following the criteria in 40 CFR 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure that the CEMS data indicate the source emissions approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., 40 CFR 60.45(g)(2) and 40 CFR 60.45(g)(3), 40 CFR 60.73(e), and 40 CFR 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in section 8.4 of Performance Specification 2.

[Rule 62-296.800, F.A.C.; 40 CFR 60.13(j)].

40 CFR 60.14 Modification.

(a) Except as provided under 40 CFR 60.14(e) and 40 CFR 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(a)].

(b) Emission rate shall be expressed as kg/hr (lbs./hour) of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors", EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in 40 CFR 60.14(b)(1) does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in 40 CFR 60.14(b)(1) . When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in 40 CFR 60 appendix C of 40 CFR 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(b)].

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(c)].

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of 40 CFR 60.14(c) and 40 CFR 60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by 40 CFR 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally
beneficial.

(6) The relocation or change in ownership of an existing facility.
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(e)].

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(f)].

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in 40 CFR 60.14(a), compliance with all applicable standards must be achieved.
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(g)].

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

(j) (1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

(2) This exemption shall not apply to any new unit that:

(i) Is designated as a replacement for an existing unit;

(ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and

(iii) Is located at a different site than the existing unit.

(k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration projec*t, for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

40 CFR 60.15 Reconstruction.

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(a)].

(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

[Rule 62-296.800, F.A.C.; 40 CFR 60.15(b)].

(c) "Fixed capital cost"' means the capital needed to provide all the depreciable components.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(c)].

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(d)].

(e) The Administrator will determine, within 30 days of the receipt of the notice required by 40 CFR 60.15(d) and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(e)].

(f) The Administrator's determination under 40 CFR 60.15(e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(f)].

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(g)].

§ 60.18 General control device requirements.

(a) *Introduction.* This section contains requirements for control devices used to comply with applicable subparts of parts 60 and 61. The requirements are placed here for administrative convenience and only apply to facilities covered by subparts referring to this section.
(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c) (1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.

(i) (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, Vmax, as determined by the following equation:

Vmax=(XH2−K1)* K2

Where:

Vmax=Maximum permitted velocity, m/sec.

K1=Constant, 6.0 volume-percent hydrogen.

K2=Constant, 3.9(m/sec)/volume-percent hydrogen.

XH2=The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 60.17).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.

(4) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, Vmax, as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, Vmax, as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f) (1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

http://www.access.gpo.gov/ecfr/graphics/pdfs/ec01jn92.008.pdf

Eq. 1

where:

HT=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant}, 1.740 \times 10^{-7} \left(\frac{1}{ppm}\right) \left(\frac{g\ mole}{scm}\right) \left(\frac{MJ}{kcal}\right)$$

where the standard temperature for $\left(\frac{g\ mole}{scm}\right)$ is 20°C;

http://www.access.gpo.gov/ecfr/graphics/pdfs/ec01jn92.009.pdf

Eq. 2

Ci=Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994) (Incorporated by reference as specified in § 60.17); and

Hi=Net heat of combustion of sample component i, kcal/g mole at 25 °>C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(5) The maximum permitted velocity, Vmax, for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation. Log10 (Vmax)=(HT+28.8)/31.7

Vmax=Maximum permitted velocity, M/sec

28.8=Constant

31.7=Constant

HT=The net heating value as determined in paragraph (f)(3).

(6) The maximum permitted velocity, Vmax, for air-assisted flares shall be determined by the following equation. Vmax=8.706+0.7084 (HT)

Vmax=Maximum permitted velocity, m/sec

8.706=Constant

0.7084=Constant

HT=The net heating value as determined in paragraph (f)(3).

§ 60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word ''calendar'' is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be post-marked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the post-mark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or

postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

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Appendix Y - 40 CFR 60, Subpart Y Standard Conditions

Subpart Y- Standards of Performance for Coal Preparation Plants

§ 60.250 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to any of the following affected facilities in coal preparation plants which process more than 181 Mg (200 tons) per day: Thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems.

(b) Any facility under paragraph (a) of this section that commences construction or modification after October 24, 1974, is subject to the requirements of this subpart.

§ 60.251 Definitions.

As used in this subpart, all terms not defined herein have the meaning given them in the Act and in subpart A of this part.

(a) *Coal preparation plant* means any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry cleaning, and thermal drying.

(b) *Bituminous coal* means solid fossil fuel classified as bituminous coal by ASTM Designation D388-77, 90, 91, 95, or 98a (incorporated by reference -- see § 60.17).

(c) *Coal* means all solid fossil fuels classified as anthracite, bituminous, subbituminous, or lignite by ASTM Designation D388-77, 90, 91, 95, or 98a (incorporated by reference -- see § 60.17).

(d) *Cyclonic flow* means a spiraling movement of exhaust gases within a duct or stack.

(e) *Thermal dryer* means any facility in which the moisture content of bituminous coal is reduced by contact with a heated gas stream which is exhausted to the atmosphere.

(f) *Pneumatic coal-cleaning equipment* means any facility which classifies bituminous coal by size or separates bituminous coal from refuse by application of air stream(s).

(g) *Coal processing and conveying equipment* means any machinery used to reduce the size of coal or to separate coal from refuse, and the equipment used to convey coal to or remove coal and refuse from the machinery. This includes, but is not limited to, breakers, crushers, screens, and conveyor belts.

(h) *Coal storage system* means any facility used to store coal except for open storage piles.

(i) *Transfer and loading system* means any facility used to transfer and load coal for shipment.

§ 60.252 Standards for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any thermal dryer gases which:

(1) Contain particulate matter in excess of 0.070 g/dscm (0.031 gr/dscf).
(2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any pneumatic coal cleaning equipment, gases which:
(1) Contain particulate matter in excess of 0.040 g/dscm (0.017 gr/dscf).
(2) Exhibit 10 percent opacity or greater.

(c) On and after the date on which the performance test required to be conducted by § 60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.

§ 60.253 Monitoring of operations.

(a) The owner or operator of any thermal dryer shall install, calibrate, maintain, and continuously operate monitoring devices as follows:
(1) A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within ±1.7 °C (±3 °F).
(2) For affected facilities that use venturi scrubber emission control equipment:
(i) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±1 inch water gauge.
(ii) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point. The Administrator may be consulted for approval of alternative locations.

(b) All monitoring devices under paragraph (a) of this section are to be recalibrated annually in accordance with procedures under § 60.13(b).

§ 60.254 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).

(b) The owner or operator shall determine compliance with the particular matter standards in § 60.252 as follows:
(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). Sampling shall begin no less than 30 minutes after startup and shall terminate before shutdown procedures begin.
(2) Method 9 and the procedures in § 60.11 shall be used to determine opacity.

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-6, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Chapter 62-4, F.A.C.

1. **Not federally enforceable.** General Prohibition. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.
[Rule 62-4.030, Florida Administrative Code (F.A.C.); and, Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable.** Procedures to Obtain Permits and Other Authorizations; Applications.
(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.
(2) All applications and supporting documents shall be filed in quadruplicate with the Department.
(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except, when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.
(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.
(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.
(b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.
(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.
(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.
(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.
(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.
(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.
[Rule 62-4.050, F.A.C.]

3. Standards for Issuing or Denying Permits. Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.
[Rule 62-4.070(7), F.A.C.]

4. Modification of Permit Conditions.
(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following: **(also, see Condition No. 38.)**

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.

(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.
(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(v), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.
[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to 180 days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.
[Rule 62-4.090, F.A.C.]

6. Suspension and Revocation.
(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:

(a) Submitted false or inaccurate information in his application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

(4) No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.
[Rule 62-4.100, F.A.C.]

7. **Not federally enforceable.** Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

8. Transfer of Permits.
(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.
(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.
(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.
(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.
(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.
[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. **(also, see Condition No. 10.)**
[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". **[also, see Conditions Nos. 9. and 12.(8).]**
[40 CFR 70.6(a)(3)(iii)(B)]

11. **Not federally enforceable.** Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.
[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:
(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

(2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
(3) As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
(4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
(5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
(6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
(7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

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

(8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information: **(also, see Condition No. 10.)**

(a) A description of and cause of noncompliance; and
(b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

(9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
(10) The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
(11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
(12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
(14) The permittee shall comply with the following:

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
(b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The person responsible for performing the sampling or measurements;
3. The dates analyses were performed;
4. The person responsible for performing the analyses;

5. The analytical techniques or methods used;
6. The results of such analyses.

(15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air ~~or water~~ pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

(a) A completed application on forms furnished by the Department.
(b) An engineering report covering:
1. Plant description and operations,
2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,
3. Proposed waste control facilities,
4. The treatment objectives,
5. The design criteria on which the control facilities are based, and
6. Other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

(c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S., and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.
[Rule 62-4.210, F.A.C.]

14. **Not federally enforceable.** Operation Permit for New Sources. To properly apply for an operation permit for new sources the applicant shall submit the appropriate fee and certification that construction was completed, noting any deviations from the conditions in the construction permit and test results where appropriate.
[Rule 62-4.220, F.A.C.]

Chapters 28-106 and 62-110, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rules 62-110.106 and 62-210.350, F.A.C.
[Rules 62-110.106, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.
[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.
[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

18. Permits Required. Unless exempted from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., or unless specifically authorized by provision of Rule 62-210.300(4), F.A.C., or Rule 62-213.300, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, modification, or the addition of pollution control equipment; or to authorize initial or continued operation of the emissions unit; or to establish a PAL or Air Emissions Bubble. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.
(1) Air Construction Permits.
(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment prior to the beginning of construction, reconstruction pursuant to 40 CFR 60,15 or 63.2, or modification of the facility or emissions unit or addition of the pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of Chapter 62-210, F.A.C., Chapters 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction, reconstruction or modification of the facility or emissions unit or addition of the air pollution control equipment; and operation while the owner or operator of the new, reconstructed or modified facility or emissions unit or the new pollution control equipment is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.
(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.
1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:
a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;
b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and
c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(11)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(11)(d)2., Rule 62-212.400 or Rule 62-212.500, F.A.C., as appropriate.
2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.
3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification, or subsequent to the creation of or change to a bubble, and demonstration of compliance with the conditions of the construction permit for any new or modified facility or emissions unit, any air emissions bubble, or as otherwise provided in Chapter 62-210, F.A.C., or Chapter 62-213, F.A.C., the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit or air general permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-213, F.A.C., and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;

2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.

3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

(i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and

(ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and

(iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(8), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable.** Notification of Startup. The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

(a) The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.
[Rule 62-210.300(5), F.A.C.]

20. Emissions Unit Reclassification.
(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.
(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.
[Rule 62-210.300(6), F.A.C.]

21. Transfer of Air Permits.
(a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.
(b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C.
[Rule 62-210.300(7), F.A.C.]

22. Public Notice and Comment.
(1) Public Notice of Proposed Agency Action.
(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:
1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.
(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.
(c) Except as otherwise provided at Rules 62-210.350(2), (5), and (6), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.
(2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment - Area Preconstruction Review.
(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.

(b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

(c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.

(d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.

(e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.

(f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.

(g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.

(h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:

1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.

2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.

(3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.

(a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and

2. A 30-day period for submittal of public comments.

(b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.

(c) The notice shall identify:

1. The facility;

2. The name and address of the office at which processing of the permit occurs;

3. The activity or activities involved in the permit action;

4. The emissions change involved in any permit revision;

5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;

6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;

7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and

8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rules 62-210.350(1) thru (3), F.A.C.]

23. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

(a) Typographical errors noted in the permit;

(b) Name, address or phone number change from that in the permit;

(c) A change requiring more frequent monitoring or reporting by the permittee;

(d) A change in ownership or operational control of a facility, subject to the following provisions:

1. The Department determines that no other change in the permit is necessary;

2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and

3. The new permittee has notified the Department of the effective date of sale or legal transfer.

(e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;

(f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and

(g) Any other similar minor administrative change at the source.

(2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.

(4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

[Rule 62-210.360, F.A.C.]

24. Emissions Computation and Reportsing.

(1) Applicability. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

(2) Computation of Emissions. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

(a) Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.

1. If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.

2. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C, but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

3. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

(b) Continuous Emissions Monitoring System (CEMS).

1. An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:

a. The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or

b. The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.

2. Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:

a. A calibrated flowmeter that records data on a continuous basis, if available; or

b. The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

3. The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.

(c) Mass Balance Calculations.

1. An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:

a. Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and

b. Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.

2. Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.

3. In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.

(d) Emission Factors.

1. An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.

a. If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.

b. Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.

c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.

2. If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.

(e) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

(f) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.

(g) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.

(h) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.

(c) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by March 1 of the following year.

(d) Beginning with 2007 annual emissions, emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rules 62-210.370(1), (2) and (3)(a), (c) & (d), F.A.C.]

25. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650, F.A.C.]

26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.
(1) Application for Air Permit - Long Form, Form and Instructions (Effective 02-02-2006).
  (a) Acid Rain Part, Form and Instructions (Effective 06-16-2003).
    1. Repowering Extension Plan, Form and Instructions (Effective 07/01/1995).
    2. New Unit Exemption, Form and Instructions (Effective 04/16/2001).
    3. Retired Unit Exemption, Form and Instructions (Effective 04/16/2001).
    4. Phase II NOx Compliance Plan, Form and Instructions (Effective 01/06/1998).
    5. Phase II NOx Averaging Plan, Form (Effective 01/06/1998).
  (b) Reserved.
(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 02/11/1999).
(7) Application for Transfer of Air Permit – Title V Source, (Effective 04/16/2001).
[Rule 62-210.900, F.A.C.]

Chapter 62-213, F.A.C.

27. Responsible Official.
(1) Each Title V source must identify a responsible official on each application for Title V permit, permit revision, and permit renewal. For sources with only one responsible official, this is how the Title V source designates the responsible official.
(2) Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official.
(3) Any facility initially designating more than one responsible official or changing the list of responsible officials must submit a Responsible Official Notification Form (DEP Form No. 62-213.900(8)) designating all responsible officials for a Title V source, stating which responsible official is the primary responsible official, and providing an effective date for any changes to the list of responsible officials. Each individual listed on the Responsible Official Notification Form must meet the definition of responsible official given at Rule 62-210.200, F.A.C.
(4) A Title V source with only one responsible official shall submit DEP Form No. 62-213.900(8) for a change in responsible official.
(5) No person shall take any action as a responsible official at a Title V source unless designated a responsible official as required by this rule, except that the existing responsible official of any Title V source which has a change in responsible official during the term of the permit and before the effective date of this rule may continue to act as a responsible official until the first submittal of DEP Form No. 62-213.900(8) or the next application for Title V permit, permit revision or permit renewal, whichever comes first.
[Rules 62-213.202(1) thru (5), F.A.C.]

28. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.
(1)(g) If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to $50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to

pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

(1)(i) Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

(1)(j) A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.

[Rules 62-213.205, (1)(g), (1)(i) & (1)(j), F.A.C.]

29. Reserved.

30. Reserved.

31. Air Operation Permit Fees. No permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

32. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C., except those Title V sources permittable pursuant to Rule 62-213.300, F.A.C., Title V Air General Permits.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of Chapter 62-213, F.A.C., shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

(a) Constitutes a modification;

(b) Violates any applicable requirement;

(c) Exceeds the allowable emissions of any air pollutant from any unit within the source;

(d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;

(e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;

(f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;

(g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;

(h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;

(i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;

(j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

[Rules 62-213.400(1) & (2), F.A.C.]

33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

(1) Permitted sources may change among those alternative methods of operation;

(2) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

(a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;

(b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;

(3) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

[Rule 62-213.410, F.A.C.]

34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision, provided the change:

(a) Does not violate any applicable requirement;

(b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;

(c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;

(d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action on the operation permit revision application until all the requirements of Rules 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit. If any terms and conditions of the new or revised construction permit have not been complied with prior to the issuance of the draft operation permit revision, the operation permit shall include a compliance plan in accordance with the provisions of Rule 62-213.440(2), F.A.C.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

35. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.

(a) Timely Application.

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) Complete Application.

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change(s) from the currently effective Title V permit and any other requirements that become applicable at the time of application. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed

to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. **(also, see Condition No. 50.)**
[Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.
[Rule 62-213.420(3), F.A.C.]

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40

CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. **(also, see Condition No. 4.)**

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(n), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if all of the following criteria are met:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s);
3. Such unit or activity would not emit or have the potential to emit:
   a. 500 pounds per year or more of lead and lead compounds expressed as lead;
   b. 1,000 pounds per year or more of any hazardous air pollutant;
   c. 2,500 pounds per year or more of total hazardous air pollutants; or
   d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Permits for sources subject to the Federal Acid Rain Program shall be issued for terms of five years, provided that the initial Acid Rain Part may be issued for a term less than five years where necessary to coordinate the term of such part with the term of a Title V permit to be issued to the source. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five years.

[Rule 62-213.440(1)(a), F.A.C.]

41. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
[Rule 62-213.440(1)(b)2.b., F.A.C.]

43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.
[Rule 62-213.440(1)(b)3.a., F.A.C.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.
[Rule 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.
[Rule 62-213.440(1)(b)3.c, F.A.C.]

46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.
[Rule 62-213.440(1)(d)1., F.A.C.]

47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.
[Rule 62-213.440(1)(d)3., F.A.C.]

48. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.
[Rule 62-213.440(1)(d)4., F.A.C.]

49. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.
[Rule 62-213.440(1)(d)5., F.A.C.]

50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. **(also, see Condition No. 36.)**
[Rule 62-213.440(1)(d)6., F.A.C.]

51. Statement of Compliance. (a)2. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:

a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

3. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.

(b) The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.
[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

52. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.
[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.
(1) Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)
(7) Statement of Compliance Form. (Effective 06/02/2002)
(8) Responsible Official Notification Form. (Effective 06/02/2002)
[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

Chapter 62-256, F.A.C.

54. **Not federally enforceable.** Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.
[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

55. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:
(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
(2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
(3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
(4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
(5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
(6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.
[40 CFR 82; and, Chapter 62-281, F.A.C. **(Chapter 62-281, F.A.C., is not federally enforceable)**]

Chapter 62-296, F.A.C.

56. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

(a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or

(b) An emergency exists which requires immediate action to protect human health and safety; or

(c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. 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.

3. Reasonable precautions include the following:

a. Paving and maintenance of roads, parking areas and yards.

b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.

c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.

d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.

e. Landscaping or planting of vegetation.

f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

g. Confining abrasive blasting where possible.

h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-6.doc]

Friday, Barbara Permit Signed: 2/22/07

To: bernie.cumbie@pgnmail.com; 'dave.meyer@pgnmail.com'; sosbourn@golder.com; Zhang-Torres

Cc: Holtom, Jonathan

Subject: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Attachments: TV-6.pdf; 0170004-015-AV-F SOB.pdf; 0170004-015FinalPermitSignaturePage.pdf; Appendix A.pdf; Appendix Y.pdf; FinInotc0170004-015-AV.pdf; revised 0170004-015-AV-F Permit.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: http://www.adobe.com/products/acrobat/readstep.html.

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. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: System Administrator
To: Zhang-Torres
Sent: Thursday, February 22, 2007 9:32 AM
Subject: Delivered:FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Your message

To:	'bernie.cumbie@pgnmail.com'; 'dave.meyer@pgnmail.com'; 'sosbourn@golder.com'; Zhang-Torres
Cc:	Holtom, Jonathan
Subject:	FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant
Sent:	2/22/2007 9:32 AM

was delivered to the following recipient(s):

Zhang-Torres on 2/22/2007 9:32 AM

Friday, Barbara

From: Exchange Administrator
Sent: Thursday, February 22, 2007 9:34 AM
To: Friday, Barbara
Subject: Delivery Status Notification (Relay)

Attachments: ATT336540.txt; FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant


ATT336540.txt
(286 B)


FINAL Title V Permit
Revision ...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

sosbourn@golder.com

Friday, Barbara

From: Meyer, Dave [Dave.Meyer@pgnmail.com]
To: Friday, Barbara
Sent: Thursday, February 22, 2007 9:41 AM
Subject: Read: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Your message

To: Dave.Meyer@pgnmail.com
Subject:

was read on 2/22/2007 9:41 AM.

Friday, Barbara

From: Osbourn, Scott [Scott_Osbourn@golder.com]
Sent: Thursday, February 22, 2007 10:02 AM
Subject: Read: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Your message

To: Scott_Osbourn@golder.com
Subject:

was read on 2/22/2007 10:02 AM.

Friday, Barbara

From: Zhang-Torres
To: Friday, Barbara
Sent: Thursday, February 22, 2007 10:49 AM
Subject: Read: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Your message

To:	'bernie.cumbie@pgnmail.com'; 'dave.meyer@pgnmail.com'; 'sosbourn@golder.com'; Zhang-Torres
Cc:	Holtom, Jonathan
Subject:	FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant
Sent:	2/22/2007 9:32 AM

was read on 2/22/2007 10:49 AM.

Friday, Barbara

From: Zhang-Torres
Sent: Thursday, February 22, 2007 10:49 AM
To: Friday, Barbara
Subject: RE: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Thanks.

Cindy

From: Friday, Barbara
Sent: Thursday, February 22, 2007 9:32 AM
To: 'bernie.cumbie@pgnmail.com'; 'dave.meyer@pgnmail.com'; 'sosbourn@golder.com'; Zhang-Torres
Cc: Holtom, Jonathan
Subject: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

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Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: Meyer, Dave [Dave.Meyer@pgnmail.com]
Sent: Thursday, February 22, 2007 11:35 AM
To: Friday, Barbara
Subject: RE: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Hi Barbra,

I got it - Thanks very much.

Best Regards, dave

-----Original Message-----
From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, February 22, 2007 9:32 AM
To: Cumbie, Bernie M.; Meyer, Dave; sosbourn@golder.com; Zhang-Torres
Cc: Holtom, Jonathan
Subject: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: Meyer, Dave [Dave.Meyer@pgnmail.com]
To: Friday, Barbara
Sent: Thursday, February 22, 2007 12:13 PM
Subject: Read: RE: FINAL Title V Permit Revision No.: 0170004-015-AV - Florida Power Corporation dba Progress Energy Florida, Inc. - Crystal River Power Plant

Your message

To: Dave.Meyer@pgnmail.com
Subject:

was read on 2/22/2007 12:13 PM.