

**Friday, Barbara**

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**To:** robinson@coj.net  
**Cc:** Mitchell, Bruce  
**Subject:** FINAL Title V Permit Revision No.: 0310047-014-AV - JEA - Kennedy Generating Station  
**Attachments:** 0310047-014-AV-F.zip

Attached for your records is a zip file for the subject FINAL Title V Permit Revision.

If I may be of further assistance, please feel free to contact me.

Barbara J. Friday  
Planner II  
Bureau of Air Regulation  
(850)921-9524  
[Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us)

5/19/2006

**Friday, Barbara**

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**To:** Gianazza, N. Bert

**Cc:** Mitchell, Bruce

**Subject:** FINAL Title V Permit Revision No.: 0310047-014-AV - JEA - Kennedy Generating Station

**Attachments:** JEPB.doc; 0310047.014.AV.Revision.JEA.Kennedy.FINAL.SOB.doc;  
0310047f.014.AV.Revision.JEA.Kennedy.doc; 0310047G.014.AV.Revision.JEA.Kennedy.doc;  
0310047H.014.AV.Revision.FINAL.JEA.Kennedy.doc;  
0310047U.014.AV.Revision.JEA.Kennedy.doc; 0310047014FinalDetermination.pdf;  
0310047014FinalPermitSignaturePage.pdf; Appendix A, 40cfr60.doc

5/19/2006

## Friday, Barbara

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**From:** Exchange Administrator  
**Sent:** Friday, May 19, 2006 11:54 AM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT80974.txt; FINAL Title V Permit Revision No.: 0310047-014-AV - JEA - Kennedy  
Generating Station



ATT80974.txt (281 FINAL Title V Permit  
B) 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.

GianNB@jea.com

# INTEROFFICE MEMORANDUM

TO: Michael Cooke

THRU: Trina Vielhauer   
Jeff Koerner 

FROM: Bruce Mitchell 

DATE: May 17, 2006

SUBJECT: JEA - Kennedy Generating Station  
Simple Cycle Combustion Turbine No. 7  
FINAL Title V Air Operation Permit Revision  
0310047-014-AV

Attached is a FINAL Title V Operation Permit Revision incorporating the terms of Air Construction Permit, No. 0310047-013-AC. The subject of the Title V Air Operation Permit Revision is to: 1) incorporate the removal of a requirement to test for fuel bound nitrogen in the No. 2 diesel fuel oil; 2) correct a rule citing within a specific condition for clarity purposes (Specific Condition 12.: 0310047-002-AC); 3) clarify when to correct for ISO conditions; and, 4) when to use data substitution related to compliance demonstration for NO<sub>x</sub>.

There were no comments or objections received from the U.S. EPA, Region 4, during the 45-day review period. Therefore, it is recommended to issue the FINAL Title V Operation Permit Revision.

**NOTICE OF FINAL TITLE V AIR OPERATION PERMIT REVISION**

In the Matter of an  
Application for Permit Revision:

Mr. James M. Chansler, P.E., D.P.A.	DEP File No.: 0310047-014-AV
V.P., Operations and Maintenance, R.O. and D.R.	Kennedy Generating Station
JEA 21 West Church Street Jacksonville, Florida 32202	Duval County

Enclosed is the FINAL Title V Air Operation Permit Revision, No. 0310047-014-AV. The subject of the Title V Air Operation Permit Revision is to: 1) incorporate the removal of a requirement to test for fuel bound nitrogen in the No. 2 diesel fuel oil, since there is no permitted allowance for any fuel bound nitrogen; 2) correct a rule citing within a specific condition for clarity purposes (Specific Condition 12.: 0310047-002-AC); 3) clarify when to correct for ISO conditions; and, 4) when to use data substitution related to compliance demonstration for NO<sub>x</sub>. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received from Region 4, U.S. EPA, regarding the PROPOSED Permit.

Any party to this order has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer  
Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

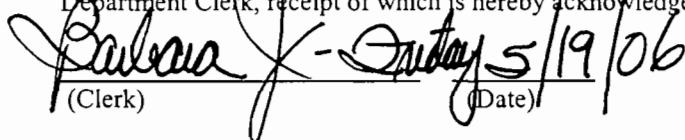
Permit Project No.: 0310047-014-AV

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL TITLE V AIR OPERATION PERMIT REVISION (including the FINAL Determination and the FINAL Permit) was sent by certified mail (\*) or sent by U.S. mail or electronically (Received Receipt requested) before the close of business on 5/19/06 to the person(s) listed or as otherwise noted:

- Mr. James M. Chansler\*, P.E., D.P.A., V.P., Operations and Maintenance, R.O. and D.R., JEA
- Mr. N. Bert Gianazza, P.E., JEA, Application Contact
- Mr. Richard Robinson, P.E., ERMD-EQD

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
(Clerk) 5/19/06 (Date)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Mr. James M. Chansler, P.E., D.P.A.  
 V.P., Operations and Maintenance, R.O.  
 and D.R.  
 JEA  
 21 West Church Street  
 Jacksonville, Florida 32202

**2. Article Number**  
 (Transfer from service label)

7005 1160 0004 3034 4608

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 5-30

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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**Mr. James M. Chansler, P.E., D.P.A. USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$</b>	

Sent To  
 Mr. James M. Chansler, P.E., D.P.A.  
 Street, Apt. No. or PO Box No. 21 West Church Street  
 City, State, ZIP+4  
 Jacksonville, Florida 32202

PS Form 3800, June 2002 See Reverse for Instructions

7005 1160 0004 3034 4608

## **Final Determination**

JEA

Kennedy Generating Station

Title V Air Operation Permit Revision No.: 0310047-014-AV

### **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

JEA  
Kennedy Generating Station  
Facility ID No.: 0310047  
Duval County

Title V Air Operation Permit Revision  
FINAL Permit No.: 0310047-014-AV

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.

This facility consists of four combustion turbines (CTs), Nos. 3, 4, 5 and 7. The CTs fire virgin No. 2 fuel oil; in addition, simple cycle CT No. 7 also fires Natural Gas. There is a fuel oil storage tank farm associated with the CTs. Also, included in this permit are miscellaneous unregulated/ insignificant emissions units and/or activities.

This permit revision is being issued to: 1) incorporate the removal of a requirement to test for fuel bound nitrogen in the No. 2 diesel fuel oil, since there is no permitted allowance for any fuel bound nitrogen; 2) correct a rule citing within a specific condition for clarity purposes (Specific Condition 12.: 0310047-002-AC); 3) clarify when to correct for ISO conditions; and, 4) clarify when to use data substitution related to compliance demonstration for NO<sub>x</sub>. The only change from the DRAFT permit that was posted is removing the "ISO correction" requirement for SO<sub>2</sub> (see Specific Condition B.15.), which was established in air construction permit, No. 0310047-013-AC, issued March 6, 2006.

Emissions unit number -015 is a natural gas/fuel-fired simple cycle unit that consists of a nominal 170 MW (at 59° F) CT generator equipped with Dry Low NO<sub>x</sub> (DLN-2.6) combustors. The emissions unit was manufactured by General Electric (Model PG 7241 FA) and is designated as CT No. 7. The CT has (1) a maximum heat input from natural gas of 1,623 MMBtu @ 59° F and 60% relative humidity, LHV (Lower Heating Value), and (2) a maximum heat input from new No. 2 fuel oil of 1,822 MMBtu @ 59° F and 60% relative humidity, LHV (Lower Heating Value). The new No. 2 fuel oil has a maximum sulfur content of 0.05%, by weight. The existing CTs Nos. 3 thru 6 are allowed to fire new No. 2 fuel oil with a maximum sulfur content of 0.5 %, by weight, but will be firing the 0.05 %, by weight, new No. 2 fuel oil since there is only one storage tank. This CT shall be used as a peaking unit during peak demand times and during emergencies. The emissions unit has a 90-foot stack. Emissions from the CT are uncontrolled. This emissions unit is regulated under 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule 62-204.800(7)(b), F.A.C.; and, 40 CFR 60, Subpart A, adopted by reference in Rule 62-204.800(7)(d), F.A.C. CT #7 began commercial operation on April 30, 2000.

Since the emissions from the CTs are uncontrolled, Compliance Assurance Monitoring (CAM) does not apply.

Based on the Title V permit renewal application received July 2, 2002, this facility is not a major source of hazardous air pollutants (HAPs).



JEA  
Kennedy Generating Station  
**Facility ID No.:** 0310047  
Duval County

Title V Air Operation Permit Revision  
**FINAL Permit No.:** 0310047-014-AV

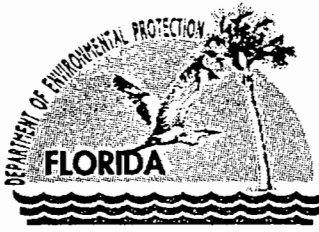
Permitting Authority:  
State of Florida  
Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation  
Title V Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Telephone: 850/488-0114  
Fax: 850/922-9533

Compliance Authority:  
City of Jacksonville  
Environmental Resource Management Department  
Environmental Quality Division  
117 West Duval Street, Suite 225  
Jacksonville, Florida 32202  
Telephone: 904/630-4900  
Fax: 904/630-3638

Title V Air Operation Permit Revision  
**FINAL Permit No.:** 0310047-014-AV

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# Department of Environmental Protection

Jeb Bush  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Colleen M. Castille  
Secretary

**Permittee:**

JEA  
21 West Church Street  
Jacksonville, Florida 32202

**FINAL Permit No.:** 0310047-014-AV

**Facility ID No.:** 0310047

**SIC No.:** 49; 4911

**Project:** Title V Air Operation Permit Revision

This permit revision is being issued to incorporate the terms and conditions of air construction permit, No. 0310047-013-AC, specifically for the simple cycle Combustion Turbine No. 7, which is located at the JEA's Kennedy Generating Station. The purpose of the AC permit project was to: 1) remove the federally enforceable requirement to analyze the nitrogen in the fuel oil (No. 2 diesel, a distillate fuel oil), since there is no permitted allowance for any fuel bound nitrogen; 2) make a correction to a rule citing within a specific condition for clarity purposes; 3) clarify when to correct for ISO conditions; and, 4) clarify when to use data substitution related to compliance demonstration for NO<sub>x</sub>. This facility is located at 4215 Talleyrand Avenue, Jacksonville, Duval County; UTM Coordinates: Zone 17, 440.065 km East and 3359.150 km North; Latitude: 30° 21' 52" North; and, Longitude: 81° 37' 25" West.

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.

**Referenced attachments made a part of this permit:**

Appendix U-1, List of Unregulated Emissions Units and/or Activities

Appendix I-1, List of Insignificant Emissions Units and/or Activities

APPENDIX TV-5, TITLE V CONDITIONS (version dated 03/28/05)

APPENDIX SS-1, STACK SAMPLING FACILITIES (dated 10/07/96)

TABLE 297.310-1, CALIBRATION SCHEDULE (dated 10/07/96)

Operation and Maintenance Plan

Phase II Acid Rain Applications/Compliance Plans received 12/26/95, 6/2/99 and 8/26/02

Alternate Sampling Procedure: ASP Number 97-B-01

Appendix JEPB Rule 2

GE Heat Input Curves

Appendix 40 CFR 60 Subpart A-General Provisions

**Renewal Effective Date:** January 1, 2003

**Revision Effective Date:** May 18, 2006

**Renewal Application Due Date:** July 5, 2007

**Expiration Date:** December 31, 2007

Michael G. Cooke, Director

Division of Air Resource Management

MGC/jkp/bm

"More Protection, Less Process"

Printed on recycled paper.

**Section I. Facility Information.**

**Subsection A. Facility Description.**

This facility consists of four combustion turbines (CTs), Nos. 3, 4, 5 and 7. All of the CTs fire virgin No. 2 fuel oil; in addition, CT No. 7 also fires Natural Gas. There is a fuel oil storage tank farm associated with the CTs. Also, included in this permit are miscellaneous unregulated/ insignificant emissions units and/or activities.

Based on the Title V permit renewal application received July 2, 2002, this facility is not a major source of hazardous air pollutants (HAPs).

The facility's emissions units are not subject to Compliance Assurance Monitoring (CAM) requirements.

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

<u>ARMS E.U. ID No.</u>	<u>Brief Description</u>
-003	Combustion Turbine No. 3
-004	Combustion Turbine No. 4
-005	Combustion Turbine No. 5
-015	Combustion Turbine No. 7

Unregulated Emissions Units and/or Activities:

<u>ARMS E.U. ID No.</u>	<u>Brief Description</u>
-010	Storage Tanks (tanks 1 and 4)
-014	Storage Tank (tank 13)

*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; Permit History  
Statement of Basis

These documents are on file with the permitting authority:

BACT Determination dated October 15, 1984.  
Letter from Mr. N. Bert Gianazza received October 12, 2004.  
Letter with enclosures from Mr. N. Bert Gianazza received November 5, 2004.  
Intent Draft AC/DRAFT Title V permit package clerked on December 14, 2004.  
Letter with enclosures from Mr. N. Bert Gianazza received August 29, 2005.  
E-mail from Mr. N. Bert Gianazza received January 24, 2006.

## Section II. Facility-wide Conditions.

### The following conditions apply facility-wide:

1. APPENDIX TV-4, TITLE V CONDITIONS, is a part of this permit.  
{Permitting Note: APPENDIX TV-5, 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. No person shall 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.; and, Jacksonville Environmental Protection Board (JEPB) Rule 2, Part IX]
  3. **Not federally enforceable.** Odor Nuisance. Pursuant to Jacksonville Ordinance Code (JOC) Chapter 376, any facility that causes or contributes to the emission of objectionable odors, which results in the City of Jacksonville Air and Water Quality Division (EQD) receiving and validating complaints from five (5) or more different households within a 90 day period, can be cited for objectionable odors.  
[JOC Chapter 376]
  4. 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.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
  5. Prevention of Accidental Releases (Section 112(r) of CAA).
    - a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:  

RMP Reporting Center  
Post Office Box 1515  
Lanham-Seabrook, MD 20703-1515  
Telephone: 301/429-5018
- and,
- b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.  
[40 CFR 68]
6. 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.]

7. 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.]

8. General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department or its designee.

{Permitting Note: Nothing has been deemed necessary at the time of issuance of this permit.}

[Rule 62-296.320(1)(a), F.A.C.]

9. An Operation and Maintenance Plan is attached and a part of this permit pursuant to Rule 62-296.700(6), F.A.C. All activities shall be performed as scheduled and recorded data made available to the EQD upon request.

[Rule 62-296.700(6), F.A.C.; AO16-180744; and, AO16-214191]

10. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

[Rule 62-213.440, F.A.C.]

11. The permittee shall submit all compliance related notifications and reports required of this permit to the EQD and Department's Northeast District offices at the following addresses:

City of Jacksonville	Department of Environmental Protection
Environmental Resource Management Department	Northeast District
Environmental Quality Division	Air Resources
117 West Duval Street, Suite 225	7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32202	Jacksonville, Florida 32256-7590
Telephone: 904/630-4900	Telephone: 904/807-3300
Fax: 904/630-3638	Fax: 904/448-4363

12. 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 & EPCRA Enforcement Branch  
Air Enforcement Section  
61 Forsyth Street  
Atlanta, Georgia 30303-8960  
Telephone: 404/562-9155  
Fax: 404/562-9163

13. **Not federally enforceable.** Appendix JEPB Rule 2 is incorporated by reference. The facility shall be subject to JEPB Rule 2, Parts I through VII, and Parts IX through XIII.

{Permitting note: This appendix provides the applicable rules of the City of Jacksonville Environmental Protection Board (JEPB) contained in Rule 2, Air Pollution Control, and the corresponding rules of the Department that have been adopted by reference and within the SOA (Specific Operating Agreement) signed with the Department.}

14. **Not federally enforceable.** The facility shall be subject to the City of Jacksonville Ordinance Code, Title X, Chapter 360 [Environmental Regulation], Chapter 362 [Air and Water Pollution], Chapter 376 [Odor Control], and JEPB Rule 85-1 [Final Rules with Respect to Organization, Procedures, and Practice].

15. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department, or its designee, and the EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C. [Rules 62-213.440(3) and 62-213.900, 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-5, TITLE V CONDITIONS)}

16. 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. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

**Section III. Emissions Unit(s) and Conditions.**

**Subsection A. This section addresses the following emissions units.**

<u>E.U. ID No.</u>	<u>Brief Description</u>
-003	Combustion Turbine No. 3
-004	Combustion Turbine No. 4
-005	Combustion Turbine No. 5

Emissions units numbers 003, 004 and 005 are combustion turbines manufactured by Westinghouse (Model W501G) and are designated as Combustion Turbine No. 3, No. 4 and No. 5, respectively. Each turbine has a maximum heat input from virgin No. 2 fuel oil of 744.0 MMBtu @ 70° F, LHV (Lower Heating Value). The No. 2 fuel oil has a maximum sulfur content of 0.5%, by weight. These combustion turbines are used as peaking units during peak demand times, during emergencies, and during controls testing, to run a nominal 56.2 MW generator (each). Emissions from the combustion turbines are uncontrolled. Direct water spray fogger devices were installed in the inlet ducts of each CT to provide adiabatic inlet air cooling that increases turbine output and decreases heat rate. A group of exhaust stacks serve the CTs.

{Permitting Notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. These emissions units are not subject to 40 CFR 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines. Combustion turbines Nos. 3, 4 and 5 began commercial operation in 1973.}

**The following specific conditions apply to the emissions units listed above:**

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

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

<u>EU ID. No.</u>	<u>MMBtu/hr Heat Input</u>	<u>Fuel Type</u>
3	744.0 @ 70° F, LHV	No. 2 Fuel Oil
4	744.0 @ 70° F, LHV	No. 2 Fuel Oil
5	744.0 @ 70° F, LHV	No. 2 Fuel Oil

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; AO16-173880; and, derived from data in tabular format and provided by the permittee on 10/22/97]

A.2. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition A.13.

[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation - Fuels. Only virgin distillate No. 2 fuel oil shall be fired in the combustion turbines.

[Rule 62-213.410(1), F.A.C.; and, AO16-173880]



A.4. Hours of Operation.

- a. These CTs may operate continuously, i.e., 8,760 hours/year.
  - b. Each CT shall not exceed 399 hrs/yr operation while using foggers.
- [Rule 62-210.200(PTE), F.A.C.; AO16-173880; 0310047-009-AC; and, 0310047-011-AV]

**Emission Limitations and Standards**

A.5. Visible Emissions. Visible emissions from each turbine shall not be equal to or greater than 20 percent opacity.

{Permitting Note: Unless otherwise specified, the averaging time is based on the specified averaging time of the applicable test method.}

[Rule 62-296.320(4)(b)1., F.A.C.; and, AO16-173880]

A.6. Sulfur Dioxide - Sulfur Content. The sulfur content of the No. 2 fuel oil shall not exceed 0.5 percent, by weight.

[Requested in initial Title V permit application dated June 14, 1996; and, AO16-173880]

**Excess Emissions**

A.7. Excess emissions from these emissions units 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.]

A.8. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

**Monitoring of Operations**

A.9. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor upon each fuel delivery. See Specific Conditions A.6. and A.12.

[Rule 62-213.440, F.A.C.]

A.10. 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.]

### Test Methods and Procedures

A.11. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.  
[Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

A.12. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-92, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or equivalent.  
[Rules 62-213.440 and 62-297.440, F.A.C.]

A.13. Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. 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 operation is 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.  
[Rule 62-297.310(2), F.A.C.]

#### A.14. Applicable Test Procedures.

##### (a) Required Sampling Time.

2. Opacity Compliance Tests. When EPA 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.

[Rule 62-297.310(4)(a)2.c., F.A.C.]

A.15. 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.

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;

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

9. The owner or operator shall notify the EQD office, 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 or the EQD, 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 or the EQD.

(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.; AO16-173880; and, SIP approved.]

A.16. Visible Emissions Testing - Biennial. By this permit, biennial (odd years) emissions compliance testing for visible emissions is required for each emissions unit, but is not required for those emissions units burning No. 2 fuel oil for less than 400 hours during the previous even year or the current odd year in question.

[Rules 62-297.310(7)(a)4. & 8., F.A.C.; and, AO16-173880]

**Recordkeeping and Reporting Requirements**

A.17. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the EQD office 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 Department and/or the EQD office(s).

[Rule 62-210.700(6), F.A.C.]

A.18. Test Reports.

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the EQD office on the results of each such test.

(b) The required test report shall be filed with the EQD office as soon as practical but no later than 45 days after the last sampling run of each test is completed.

[Rule 62-297.310(8), F.A.C.]

A.19. Records of No. 2 fuel oil consumption shall be maintained and made available to the Department and/or the EQD upon request.

[Rule 62-213.440, F.A.C.; and, AO16-173880]

A.20. Foggers. A log book shall be maintained to show when each CT is using a fogger device and shall provide the beginning and ending times (hour and minute) of its use. See Specific Condition **A.4.b.**

[Rule 62-4.070(3), F.A.C.]

### Section III. Emissions Unit(s) and Conditions.

#### Subsection B. This section addresses the following emissions unit.

<u>E.U. ID No.</u>	<u>Brief Description</u>
-015	Combustion Turbine No. 7 (CT #7)

Emissions unit number -015 is a natural gas/fuel-fired simple cycle unit that consists of a nominal 170 MW (at 59° F) combustion turbine generator equipped with Dry Low NO<sub>x</sub> (DLN-2.6) combustors. The emissions unit was manufactured by General Electric (Model PG 7241 FA) and is designated as Combustion Turbine (CT) No. 7. The CT has (1) a maximum heat input from natural gas of 1,623 MMBtu @ 59° F and 60% relative humidity, LHV (Lower Heating Value), and (2) a maximum heat input from new No. 2 fuel oil of 1,822 MMBtu @ 59° F and 60% relative humidity, LHV (Lower Heating Value). The new No. 2 fuel oil has a maximum sulfur content of 0.05%, by weight. The existing CTs, Nos. 3 thru 6, are allowed to fire new No. 2 fuel oil with a maximum sulfur content of 0.5 %, by weight, but will be firing the 0.05 %, by weight, new No. 2 fuel oil since there is only one storage tank. This CT shall be used as a peaking unit during peak demand times and during emergencies. This CT replaced one existing natural gas/fuel oil-fired boiler identified by JEA as KE10 (ARMS Emission Unit -009: Boiler #10). The emissions unit has a 90-foot new stack.

{Permitting Notes: This emissions unit is regulated under 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule 62-204.800, F.A.C.; and, 40-CFR 60, Subpart A, adopted by reference in Rule 62-204.800(7)(d), F.A.C. CT #7 began commercial operation on April 30, 2000.}

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

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

B.1. Permitted Capacity. The maximum operation heat input rates, based on the lower heating value (LHV) of the fuel at ambient conditions of 59° F, 60% relative humidity, 100% load, and 14.7 psi pressure are as follows:

<u>E.U. ID No.</u>	<u>MMBtu/hr Heat Input</u>	<u>Fuel Type</u>
7	1,623.0 @ 59° F, LHV	Natural Gas
	1,822.0 @ 59° F, LHV	No. 2 Fuel Oil

The maximum heat input rate will vary depending upon the turbine inlet conditions and the CT's characteristics. Manufacturer's curves corrected for site conditions or equations for correction to other ambient conditions shall be provided to the Department or the EQD office within 45 days of completing the initial compliance testing.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, 0310047-002-AC]

B.2. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition B.24.  
[Rule 62-297.310(2), F.A.C.]

B.3. Methods of Operation - Fuels. Only pipeline natural gas and virgin distillate No. 2 fuel oil, or better, shall be fired in the CT.  
[Rule 62-213.410(1), F.A.C.; and, 0310047-002-AC]

B.4. Hours of Operation. The maximum allowable hours of operation in any 12-month period (MAXHROP) for this CT are 4050 hours on pipeline natural gas and 1260 on virgin distillate No. 2 fuel oil or the hours calculated pursuant to the following formula:

$$\text{MAXHROP} = 4050 - (3.215 \times \text{ACTHROPFO})$$

Where: ACTHROPFO = actual hours of operation on fuel oil.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, 0310047-002-AC]

### **Control Technology**

B.5. Dry Low NO<sub>x</sub> (DLN) combustor shall be installed on this stationary combustion turbine to control nitrogen oxides (NO<sub>x</sub>) emissions.  
[0310047-002-AC]

B.6. The permittee shall provide manufacturer's emissions performance versus load diagrams for the DLN systems prior to their installation. DLN systems shall each be tuned upon initial operation to optimize emissions reductions and shall be maintained to minimize NO<sub>x</sub> emissions and CO emissions.  
[0310047-002-AC]

B.7. A water injection system shall be installed for use when firing No. 2 or superior grade distillate fuel oil for control of NO<sub>x</sub> emissions.  
[0310047-002-AC]

### **Emission Limitations and Standards**

{Permitting Note. Unless otherwise specified, the averaging times for Specific Conditions B.8., B.10., B.13., B.14. and B.15., are based on the specified averaging time of the applicable test method.}

B.8. Visible Emissions (VE) and Particulate Matter (PM) Emissions. In lieu of a PM emission limit, VE shall not exceed 10 percent opacity while burning natural gas. VE shall not exceed 20 percent opacity and PM emissions shall not exceed 17 lbs/hr (non-condensable only) while burning oil during initial and annual tests. The permittee may request substitution of the PM limit and test requirement by a 10 percent opacity limitation while burning oil.  
[0310047-002-AC]

B.9. Sulfur Dioxide - Sulfur Content. The sulfur content of the virgin distillate No. 2 fuel oil shall not exceed 0.05 percent, by weight.  
[0310047-002-AC]

B.10. The following are the emission limits for this CT assuming full load. Values for NO<sub>x</sub> are at 15% O<sub>2</sub> on a dry basis. These limits or their equivalents in terms of pounds per hour, as well as the applicable averaging times, are followed by the applicable specific conditions.

NO <sub>x</sub>	SO <sub>2</sub>	CO	VOC	PM/Visibility (% Opacity)	Technology and Comments
15 ppm (NG)	<2gr/100scf (NG)	15 ppm (NG)	1.4 ppm (NG)	10	Dry Low NO <sub>x</sub> Combustors Pipeline Natural Gas Good Combustion FO, 0.05%, by wt, Sulfur Content
42 ppm (FO)	0.05% (FO)	20 ppm (FO)	3.5 ppm (FO)		

[0310047-002-AC]

B.11. Nitrogen Oxides (NO<sub>x</sub>) Emissions. The concentration of NO<sub>x</sub> concentrations in the exhaust gas of this CT shall not exceed 15 ppm at 15% O<sub>2</sub> (on a 24-hr block average) as measured by the CEMS (maintained in accordance with 40 CFR 75) while burning natural gas. In addition, NO<sub>x</sub> emissions calculated as NO<sub>2</sub> shall exceed neither 15 ppm at 15% O<sub>2</sub> nor 99 lbs/hr to be demonstrated by stack test. Total annual NO<sub>x</sub> emissions shall not exceed 200 tons on a 12-month rolling average basis (gas/oil or gas or oil).

[0310047-002-AC; 0310047-013-AC; and, Rule 62-212.400(2)(g), F.A.C.]

B.12. NO<sub>x</sub> Emissions. The concentration of NO<sub>x</sub> concentrations in the exhaust gas of this CT shall not exceed 42 ppm at 15% O<sub>2</sub> (on a 24-hr block average) as measured by the CEMS (maintained in accordance with 40 CFR 75) while burning fuel oil. In addition, NO<sub>x</sub> emissions calculated as NO<sub>2</sub> (at ISO conditions) shall exceed neither 42 ppm at 15% O<sub>2</sub> nor 318 lbs/hr to be demonstrated by stack test. Total annual NO<sub>x</sub> emissions shall not exceed 200 tons on a 12-month rolling average basis (natural gas/fuel oil or natural gas or fuel oil).

[0310047-002-AC; and, Rule 62-212.400(2)(g), F.A.C.]

B.13. Carbon Monoxide (CO) Emissions. The concentration of CO in the exhaust gas shall not exceed 15 ppmvd (natural gas) and 20 ppmvd (fuel oil) as measured by EPA Method 10. CO emissions shall not exceed 48 lbs/hr (natural gas) and 97 lbs/hr (fuel oil) to be demonstrated by stack test.

[0310047-002-AC; and, 0310047-013-AC]

B.14. Volatile Organic Compounds (VOC) Emissions. The concentration of VOC in the exhaust gas shall not exceed 1.4 ppmvd (natural gas) and 3.5 ppmvd (fuel oil) as determined by EPA Methods 18, 25 or 25 A. VOC emissions shall not exceed 2.9 lbs/hr (natural gas) and 19 lbs/hr (fuel oil).

[0310047-002-AC; and, 0310047-013-AC]

B.15. Sulfur Dioxide (SO<sub>2</sub>) Emissions. SO<sub>2</sub> emissions shall not exceed 9.7 lbs/hr when firing pipeline natural gas and 98 lbs/hr when firing maximum 0.05 percent, by weight, sulfur content No. 2 or superior grade distillate fuel oil. Initial tests shall be performed by applicable compliance methods described below. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedules in Specific Conditions **B.29.** and **B.30.** will demonstrate compliance with the applicable NSPS SO<sub>2</sub> emissions limitations. Confirmation by the Custom Fuel Monitoring Schedule that

the actual sulfur content is less than 2 grains per 100 standard cubic feet (gas) and 0.05 %, by weight, sulfur content (fuel oil) will demonstrate compliance with the permit limits for SO<sub>2</sub>. Emissions of SO<sub>2</sub> shall not exceed 62 tons per year.

[0310047-002-AC; 0310047-013-AC; and, Rule 62-212.400(2)(g), F.A.C.]

### **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.}

B.16. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided (1) best operational practices to minimize emissions are adhered to and (2) 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.; and, 0310047-002-AC]

B.17. 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.; and, 0310047-002-AC]

### **Test Requirements and Compliance Determination**

B.18. Annual compliance tests required by this permit by using the following reference methods as described in 40 CFR 60, Appendix A (1997 version), and adopted by reference in Chapter 62-204.800, F.A.C.

[40 CFR 60.8; and, 0310047-002-AC]

B.19. Annual compliance tests shall be performed during every federal fiscal year (October 1 - September 30) pursuant to Rule 62-297.310(7), F.A.C., unless otherwise indicated. The following reference methods shall be used. No other test methods may be used for compliance testing unless prior DEP approval is received in writing.

- a. EPA Reference Method 5 or 17, "Determination of Particulate Emissions from Stationary Sources".
- b. EPA Reference Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources".
- c. EPA Reference Method 10, "Determination of Carbon Monoxide Emissions from Stationary Sources".
- d. EPA Reference Method 20, "Determination of Oxides of Nitrogen Oxide, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines." Initial test only for compliance with 40 CFR 60, Subpart GG.
- e. EPA Reference Method 18 or 25 and/or 25A, "Determination of Volatile Organic Concentrations." Initial test only.

[0310047-002-AC]



B.20. Continuous Compliance with the NO<sub>x</sub> Emission Limits. Continuous compliance with the NO<sub>x</sub> emission limits shall be demonstrated with the CEMS based on the applicable averaging time of 24-hr block average. Based on CEMS data, a separate compliance determination is conducted at the end of each operating day and a new average emission rate is calculated from the arithmetic average of all valid hourly emission rates from the previous operating day. Valid hourly emission rates shall not include periods of start up, shutdown, or malfunction unless prohibited by Rule 62-210.700, F.A.C. A valid hourly emission rate shall be calculated for each hour in which at least two NO<sub>x</sub> concentrations are obtained at least 15 minutes apart. These excess emissions periods shall be reported as required in Specific Conditions **B.35.** and **B.41.**

[0310047-002-AC; and, 40 CFR 75]

B.21. Compliance with the SO<sub>2</sub> and PM/PM<sub>10</sub> Emission Limits. Notwithstanding the requirements of Rule 62-297.310(7), F.A.C., the use of pipeline natural gas and a maximum 0.05 percent sulfur content, by weight, No. 2 or superior grade virgin distillate fuel oil is the method for determining compliance for SO<sub>2</sub> and PM<sub>10</sub>. For the purposes of demonstrating compliance with the 40 CFR 60.333 SO<sub>2</sub> standard and the 0.05% sulfur content limit, by weight, fuel oil analysis using ASTM D2880-71 or D4294 (or equivalent) for the sulfur content of liquid fuels and D1072-80, D3031-81, D4084-82 or D3246-81 (or equivalent) for sulfur content of gaseous fuel shall be utilized in accordance with the EPA-approved custom fuel monitoring schedule. The applicant is responsible for ensuring that the procedures above are used for determination of fuel sulfur content. Analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency pursuant to 40 CFR 60.335(e) (1997 version).

[0310047-002-AC]

B.22. Compliance with the CO Emission Limit. Annual compliance testing for CO may be conducted at less than capacity when compliance testing is conducted concurrent with the annual NO<sub>x</sub> RATA testing, which is performed pursuant to 40 CFR 75.

[0310047-002-AC; and, 40 CFR 75]

B.23. Compliance with the VOC Emission Limit. After the initial compliance test, the CO emission limit will be employed as a surrogate and no annual testing is required.

[0310047-002-AC]

B.24. Testing Procedures. Compliance testing of emissions shall be conducted with the CT operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the manufacturer's rated heat input achievable for the average compressor inlet conditions during the test. If it is impracticable to test at permitted capacity, then combustion turbines may be tested at less than permitted capacity. In such cases, the entire curve or table shall be adjusted downwards by the increment which reflects the reduced rate of operation at which compliance was demonstrated. This increment is equal to the difference between the manufacturer's heat input or fuel usage value and 110 percent of the value reached during the test. In this case, the data and calculations necessary to demonstrate the heat input or fuel usage rate correction shall be submitted to the Department with the compliance test report. Test procedures shall meet all applicable requirements (i.e., testing time frequency, minimum compliance duration, etc.) of Rule 62-204.800, F.A.C.

{Permitting Note: Attached (GE Heat Input Curves) are the manufacturer's heat input curves that are nominal values to be used to aid in defining "full load" for stack testing purposes and do not constitute a limit on heat input.}

[0310047-007-AC; and, 0310047-008-AV]

**B.25. 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.

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;

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

9. The owner or operator shall notify the EQD office, 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 or the EQD, 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 or the EQD.

(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.; 0310047-002-AC; and, SIP approved.]

B.26. Stack Testing Facilities. Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C. See Appendix SS-1, Stack Sampling Facilities.

[0310047-002-AC; and, Rule 62-297.310(6), F.A.C.]

### Monitoring of Operations

B.27. Continuous Monitoring System. The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the nitrogen oxides emissions from this unit. Periods when NO<sub>x</sub> emissions (ppmv at 15% oxygen) are above the standards listed in this permit shall be provided to the Department's Bureau of Air Monitoring and Mobile Sources and the EQD pursuant to 40 CFR 75.

[0310047-002-AC; and, 40 CFR 75]

B.28. CEMS in Lieu of Water to Fuel Ratio. The NO<sub>x</sub> CEMS shall be used in lieu of the water/fuel monitoring system for reporting excess emissions in accordance with 40 CFR 60.334(c)(1), Subpart GG (1997 version). The calibration of the water/fuel monitoring device required in 40 CFR 60.335(c)(2) (1997 version) will be replaced by the 40 CFR 75 certification tests of the NO<sub>x</sub> CEMS. Upon request from the Department or the EQD, the CEMS emission rates for NO<sub>x</sub> on this CT shall be corrected to ISO conditions to demonstrate compliance with the NO<sub>x</sub> standard established in 40 CFR 60.332.

[0310047-002-AC]

B.29. Natural Gas Monitoring Schedule. The following custom monitoring schedule for natural gas is approved in lieu of the daily sampling requirements of 40 CFR 60.334(b)(2):

- a. The permittee shall apply for an Acid Rain permit within the deadlines specified in 40 CFR 72.30.
- b. The permittee shall submit a monitoring plan, certified by signature of the Designated Representative (DR), that commits to using a primary fuel of pipeline supplied natural gas (sulfur content less than 20 gr/100 scf pursuant to 40 CFR 75.11(d)(2)).
- c. This unit shall be monitored for SO<sub>2</sub> emissions using methods consistent with the requirements of 40 CFR 75.11 and certified by the USEPA.

This custom fuel monitoring schedule will only be valid when pipeline natural gas is used as a primary fuel. If the primary fuel for this unit is changed to a higher sulfur fuel, SO<sub>2</sub> emissions must be accounted for as required pursuant to 40 CFR 75.11(d).

[0310047-002-AC; and, 40 CFR 75]

B.30. Fuel Oil Monitoring Schedule. The following monitoring schedule for No. 2 or superior grade virgin distillate fuel oil shall be followed: For all bulk shipments of No. 2 or superior grade virgin distillate fuel oil received at the Kennedy Generating Station, an analysis, which reports the sulfur content of the fuel, shall be provided by the fuel vendor. The analysis shall also specify the methods by which the analyses were conducted and shall comply with the requirements of 40 CFR 60.335(d). See Specific Condition **B.21**.

[0310047-002-AC; 0310047-013-AC; and, 40 CFR 60.334(i)(1)]

B.31. 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.; and, 0310047-002-AC]

B.32. Reserved.

[0310047-002-AC; and, 0310047-013-AC]

B.33. In lieu of utilizing CEMS, for NO<sub>x</sub>, the permittee may elect to utilize the protocol specified under 40 CFR Part 75, Appendix E.

[0310047-002-AC; 40 CFR 72.2; and, 40 CFR 75, Appendix E]

B.34. Continuous Monitoring System Reports. The monitoring devices shall comply with the certification and quality assurance, and any other applicable requirements of Rule 62-297.520, F.A.C., 40 CFR 60.13, including certification of each device in accordance with 40 CFR 60, Appendix B, Performance Specifications, and 40 CFR 60.7(a)(5) or 40 CFR 75. Quality assurance procedures must conform to all applicable sections of 40 CFR 60, Appendix F, or 40 CFR 75. Data on CEM equipment specifications, manufacturer, type, calibration and maintenance needs, and its proposed location shall be provided to the Department for review at least 90 days prior to installation.

[0310047-002-AC; and, 40 CFR 75]

### **Recordkeeping and Reporting Requirements**

B.35. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, the owner or operator shall notify the office 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 Department and/or the EQD office(s).

[Rule 62-210.700(6), F.A.C.; and, 0310047-002-AC]

B.36. CEMS Requirement for Reporting Excess Emissions. This unit shall comply with the CEMS frequency data report as specified in 40 CFR 60.7(c).

[40 CFR 60.7(c); and, 0310047-002-AC]

B.37. Test Reports.

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the EQD office on the results of each such test.

(b) The required test report shall be filed with the EQD office 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 EQD office 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 the EQD, 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.; and, 0310047-002-AC]

B.38. Records of No. 2 virgin distillate fuel oil, or better, consumption shall be maintained and made available to the Department and/or the EQD office(s) upon request.

[Rule 62-213.440, F.A.C.]

B.39. Records. All measurements, records, and other data required to be maintained by the permittee shall be recorded in a permanent form and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. These records shall be made available to Department and/or EQD representatives upon request.

[0310047-002-AC]

B.40. Quarterly Reports. Quarterly excess emission reports, in accordance with 40 CFR 60.7(c) (1997 version), shall be submitted to the EQD office.

[0310047-002-AC; 0310047-013-AC; and, 40 CFR 60.7(c)(1997 version)]

B.41. Excess Emissions Report. If excess emissions occur for more than two hours due to malfunction, the owner or operator shall notify the EQD office within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department or its designee may request a written summary report of the incident. Pursuant to the New Source Performance Standards, all excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A. Following this format, 40 CFR 60.7, periods of startup, shutdown, malfunction, and fuel switching shall be monitored, recorded, and reported as excess emissions when emission levels exceed the permitted standards listed in this permit.

[0310047-002-AC; and, 40 CFR 60.7 (1997 version)]

**Miscellaneous**

B.42. Operating Procedures. Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment.  
[0310047-002-AC]

B.43. The CT shall be in compliance with all applicable requirements of 40 CFR 60, Subpart A, General Provisions (see Appendix 40 CFR 60, Subpart A, General Provisions, which is incorporated by reference), including:

- 40 CFR 60.7, Notification and Recordkeeping
- 40 CFR 60.8, Performance Tests
- 40 CFR 60.11, Compliance with Standards and Maintenance Requirements
- 40 CFR 60.12, Circumvention
- 40 CFR 60.13, Monitoring Requirements
- 40 CFR 60.19, General Notification and Reporting Requirements

[0310047-002-AC; and, 40 CFR 60, Subpart A]

B.44. ARMS Emission Unit -015, Power Generation, consisting of one (nominal) 170 MW combustion turbine (simple cycle peaking operation), shall comply with all applicable provisions of 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule 62-204.800(7)(b), F.A.C. The Subpart GG requirement to correct test data to ISO conditions applies. However, such correction is not required to demonstrate compliance with non-NSPS permit standard(s).  
[0310047-002-AC]

**Section IV. This section is the Acid Rain Part.**

**Operated by: JEA**  
**ORIS code: 0666**

**Subsection A. This subsection addresses Acid Rain, Phase II.**

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

<u>E.U. ID No.</u>	<u>Description</u>
-015	Combustion Turbine #7 (start-up April 30, 2000)

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

- a. DEP Form No. 62-210.900(1)(a), received 08/26/2002.  
 [Chapter 62-213 and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO<sub>2</sub>) allowance allocations requirements for each Acid Rain unit are as follows:

<u>E.U. ID No.</u>	<u>EPA ID</u>	<u>Year</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
-015	7	SO <sub>2</sub> allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*

\*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 of 40 CFR 73.

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), F.A.C.]

A.4. 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-5, TITLE V CONDITIONS}  
 [Rule 62-214.420(11), F.A.C.]



A.5. Comments, notes, and justifications: None.

## Appendix H-1: Permit History

JEA  
Kennedy Generating Station

FINAL Permit No.: 0310047-014-AV  
Facility ID No.: 0310047

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E.U. ID No.	Description	Permit No.	Effective Date	Expiration Date	Project Type
All	Facility	0310047-001-AV	01/01/1998	12/31/2001	Initial
All	Facility	0310047-012-AV	01/01/2003	12/31/2007	Renewal
-015	Simple Cycle Combustion Turbine No. 7	0310047-013-AC	03/06/2006	12/31/2007	Construction (mod.)
		0310047-014-AV	05/18/2006	12/31/2007	Revision

<sup>1</sup> Change to an actual date, which is day 55 from the date of posting the PROPOSED Permit for EPA review (see confirmation e-mail from Tallahassee) or the date that EPA confirms resolution of any objections.

## Appendix I-1, List of Insignificant Emissions Units and/or Activities

JEA  
Kennedy Generating Station

FINAL Permit No.: 0310047-014-AV  
Facility ID No.: 0310047

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

### Brief Description of Emissions Units and/or Activities:

#### A. Storage Tanks.

1. JEA Tank #5	Magnesium Oxide	10,000 gallons
2. JEA Tank #6	Lube Oil - Units 9/10	9,400 gallons
3. JEA Tank #7	Lube Oil - Units 8/9	4,800 gallons
4. JEA Tank #8	Black Start Diesel	3,000 gallons
5. JEA Tank #9	Mineral Acid	5,000 gallons
6. JEA Tank #10	Caustic	5,000 gallons
7. JEA Tank #11	Hypochloride	15,228 gallons
8. JEA Tank #12	FeSO <sub>4</sub>	2,500 gallons
9. JEA Tanks #15	Sodium BiSulfite	2,500 gallons

#### B. Reserved.

#### C. Emergency Generator.

1. One at this site. The emergency generator has historically fired less than 10,000 gallons per year of diesel fuel. The emergency generator draws its fuel from a single diesel fuel oil storage tank that supports the auxiliary boiler (the fuel oil has a maximum fuel sulfur content limit of 0.5%, by weight).

#### D. Black-start Generators.

1. Two at this site. These generators have historically fired a total amount of less than 10,000 gallons per year. They draw their fuel from a single diesel storage tank (the fuel oil delivered is the same as that delivered for the emergency generator, i.e., with a maximum sulfur content of 0.5%, by weight).

## **Appendix U-1, List of Unregulated Emissions Units and/or Activities.**

JEA  
Kennedy Generating Station

FINAL Permit No.: 0310047-014-AV  
Facility ID No.: 0310047

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Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

<b><u>E.U. ID No.</u></b>	<b><u>Brief Description of Emissions Units and/or Activity</u></b>		
-010	Storage Tanks (tanks 1 and 4)		
-014	Storage Tank (tank 13)		
-010	Storage Tanks.		
1. JEA Tank #1	No. 6 Fuel Oil Storage	4,578,000 gallons	
2. JEA Tank #4	No. 6 Fuel Oil Storage	4,578,000 gallons	
-014	Storage Tank.		
1. JEA Tank #13	No. 2 Fuel Oil Storage	1,512,000 gallons	

## Attachment "40 CFR 60, Subpart A"

### General Provisions

#### 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 control agency 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).  
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.1(a), (b) and (c)]

#### 40 CFR 60.2 Definitions.

- (a) *Administrator* means the Administrator of the Environmental Protection Agency or the Secretary or the Secretary's designee.  
[Rule 62-204.800(7)(a), F.A.C.; and, 40 CFR 60.2]

#### 40 CFR 60.7 Notification and record keeping.

- (a) The owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:
- (1) A notification of the date construction (or reconstruction as defined under 40 CFR 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) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.
  - (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 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.
  - (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.

**Attachment "40 CFR 60, Subpart A"**

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- (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) The 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) 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) The 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.

(f) 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).

(g) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.7(a), (b), (c), (d), (e), (f) and (g)]

#### **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).

(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, (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.

(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.

(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.

(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.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.8(a), (b)(1), (4) & (5), (c), (e) and (f)]

**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.
- [Rule 62-204.800, F.A.C.; and, 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 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 Reference 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 Reference 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 opacity compliance.

(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.

**Attachment "40 CFR 60, Subpart A"**

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(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.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.11(a), (b), (c), (d), (e), (f) and (g)]

**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.

[Rule 62-204.800, F.A.C.; and, 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 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 this part 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 O<sub>2</sub> 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).

- (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 with 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 are released to the atmosphere through more than one point.
- (j) An alternative to the relative accuracy test specified in Performance Specification 2 of appendix B may be requested as follows:
- (1) An alternative to the reference method tests for determining relative accuracy 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 relative accuracy test in section 7 of Performance Specification 2 and substitute the procedures in section 10 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 relative accuracy test and substitute the procedures in section 10 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 relative accuracy 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 relative accuracy 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 of the applicable standard. 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 relative accuracy 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 relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.13(a) thru (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.
- (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 demonstrate 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.
- (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.
- (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.

**Attachment "40 CFR 60, Subpart A"**

Page 10

- (6) The relocation or change in ownership of an existing facility.
- (f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
- (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 62-204.800, F.A.C.; and, 40 CFR 60.14(a) thru (g)].

**40 CFR 60.15 Reconstruction.**

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
- (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.
- (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.
- (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.
- (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.
- (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.
- (g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.  
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.15(a) thru (g)].

## Appendix JEPB Rule 2

# JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD

## RULE 2 AIR POLLUTION CONTROL

Effective	03/18/85
Amended	12/15/85
Amended	06/18/86
Amended	06/15/86
Amended	10/27/88
Amended	12/20/88
Amended	07/09/90
Amended	10/22/92
Repealed, renumbered and readopted	01/10/93
Amended	12/19/94, Effective 01/11/95
Amended	09/11/95, Effective 10/05/95
Amended	11/12/96, Effective 12/16/96

PART IX - AIR POLLUTION EPISODES

2.901 Air Pollution Episodes - Local Rules

PART X - STATIONARY SOURCES EMISSION STANDARDS

2.1001 Adopts 62-296 FAC by reference

PART XI - STATIONARY SOURCES - EMISSIONS MONITORING

2.1101 Adopts 62-297 FAC by reference

PART XII - AIR POLLUTION NUISANCE RULES

2.1201 General Standard for Volatile Organic Compounds

2.1202 Emissions from Ships and Locomotives

2.1203 Air Pollution Nuisances

PART XIII - PERMITS - GENERAL PROVISIONS

2.1301 Adopts 62-4 FAC by reference

2.1302 Adopts 120.57 FS and 62 103.150 FAC by reference



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JUN 14 1997

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BUREAU OF  
AIR REGULATION

In compliance with Section 17-2.650(2)(g)4. of the Administrative Code, the Jacksonville Electric Authority submits its "Operation and Maintenance Plan", to be appended where appropriate to unit operating permits.

Operation and Maintenance

Following is a list of activities to be accomplished for the control of particulate emissions from units in or impacting the Duval County non-attainment area. These schedules apply to each on-line unit.

Daily:

- 1. Clean one deck of burners (renew tips as necessary).
- 2. Conduct one complete soot-blowing cycle (or as needed).
- 3. Maintain optimum fuel oil temperature and pressure.

Weekly:

- 1. Clean fuel oil strainers (more frequently if required).

Annually:

- 1. Clean the boiler and inspect baffles.
- 2. Inspect the:
  - (a) wind-box;
  - (b) registers;
  - (c) diffusers;
  - (d) refractory throat.
- 3. Adjust the air registers for optimum flame pattern (more frequently if required).
- 4. Replace burner tips (more frequently if required).

### Major Outages:

1. Overhaul the: (a) turbine/generator  
(b) boiler and auxiliary equipment.
2. Calibrate the: (a) flow meters including sensing  
line checks;  
(b) pneumatic controls;  
(c) temperature gauges.

### Performance Parameters

The following operational parameters are to be recorded on a bi-hourly basis.

1. Steam flow.
2. Number of burners in service.
3. Burner oil pressure.
4. Burner oil temperature.

Fuel Type: Number 6 residual oil unless otherwise stated.

### Records

Records of all operating data and maintenance procedures listed herein shall be retained at the Generating Station for review, upon request, for a period of two years.

# Phase II Permit Application

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

This submission is:  New  Revised

**STEP 1**  
Identify the source by unit name, State, and ORIS code from NADS

Kennedy Generating Station	FL	666
Plant Name	State	ORIS Code

**STEP 2**  
Enter the boiler ID# from NADS for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

Compliance Plan				
a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units  Commence Operation Date	New Units  Monitor Certification Deadline
8	Yes			
9	Yes			
10	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

no other plants...  
STEP 3  
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Partition form has been submitted or will be submitted by June 1, 1997.

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EP 4

As the standard requirements and certification, enter the name of the designated representative, and signed data

Standard RequirementsPermit Requirements.

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

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 72.84(e)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, on Acid Rain unit under 40 CFR 72.81(e)(2); or
  - (ii) Starting on the later of January 1, 2000, or the deadline for monitor certification under 40 CFR part 75, on Acid Rain unit under 40 CFR 72.81(e)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (5) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.330, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Recordkeeping and Reporting Requirements (cont.)

- (IV) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72, subpart I and 40 CFR part 75.

Liability.

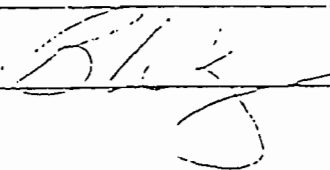
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject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

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed so

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

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name Brian M. Wirz	
Signature 	Date 12/14/95

4. If optional,  
Enter the source AIRS  
and FINDS identification  
numbers, if known

AIRS

FINDS

**BEST AVAILABLE COPY**



# Certificate of Representation

For more information, see instructions and refer to 40 CFR 72.24

This submission is:  New  Renewal

### STEP 1

Identify the source by plant name, State, and OMS code from NADS

Plant Name	JEA, Kennedy Generating Station	State	FL	OMS Code	666
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### STEP 2

Enter requested information for the designated representative

Name	Brian M. Wirz, Associate Managing Director				
Address	Jacksonville Electric Authority 21 West Church Street Jacksonville, FL 32202				
Phone Number	(904) 632-7270	Fax Number	(904) 632-7366		

### STEP 3

Enter requested information for the alternate designated representative (optional)

Name					
Address					
Phone Number			Fax Number		

### STEP 4

Complete Step 5, read the certifications and sign and date

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement selecting me as the designated representative or alternate designated representative, as applicable, for the affected source and each affected unit at the source as required in this certificate of representation, daily for a period of one week in a newspaper of general circulation in the area where the source is located or in a State publication designated to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that said such owner and operator shall be fully bound by my actions, inactions, or omissions.

I certify that I shall abide by any financial responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a beneficial interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under a long-term, firm power purchase agreement, I certify that:

I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

All revenues and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, beneficial, or beneficial reservation or ownership or, if such multiple holders have expressly provided for a different distribution of allowances, revenues, the allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

The agreement by which I was selected as the alternate designated representative included as a predecessor for the owners and operators of the source and affected units at the source is authorized the alternate designated representative to act in lieu of the designated representative.

**BEST AVAILABLE COPY**

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for acquiring the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Signature (Mandatory non-union)	<i>[Signature]</i>	Date	8/17/95
Signature (Union)		Date	

Provide the name of the owner and operator of the source and each affected unit of the source. Identify units they own or operate by the ID# from NADL. Owners only, identify each state or local regulatory authority with jurisdiction over each source.

Jacksonville, Electric Authority						<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID# 8	ID# 9	ID# 10	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Fla Dept. of Env. Reg.; Reg. & Env. Services Dept. (city)							
Regulatory Authority							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authority							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authority							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authority							





# Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is:  New  Revised

**STEP 1**  
Identify the source by plant name, State, and ORIS code.

Plant Name JD Kennedy	State FL	0666 ORIS Code
-----------------------	----------	-------------------

Compliance Plan

a	b	c	d	e
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)		New Units	New Units
		Repowering Plan	Commence Operation Date *	Monitor Certification Deadline

**STEP 2**  
Enter the unit ID# for each affected unit, and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

a	b	c	d	e
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)		New Units	New Units
		Repowering Plan	Commence Operation Date *	Monitor Certification Deadline
015**	Yes		April 2000	July 2000
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

**STEP 3**  
Check the box if the response in column c of Step 2 is "Yes" for any unit.

For each unit that is being repowered, the Repowering Extension Plan form is included.

\* Estimated

\*\* Presumed Account ID #000666000015

Plant Name (from Step 1) JD Kennedy

**STEP 4**  
**Read the standard requirements and certification, enter the name of the designated representative, and sign and date**

**Standard Requirements**

Permit Requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
  - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
  - (ii) Have an Acid Rain Permit.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each affected unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

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

Excess Emissions Requirements

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

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Plant Name (from Step 1) JD Kennedy

Liability.

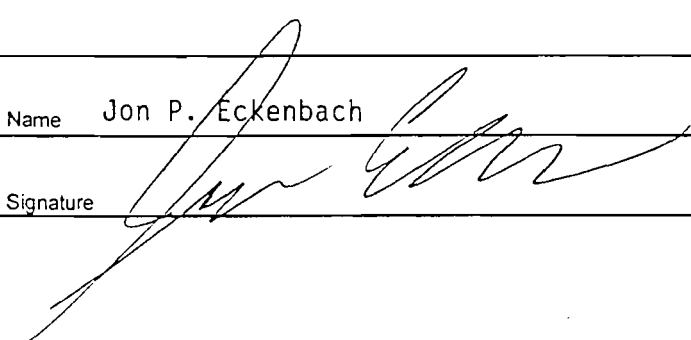
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

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

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Jon P. Eckenbach	
Signature		Date 5-11-97

AUG 26 2002

BUREAU OF AIR REGULATION

## Phase II Acid Rain Part Application

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

This submission is:  New  Revised  *Renewal*

**STEP 1**

Identify the source by plant name, State, and ORIS code from NADB

Plant Name	J. D. Kennedy	State	FL	ORIS Code	0666
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**STEP 2** Enter the unit ID# for each affected unit and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

Compliance Plan				
a	b	c	d	e
Unit ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	Repowering Plan	Commence Operation Date	Monitor Certification Deadline
015 (CT#7)	Yes		April 2000	July 2000
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

**STEP 3**

Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that is being repowered, the Repowering Extension Plan form is included.

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont)

- (iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

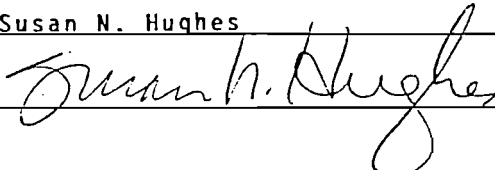
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8 or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

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

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Susan N. Hughes	
Signature		Date 8/20/02

4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

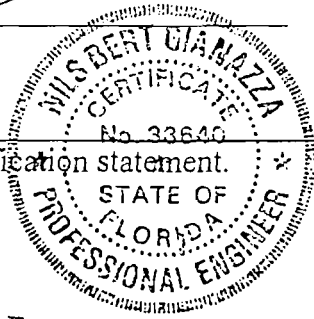
*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ X ], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

*MB Giannini*  
\_\_\_\_\_  
Signature

(seal)

*July 1, 2002*  
\_\_\_\_\_  
Date



\* Attach any exception to certification statement.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of: )  
 )  
Florida Electric Power Coordinating Group, Inc., ) ASP No. 97-B-01  
 )  
Petitioner. )

ORDER ON REQUEST  
FOR  
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), the Florida Electric Coordinating Group, Incorporated, (FCG) petitioned for approval to: (1) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test; and, (2) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test during the year prior to renewal of an operation permit. This Order is intended to clarify particulate testing requirements for those fossil fuel steam generators which primarily burn gaseous fuels including, but not necessarily limited to natural gas.

Having considered the provisions of Rule 62-296.405(1), F.A.C., Rule 62-297.310(7), F.A.C., and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. The Florida Electric Power Coordinating Group, Incorporated, petitioned the Department to exempt those fossil fuel steam generators which have a heat input of more than 250 million Btu per hour and burn solid and/or liquid fuel less than 400 hours during the year from the requirement to conduct an annual particulate matter compliance test. [Exhibit 1]

2. Rule 62-296.405(1)(a), F.A.C., applies to those fossil fuel steam generators that are not subject to the federal standards of performance for new stationary sources (NSPS) in 40 CFR 60 and which have a heat input of more than 250 million Btu per hour.

3. Rule 62-296.405(1)(a), F.A.C., limits visible emissions from affected fossil fuel steam generators to, "20 percent opacity except for either one six-minute period per hour during which

not exceed 40 percent. The option selected shall be specified in the emissions unit's construction and operation permits. Emissions units governed by this visible emission limit shall test for particulate emission compliance annually and as otherwise required by Rule 62-297, F.A.C.”

4. Rule 62-296.405(1)(a), F.A.C., further states, “Emissions units electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The results of such tests shall be submitted to the Department. Upon demonstration that the particulate standard has been regularly complied with, the Secretary, upon petition by the applicant, shall reduce the frequency of particulate testing to no less than once annually.

5. Rule 297.310(7)(a)1., F.A.C., states, “The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.”

6. Rule 297.310(7)(a)3., F.A.C., states, “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.

7. Rule 297.310(7)(a)3., F.A.C., further states, “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 and/or solid fuel for a total of no more than 400 hours.”

8. Rule 297.310(7)(a)4., F.A.C., states, “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; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant...”

9. Rule 297.310(7)(a)5., F.A.C., states, “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.”

10. Rule 297.310(7)(a)6., F.A.C., states, “For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be



required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.”

11. Rule 297.310(7)(a)7., F.A.C., states, “For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.” [Note: The reference should be to Rule 62-296.405(1)(a), F.A.C., rather than Rule 62-296.405(2)(a), F.A.C.]

12. The fifth edition of the U. S. Environmental Protection Agency’s Compilation of Air Pollutant Emission Factors, AP-42, that emissions of filterable particulate from gas-fired fossil fuel steam generators with a heat input of more than about 10 million Btu per hour may be expected to range from 0.001 to 0.006 pound per million Btu. [Exhibit 2]

13. Rule 62-296.405(1)(b), F.A.C. and the federal standards of performance for new stationary sources in 40 CFR 60.42, Subpart D, limit particulate emissions from uncontrolled fossil fuel-fired steam generators with a heat input of more than 250 million Btu to 0.1 pound per million Btu.

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider the matter pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 62-297.620, F.A.C.

2. Pursuant to Rule 62-297.310(7), F.A.C., the Department may require Petitioner to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

3. There is reason to believe that a fossil fuel steam generator which does not burn liquid and/or solid fuel (other than during startup) for a total of more than 400 hours in a federal fiscal year and complies with all other applicable limits and permit conditions is in compliance with the applicable particulate mass emission limiting standard.

#### ORDER

Having considered the requirements of Rule 62-296.405, F.A.C., Rule 62-297.310, F.A.C., and supporting documentation, it is hereby ordered that:

1. 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;

2. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup;

3. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(1)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup;

4. 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 particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

5. Pursuant to Rule 62-297.310(7), F.A.C., owners of affected fossil fuel steam generators may be required to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

6. Pursuant to Rule 62-297.310(8), F.A.C., owners of affected fossil fuel steam generators shall submit the compliance test report to the District Director of the Department district office having jurisdiction over the emissions unit and, where applicable, the Air Program Administrator of the appropriate Department-approved local air program within 45 days of completion of the test.

#### PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of

the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by each petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action in the notice of intent.

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

A person whose substantial interests are affected by the Department's proposed decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

(a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and

(d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

(a) The names, addresses, and telephone numbers of any persons who may attend the mediation;

(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;

(c) The agreed allocation of the costs and fees associated with the mediation;

(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;

(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;

(f) The name of each party's representative who shall have authority to settle or recommend settlement; and

(g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will

specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver, when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully

each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

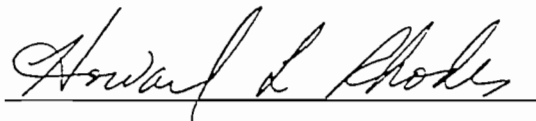
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

#### RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 17 day of March, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director  
Division of Air Resources Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(904) 488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 18<sup>th</sup> day of March 1997.

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**  
FILED, on this date, pursuant to  
§120.52(7), Florida Statutes, with the  
designated Department Clerk, receipt of  
which is hereby acknowledged.

Marsha Wise 3-18-97  
Clerk Date

## Appendix JEPB Rule 2

# JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD

## RULE 2 AIR POLLUTION CONTROL

Effective	03/18/85
Amended	12/15/85
Amended	06/18/86
Amended	06/15/86
Amended	10/27/88
Amended	12/20/88
Amended	07/09/90
Amended	10/22/92
Repealed, renumbered and readopted	01/10/93
Amended	12/19/94, Effective 01/11/95
Amended	09/11/95, Effective 10/05/95
Amended	11/12/96, Effective 12/16/96



RULE OF THE  
JACKSONVILLE ENVIRONMENTAL PROTECTION BOARD  
RULE 2  
AIR POLLUTION CONTROL

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PART I - GENERAL PROVISIONS

- 2.101 Definitions
- 2.102 Authority and Intent
- 2.103 Severability
- 2.104 Registration and Reports
- 2.105 Maintenance of Pollution Control Devices
- 2.106 General Restrictions
- 2.107 Air Pollution Prohibited
- 2.108 Enforcement
- 2.109 Investigations - Right of Entry
- 2.110 Penalties and Injunctive Relief

PART II - AIR POLLUTION CONTROL GENERAL PROVISIONS

- 2.201 Adopts 62-204 FAC by reference

PART III - STATIONARY SOURCES GENERAL REQUIREMENTS

- 2.301 Adopts 62-210 FAC by reference

PART IV - STATIONARY SOURCES - PRECONSTRUCTION REVIEW

- 2.401 Adopts 62-212 FAC by reference

PART V - OPERATION PERMITS FOR MAJOR SOURCES OF AIR POLLUTION

- 2.501 Adopts 62-213 FAC by reference

PART VI - GASOLINE VAPOR CONTROL

- 2.601 Adopts 62-252 FAC by reference
- 2.602 Expanded Stage I Controls in Duval County

PART VII - OPEN BURNING AND FROST PROTECTION FIRES

- 2.701 Adopts 62-256 FAC by reference

PART VIII - AMBIENT AIR QUALITY STANDARDS

- 2.801 Ambient Air Quality Standard for Aggregate Reduced Sulfur (ARS)

PART IX - AIR POLLUTION EPISODES

2.901 Air Pollution Episodes - Local Rules

PART X - STATIONARY SOURCES EMISSION STANDARDS

2.1001 Adopts 62-296 FAC by reference

PART XI - STATIONARY SOURCES - EMISSIONS MONITORING

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2.1301 Adopts 62-4 FAC by reference

2.1302 Adopts 120.57 FS and 62 103.150 FAC by reference

February 13, 2001



Clair H. Fancy, P.E.  
Chief, Bureau of Air Regulation  
Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Kennedy Generating Station Combustion Turbine CT 7  
Air Construction Permit 0310047-002-AC  
Title V Operating Permit 0310047-006-AV  
Request for Permit Revision

Dear Mr. Fancy:

Per my conversation with Bruce Mitchell, please issue permit revisions to the above referenced permits changing Specific Condition 31 in the construction permit and Specific Condition D 24 in the Title V permit from requiring stack testing to be performed at 95-100% of capacity to requiring stack testing to be performed at 90-100% of capacity. It is my understanding that these revisions can be performed simultaneously to reduce processing time.

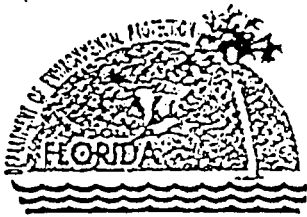
These revisions will make the specific conditions consistent with the new combustion turbine stack testing guidance DARM-OGG-07, "Guidance on Rate of Operation during Compliance Testing for Combustion Turbines" dated March 1, 2000.

If you have any questions with regard to this matter, please call me at (904) 665-6247.

Sincerely,

N. Bert Gianazza, P.E.  
Environmental Permitting  
& Compliance

cc: Bruce Mitchell, P.E., FDEP



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Scrubs  
Secretary

DARM-OGG-07

SUBJECT: Guidance on Rate of Operation during Compliance  
Testing for Combustion Turbines

DATE : March 1, 2000

This memo is to provide guidance on determining the rate of operation during compliance testing for combustion turbines (CTs).

The mass throughput rate of combustion turbines is inversely proportional to temperature and humidity measured at the CT inlet as a result of the changing air densities encountered. Inlet air temperature is the predominant factor; therefore, higher temperatures will result in a lower heat input rate (MMBtu/hr) and vice versa. The temperature is referenced to the CT inlet temperature rather than ambient temperature, as some CTs are equipped with inlet air conditioning systems (e.g., chillers or evaporative coolers) to maintain optimum operating temperature. Inlet air temperature and ambient temperature are equivalent in cases where no conditioning systems are used. Variations of heat input (capacity) are to be expected due to the range of ambient temperatures and humidities encountered in Florida. Over the usual operating ranges, the CT operating curve (capacity vs. inlet air temperature) is essentially a straight line.

The determination of the rate of CT operation during compliance testing is illustrated in the following example. The heat input limit is often referenced to 59°F, and in this example, corresponds to 750 MMBtu/hr (Point A). On the date that compliance testing is conducted, the average ambient (or conditioned) air temperature during the test period is determined to be 80°F. According to the attached curve, the maximum design heat input rate achievable is 700 MMBtu/hr (Point B). The CT has successfully achieved 90 percent of its maximum permitted capacity for this temperature if it is determined to be operating at 630 MMBtu/hr or more (Point C). In this example, the dashed line represents 90 percent of the maximum heat input value achievable over a range of inlet air temperatures. Heat input may vary depending on CT characteristics; therefore, manufacturer's curves for correction to other temperatures shall be provided to the Department, if a source intends to use the curves for compliance purposes. At the request of a permittee, the following conditions may be incorporated into the construction and corresponding operating permits:

1. An owner or operator may use manufacturer's curves or tables in determining the maximum heat input or fuel usage rate for compliance testing. These curves or tables relate compressor inlet conditions to heat input or fuel usage rate and are part of the permit. The data shall have a resolution of 1% of the maximum heat input or fuel usage rate. Inlet condition monitoring shall

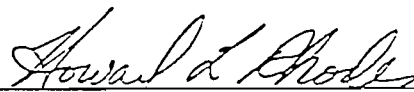
*"More Protection, Less Process"*

*Printed on recycled paper.*

include compressor inlet temperature with optional monitoring of inlet pressure and/or moisture levels when these parameters are also used to correct heat input or fuel usage rate.

2. Compliance testing of emissions shall be conducted with the combustion turbine operating at capacity. Capacity is defined as 90-100 percent of the manufacturer's rated heat input achievable for the average compressor inlet conditions during the test. If it is impracticable to test at capacity, then combustion turbines may be tested at less than capacity. In such cases, the entire curve or table shall be adjusted downwards by the increment which reflects the reduced rate of operation at which compliance was demonstrated. This increment is equal to the difference between the manufacturer's heat input or fuel usage value and 110 percent of the value reached during the test. In this case, the data and calculations necessary to demonstrate the heat input or fuel usage rate correction shall be submitted to the Department with the compliance test report.

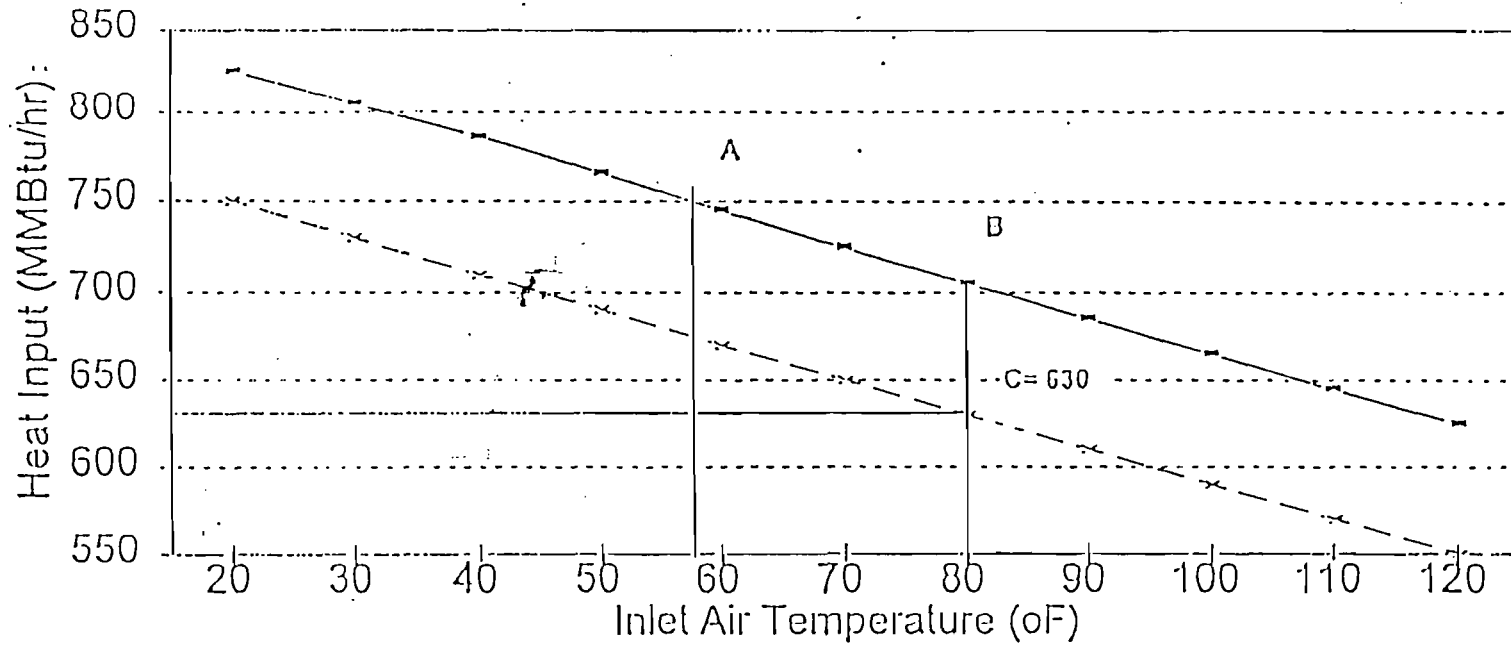
3. To demonstrate compliance with 40 CFR 60.330 federal New Source Performance Standard (NSPS) Subpart GG - Standards of Performance for Stationary Gas Turbines, an initial test shall be conducted at four load points and corrected to International Standards Organization (ISO) conditions for comparison to the NSPS allowable. Subsequent annual compliance tests conducted to establish compliance with NO<sub>x</sub> limits that are more stringent than the NSPS standard shall not require an ISO correction or testing at four load points; rather, the testing shall be conducted at capacity, as defined above. However, when the Department has reason to believe that NO<sub>x</sub> emissions exceed an applicable NO<sub>x</sub> standard (based on emissions data from CEMS or stack testing, or based on fuel quality) the Department may require that the company conduct emissions testing at four loads as required in Subpart GG.



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Howard L. Rhodes, Director  
Division of Air Resources Management

COMBUSTION TURBINE OPERATING CURVE  
 FUEL HEAT INPUT vs. INLET AIR TEMPERATURE



--- 90% of Maximum Operating Level --- Maximum Operating Capacity