

December 14, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John S. Ellis
IPS Avon Park Corporation
1560 Gulf Boulevard, #701
Clearwater, Florida 32767

Re: DEP File No. 0490043-001-AC (PSD-FL-275)
Vandolah Power Project
Four Simple Cycle Combustion Turbines

Dear Mr. Ellis:

The Department reviewed Mr. Kennard F. Kosky's letter dated December 4, 2001, requesting to extend the permit expiration date from January 1, 2002 to December 1, 2002. This request is acceptable. The permit expiration date is hereby extended as follows:

FROM: January 1, 2002

TO: **December 30, 2002**

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or

identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

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 notice. 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. Mediation is not available in this proceeding.

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 F.S. 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) F.S., 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 permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

John S. Ellis, IPS Avon Park*
Gregg Worley, EPA
John Bunyak, NPS
Bill Thomas, DEP SWD
Chair, Hardee County BCC
Ken Kosky, P.E., Golder

Clerk Stamp

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

(Clerk)

(Date)

January 31, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John O'Rourke, V.P. & Managing Director
Vandolah Power Company, L.L.C.
1001 Louisiana Street
Houston, Texas 77002

Re: DEP File No. 0490043-001-AC (PSD-FL-275)
Vandolah Power Project
Four Simple Cycle Combustion Turbines

Dear Mr. O'Rourke:

The Department received a request from your consultant, Golder Associates, to extend the referenced air construction permit from January 1, 2002 to December 1, 2002. Following review of that request and the additional information provided, the Department hereby extends the referenced permit until September 30, 2002. This will provide sufficient time to complete construction, test the units, and file a complete Title V Operation Permit application.

If the Title V application is deemed complete prior to expiration of the construction permit, the facility may continue to operate under that construction permit until final action is taken on the Title V permit.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

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 notice. 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. Mediation is not available in this proceeding.

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 F.S. 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) F.S., 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 permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

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

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

John O'Rourke, V.P.*
Ken Kosky, P.E., Golder

Clerk Stamp

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

(Clerk)

(Date)

September 27, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John O'Rourke
V.P. and Managing Director
Vandolah Power Company, L.L.C.
1001 Louisiana Street
Houston, Texas 77002

Re: Extension of Expiration Date of Permit No. 0490043-001-AC (PSD-FL-275)
Vandolah Power Project - Four Simple Cycle Combustion Turbines

Dear Mr. O'Rourke:

The Department is initiating an extension of the expiration date of air construction permit number 0490043-001-AC for the Vandolah Power Project located at 2394 Vandolah Road, Wauchula, Hardee County. The expiration date is hereby extended from September 30, 2002 to December 31, 2003 to coincide with the completion of the processing of the Title V/Acid Rain Operation Permit.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

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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 notice. 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. Mediation is not available in this proceeding.

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 F.S. 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) F.S., 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 permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

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

Howard L. Rhodes, Director
Division of Air Resource
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

John O'Rourke, V.P. *
Gregg Worley, EPA
John Bunyak, NPS
Jerry Kissel, DEP SWD
Chair, Hardee County BCC
Ken Kosky, P.E. Golder Associates

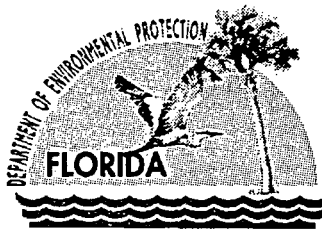
Clerk Stamp

FILING AND ACKNOWLEDGMENT

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

(Clerk)

(Date)



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

Bobby Beal

P.E. Certification Statement

Permittee:
Vandolah Power Company, LLC
Vandolah Power Project

DRAFT Permit No.: 04900043-003-AV

Project type: Initial Title V Air Operation Permit

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

Scott M. Sheplak 09/27/02
Scott M. Sheplak, P.E. date
Registration Number: 48866

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/921-9532
Fax: 850/922-6979

Sheplak, Scott

From: Kissel, Gerald
Sent: Tuesday, September 24, 2002 1:58 PM
To: Sheplak, Scott
Subject: El Paso Application

Vandolah

I got a voice mail today from Jennifer Mulhagen of El Paso Corp. asking about status for a T5 application related to PSD-FL-275. Sounds like something in Tall'e, so would you give her a call? 713-420-4771. Thanks.

"draft to be issued late this week."

Bobby fy:

I gave her your name & #. I called her. SA
9/24



jennifer.mulhagen@elpaso.com

Phase II Permit Application

Page 1

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 plant name, State, and ORIS code from NADB

Plant Name Vandolah Power Project

State FL

ORIS Code 55415

STEP 2 Enter the boiler ID# from NADB 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
GT 101	Yes		Jun 1, 2002	Sep 1, 2002
GT 201	Yes		Jun 1, 2002	Sep 1, 2002
GT 301	Yes		Jun 1, 2002	Sep 1, 2002
GT 401	Yes		Jun 1, 2002	Sep 1, 2002

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 Petition form has been submitted or will be submitted by June 1, 1997.

Vandolah Power Project

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

Plant Name (from Step 1)

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 part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, 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 part 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 part application or a superseding Acid Rain part issued by the permitting authority; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

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

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) 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 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 Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the 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 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Vandolah Power Project

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 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(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 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 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;

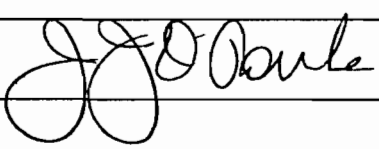
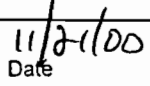
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(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	Mr. John O'Rourke	
Signature		 Date

STEP 5 (optional)
Enter the source AIRS
FINDS identification

AIRS
FINDS

(FOR INTERNAL USE ONLY)
State of Florida summary checklist for Title V permit applications

Facility Owner/Operator Name: Vandolah Power Co., LLC
Facility ID No.: 0490043 Site Name: Vandolah Power Project
County: Hardee
application receipt date 06/27/02

I. Preliminary scanning of application submitted.

- a. Was application submitted to correct permitting authority? Y ☒ N ☐
b. Was an application filed? Y* ☒ N ☐
c. Was the application filed timely? Y* ☒ N ☐
d. Application format filed [check one].
Hard copy of official version of form? ☒ ELSA? ☐
A facsimile of official version of form? ☐ Some combination? ☐
e. 4 copies (paper/electronic) submitted? Y ☒ N ☐
f. Electronic diskettes protected/virus scanned/marked? Y ☐ N ☐ N/A ☒
by ☐ date ☐/ ☐/ ☐
g. Entire hard copy of Section I. provided (Pages 1-11 of form)? Y ☒ N ☐
Facility identified (Page 1)? [if not complete a Page 1] Y* ☒ [Attached ☐
R.O. certification signed and dated (Page 2)? Y* ☒ N ☐
P.E. certification signed and dated (Page 7)? Y* ☒ N ☐
h. Any confidential information submitted? Y ☐ N ☒
If yes, R.O. provided hard copy to us and EPA? Y* ☐ N ☐
If yes, hard copy locked up and note filed with application? Y* ☐ N ☐
i. Type of application filed.
TV renewal application only? Y ☐ N ☐
Initial TV application only? Y ☒ N ☐
All units demonstrated initial compliance? Y ☒ N ☐
If, not included compliance plan? Y ☐ N ☐
Any units subject to acid rain? Y ☒ N ☐
j. CAM Plan submitted? Y ☐ N ☒

Bartley,
Go ahead
log.
S.H.
6/27

Note(s): [*] = mandatory.

Comment(s): _____

Reviewer's initials SH date 6/27/02 Concurrence initials _____ date / /



June 26, 2002

Mr. Scott Sheplak, Title V Section
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road MS 5500
Tallahassee, Florida 32399-2400
Phone: 850-488-1344

RECEIVED

JUN 27 2002

BUREAU OF AIR REGULATION

Re: Initial Title V Operating Permit Application
Vandolah Power Project
Construction Permit No. PSD-FL-275
ORIS Code: 55415
State ID: 0490043

Dear Mr. Sheplak:

El Paso Corporation, on behalf of Vandolah Power Project (Vandolah), is submitting four (4) signed and sealed copies of Vandolah's initial Title V operating permit application. We will also send one (1) signed and sealed copy of the Title V operating permit application to the Southwest District office of the Florida Department of Environmental Protection in Tampa, Florida. If you have any questions or comments regarding this submission, please call me at (713) 420-4771, or Doug Jensen, the plant manager of the Vandolah Power Project, at 863-773-2277. Thank you very much for your assistance.

Sincerely,

Jennifer Mollhagen
Environmental Engineer

Enclosure

cc: Paul Talarico, El Paso
Rick Knauth, El Paso
Doug Jensen, Vandolah
Chris Coombs, Vandolah



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
November 29, 2000

David B. Struhs
Secretary

Mr. John J. O'Rourke
V.P. & Managing Director
Venture Management
El Paso Merchant Energy
P.O. Box 2511
Houston, Texas 77252-2511

Re: Acid Rain Phase II Permit Application
Vandolah Power Project; ORIS Code: 55415

Dear Mr. O'Rourke:

Thank you for your recent submission of the Acid Rain Phase II Permit Application and Certificate of Representation for the subject facility. We have reviewed the documents and deem your application complete.

Sincerely,

Scott M. Sheplak, P.E.
Administrator
Title V Section

cc: Jenny Jachim, EPA Region 4

"More Protection, Less Process"

Printed on recycled paper.

Bull, Robert

From: Mijares, Bryan E [Bryan.Mijares@ElPaso.com]
Sent: Tuesday, March 23, 2004 3:15 PM
To: Bull, Robert
Cc: Knight, Nancy; Jensen, Douglas A; Coombs, Barry C (Chris); Ravishankar, Krish (Ravi)
Subject: VAN - ISO Heat Input Calculation [Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV]

Mr. Bull,
As discussed this afternoon, attached is the 2003 Statement of Compliance for the Vandolah Power Project, located near Wauchula, Hardee County, FL.

As noted in the attached certification, it is the Plant's position that regular recordkeeping is not required for ISO heat input. The permit (Section III, Condition A.5) does indicate two separate values for ISO heat input (i.e., is 1,612 MMBtu/hr for natural gas fired operation and 1,806 MMBtu/hr for fuel oil fired operation at 100% load and ISO Standard Day conditions). ISO standard day conditions is defined as 59°F, 60% relative humidity, and 14.696 psia.

At your earliest convenience, we would like to discuss next steps re: this issue. Thank you.

<<VAN - Title V - Statement of Compliance - 2003 (20040225).pdf>>

Bryan Mijares
Graduate Engineer, M.S.M.E.
Environmental - Domestic Power
El Paso Corporation
(719) 520-3778 (Work)
(719) 337-3976 (Mobile)
(719) 667-7833 (Fax)
Bryan.Mijares@ElPaso.com

2 N Nevada Ave
Colorado Springs, CO 80903

This email and any files transmitted with it from the ElPaso Corporation are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



Vandolah Power Company, LLC
2394 Vandolah Road
Wauchula, FL 33873

Tel 863-773-2277
Fax 863-773-5908

VIA UPS OVERNIGHT (TRACKING # _____)

February 25, 2004

Joel Smolen
Air Compliance Supervisor
Florida Department of Environmental Protection (FDEP)
Southwest District Office
3804 Coconut Palm Dr,
Tampa, FL, 33619-8218

Re: Vandolah Power Company, LLC
Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV
Title V Statement of Compliance - 2003

Dear Mr. Smolen:

On behalf of Vandolah Power Company, LLC, attached is the 2003 "Statement of Compliance - Title V Source" form and support information for the Vandolah Power Project located near Wauchula, Hardee County, Florida. The Acid Rain Phase II Compliance Certification Report for 2003 has also been completed and submitted under separate submittal.

Please note the following:

- o There was a monitoring deviation in 2003 due to a missed linearity test for Unit 2 (GT201). The linearity test for GT201 was not performed in the 1st quarter 2003 as required because the unit operating hours in the 4th quarter 2002 were greater than 168 unit operating hours. Also, the linearity was not performed within the grace period of 168 consecutive unit operating hours. Resolution of this issue involved data invalidation (approximately 173 hours) and data substitution (per the provisions of 40 CFR 75, including Appendix B, §2.2.4(b)). The revised Electronic Data Reports (EDRs) have been submitted to EPA and the 2003 allocations reflect the data substitution methodology. It is our understanding that this issue has been resolved to EPA's satisfaction.
- o It was reported in the 2nd quarter 2003 "Quarterly Report of Excess Emissions and Monitoring System Performance" that "the CEMS recorded information indicated that the Plant ran beyond its permitted heat input limit on different occasions". The Title V permitted limit per Section III, Condition A.5 is 1,612 MMBtu/hr for natural gas fired operation and 1,806 MMBtu/hr for fuel oil fired operation at 100% load and ISO Standard Day conditions (i.e., 59°F, 60% relative humidity, and 14.696 psia). The Plant's initial method of this determination was based on the EDR data from the CEMS. However, it was later determined that the EDR heat input data is calculated based on ambient conditions (per 40 CFR 75 methodology) and is not converted to ISO conditions. It is our understanding that a conversion to ISO conditions is not required because the permit

indicates "these maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics."

- ✍ Although not specifically stated in the Vandolah Title V permit, there are numerous FDEP Title V permits for facilities of similar SIC codes (e.g., 4911 and 4931) that have further clarification regarding this "capacity" permit condition. For your reference, below is an example regarding "capacity" that is standard language in several FDEP Title V permits:

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

Regular recordkeeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, in order to demonstrate what percentage of the rated capacity that the unit was tested. Such heat input determinations may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heating value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.}

Based on our interpretation of the Vandolah Title V permit language regarding "capacity" (Condition A.5), as well as supporting permit language in other FDEP Title V permits for similar industries, it is Vandolah's position that regular recordkeeping is not required for heat input and that there is no compliance issue associated with this permit condition.

If there are any questions regarding this submittal, please do not hesitate to contact me at (863)773-2277 (e-mail: Doug.Jensen@ElPaso.com).

Sincerely,

Douglas A. Jensen
Plant Manager

Attachment

cc:

- Ms. Rosalyn Hughes - US EPA Region 4, Air Enforcement Section, 61 Forsyth Street, Atlanta, GA 30303-8960 [tel 404-562-9206]
- Mr. Bryan Mijares - El Paso Corp.



Department of Environmental Protection

Division of Air Resource Management

STATEMENT OF COMPLIANCE - TITLE V SOURCE

REASON FOR SUBMISSION (Check one to indicate why this statement of compliance is being submitted)

☒ **Annual Requirement** ☐ **Transfer of Permit** ☐ **Permanent Facility Shutdown**

REPORTING PERIOD*	REPORT DEADLINE**
January 1 through December 31 of 2003 (year)	February 29, 2004

*The statement of compliance must cover all conditions that were in effect during the indicated reporting period, including any conditions that were added, deleted, or changed through permit revision.

**See Rule 62-213.440(3)(a)2., F.A.C.

Facility Owner/Company Name: Vandolah Power Company, LLC

Site Name: Vandolah Power Project Facility ID No. 0490043 County: Hardee

COMPLIANCE STATEMENT (Check only one of the following three options)

_____ A. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, and there were no reportable incidents of deviations from applicable requirements associated with any malfunction or breakdown of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above.

X B. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part; however, there were one or more reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each incident of deviation, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

_____ C. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, EXCEPT those identified in the pages attached to this report and any reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each item of noncompliance, the following information is included:

1. Emissions unit identification number.
2. Specific permit condition number (note whether the permit condition has been added, deleted, or changed during certification period).
3. Description of the requirement of the permit condition.
4. Basis for the determination of noncompliance (for monitored parameters, indicate whether monitoring was continuous, i.e., recorded at least every 15 minutes, or intermittent).
5. Beginning and ending dates of periods of noncompliance.
6. Identification of the probable cause of noncompliance and description of corrective action or preventative measures implemented.
7. Dates of any reports previously submitted identifying this incident of noncompliance.

For each incident of deviation, as described in paragraph B. above, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

STATEMENT OF COMPLIANCE - TITLE V SOURCE

RESPONSIBLE OFFICIAL CERTIFICATION

I, the undersigned, am a responsible official (Title V air permit application or responsible official notification form on file with the Department) of the Title V source for which this document is being submitted. With respect to all matters other than Acid Rain program requirements, I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this document are true, accurate, and complete.

(Signature of Title V Source Responsible Official)

(Date)

Name: Douglas A. Jensen

Title: Plant Manager

DESIGNATED REPRESENTATIVE CERTIFICATION (only applicable to Acid Rain source)

I, the undersigned, 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.

(Signature of Acid Rain Source Designated Representative)

(Date)

Name: Douglas A. Jensen

Title: Plant Manager

{Note: Attachments, if required, are created by a responsible official or designated representative, as appropriate, and should consist of the information specified and any supporting records. Additional information may also be attached by a responsible official or designated representative when elaboration is required for clarity. This report is to be submitted to both the compliance authority (DEP district or local air program) and the U.S. Environmental Protection Agency(EPA) (U.S. EPA Region 4, Air and EPCRA Enforcement Branch, 61 Forsyth Street, Atlanta GA 30303).}

Title V Statement of Compliance - Support Information

Part B. Exceptions Summary - Incident(s) of Deviation

Report	Brief Description of Incident
<p>1st Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated April 29, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 1, 2, 1, & 1 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>2nd Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated July 30, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 0, 0, 0, & 0 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>3rd Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated October 17, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 8, 4, 0, & 5 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>4th Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated January 29, 2004 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) without Startup, Shutdown, Malfunction Exclusion (Hour Duration): 1, 12, 1, and 1 o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 0, 2, 0, & 0 <p>SEE attached Excess Emission Report, EER (cover letter only)</p>

A.3. ARMS Emission Units 001-004, Power Generation, consisting of four 170 megawatt combustion turbines shall comply with all applicable provisions of 40CFR60, 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 used for compliance determinations with the BACT standard(s). [Rule 62-204.800(7)(b), F.A.C.]

Essential Potential to Emit (PTE) Parameters

A.4. Fuels: Only pipeline natural gas or maximum 0.05 percent sulfur fuel oil No. 2 or superior grade of distillate fuel oil shall be fired in these units. [Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)] {Note: The limitation of this specific condition is more stringent than the NSPS sulfur dioxide limitation and thus assures compliance with 40 CFR 60.333 and 60.334}

A.5. Capacity: The maximum heat input rates, based on the lower heating value (LHV) of each fuel to each Unit (1-4) at ambient conditions of 59°F temperature, 60% relative humidity, 100% load, and 14.7 psi pressure shall not exceed 1,612 million Btu per hour (MMBtu/hr) when firing natural gas, nor 1,806 MMBtu/hr when firing No. 2 or superior grade of distillate fuel oil. These maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics. [Design, Rule 62-210.200 and 62-4.160(2), F.A.C. (Definitions - Potential Emissions)]

A.6. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the DEP Southwest District as soon as possible, but at least within (1) working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; the steps being taken to correct the problem and prevent future recurrence; and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]

A.7. Operating Procedures: Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.]

A.8. Hours of Operation. The stationary gas turbines shall only operate up to an average of 3,390 hours including up to 1,000 hours on fuel oil during any calendar year, and no



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

FACSIMILE TRANSMISSION SHEET

DATE 3/3/04

TO: Bobby Ball

Department _____

Phone _____ Fax _____

FROM: Nancy Knight

DEP Southwest District Office - Air Program
Phone: (813) 744-6100 (SunCom 512-1042) Ext. 120

OPERATOR: _____

SUBJECT: Would you please look at the second bullet under "Please note the following" and tell me if you think their 2nd to last paragraph (before "If there are any questions") is accurate?
Thank you

Total Number of Pages, Including Cover Page: 3

DEP SWD AIR PROGRAM FAX NUMBERS: (813) 744-6458

(Suncom) 512-1073

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.



Vandolah Power Company, LLC
2394 Vandolah Road
Wauchula, FL 33873

Tel 863-773-2277
Fax 863-773-5908

VIA UPS OVERNIGHT (TRACKING # 1Z3W497A014012 2316)

February 25, 2004

Joel Smolen
Air Compliance Supervisor
Florida Department of Environmental Protection (FDEP)
Southwest District Office
3804 Coconut Palm Dr,
Tampa, FL, 33619-8218



Re: Vandolah Power Company, LLC
Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV
Title V Statement of Compliance - 2003

Dear Mr. Smolen:

On behalf of Vandolah Power Company, LLC, attached is the 2003 "Statement of Compliance - Title V Source" form and support information for the Vandolah Power Project located near Wauchula, Hardee County, Florida. The Acid Rain Phase II Compliance Certification Report for 2003 has also been completed and submitted under separate submittal.

Please note the following:

- o There was a monitoring deviation in 2003 due to a missed linearity test for Unit 2 (GT201). The linearity test for GT201 was not performed in the 1st quarter 2003 as required because the unit operating hours in the 4th quarter 2002 were greater than 168 unit operating hours. Also, the linearity was not performed within the grace period of 168 consecutive unit operating hours. Resolution of this issue involved data invalidation (approximately 173 hours) and data substitution (per the provisions of 40 CFR 75, including Appendix B, §2.2.4(b)). The revised Electronic Data Reports (EDRs) have been submitted to EPA and the 2003 allocations reflect the data substitution methodology. It is our understanding that this issue has been resolved to EPA's satisfaction.

It was reported in the 2nd quarter 2003 "Quarterly Report of Excess Emissions and Monitoring System Performance" that "the CEMS recorded information indicated that the Plant ran beyond its permitted heat input limit on different occasions". The Title V permitted limit per Section III, Condition A.5 is 1,612 MMBtu/hr for natural gas fired operation and 1,806 MMBtu/hr for fuel oil fired operation at 100% load and ISO Standard Day conditions (i.e., 59°F, 60% relative humidity, and 14.696 psia). The Plant's initial method of this determination was based on the EDR data from the CEMS. However, it was later determined that the EDR heat input data is calculated based on ambient conditions (per 40 CFR 75 methodology) and is not converted to ISO conditions. It is our understanding that a conversion to ISO conditions is not required because the permit

Show compliance by means other than EDRs

Title V Statement of Compliance - 2003

indicates "these maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics."

- Although not specifically stated in the Vandolah Title V permit, there are numerous FDEP Title V permits for facilities of similar SIC codes (e.g., 4911 and 4931) that have further clarification regarding this "capacity" permit condition. For your reference, below is an example regarding "capacity" that is standard language in several FDEP Title V permits:

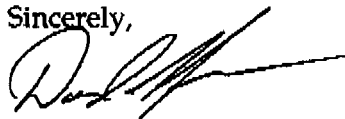
(Permitting Note: The heat input limitations have been placed in each permit to identify the capacity of each unit for purposes of confirming that emission testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load),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

Regular recordkeeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, in order to demonstrate what percentage of the rated capacity that the unit was tested. Such heat input determinations may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heating value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.)

Based on our interpretation of the Vandolah Title V permit language regarding "capacity" (Condition A.5), as well as supporting permit language in other FDEP Title V permits for similar industries, it is Vandolah's position that regular recordkeeping is not required for heat input and that there is no compliance issue associated with this permit condition.

If there are any questions regarding this submittal, please do not hesitate to contact me at (863)773-2277 (e-mail: Doug.Jensen@ElPaso.com).

Sincerely,



Douglas A. Jensen
Plant Manager

Attachment

cc:

- Ms. Rosalyn Hughes – US EPA Region 4, Air Enforcement Section, 61 Forsyth Street, Atlanta, GA 30303-8960 [tel 404-562-9206]
- Mr. Bryan Mijares - El Paso Corp.
- MR. Chris Coombs - VANDOLAH

2394 Vandolah Road, Wauchula, FL 33873 TEL (863)773-2277 FAX (863)773-5908

Bull, Robert

From: Vielhauer, Trina
Sent: Friday, April 09, 2004 4:24 PM
To: Pennington, Jim; Olga Ibarra (oibarra@broward.org); John Kasper (john.kasper@ocfl.net); 'Zhu, Roger'; Arif, Syed; 'Bittle, Clifton'; Bradburn, Rick; Bull, Robert; Cascio, Tom; Delosantos, Manuel; 'Dennis, Ronald'; 'Driscoll, Marie'; Familie, Bahram; Felton-Smith, Rita; 'Garcia, Jose'; 'Garcia, Rick'; Halpin, Mike; 'Harman, Alice'; Heron, Teresa; Holtom, Jonathan; 'Hung, Anthony'; Jackson, Angelia; 'Jairam, Seree'; 'Jordahl, Claire'; Koerner, Jeff; Kriegel, Robert; Linero, Alvaro; Mancarella, Owen; Maybin, Leslie; McDonald, Jim; Mitchell, Bruce; 'Muthia, Mallika'; Nasca, Mara; Newburg, Deanna; Noor, Quaid; Phillips, Cindy; Reynolds, John; 'Robbins, Gary'; 'Roberson, Ron'; 'Robinson, Richard'; Rustin, Jeff; 'Spellmon, Linda'; Svec, Ed; Tallam, Laxmana; 'Tilley, Lori'; Turner, John B.; White, Kevin M.; 'Woosley, Jerry'; Zahm, Alan; Zell, David
Subject: clarification

I want to thank everyone who sat in on the permitting teleconference yesterday. I want to be sure we are all on the same page on an issue that I understand came up at the end of the teleconference. We have not changed any of the Title V formats regarding permitting notes on capacity at this time. Please continue to use the format language you have been using until you hear from me otherwise.

Thank you and I apologize for any confusion this may have caused.

Trina

-----Original Message-----

From: Pennington, Jim
Sent: Tuesday, April 06, 2004 3:11 PM
To: Olga Ibarra (oibarra@broward.org); John Kasper (john.kasper@ocfl.net); Zhu, Roger; Arif, Syed; Bittle, Clifton; Bradburn, Rick; Bull, Robert; Cascio, Tom; Delosantos, Manuel; Dennis, Ronald; Driscoll, Marie; Familie, Bahram; Felton-Smith, Rita; Garcia, Jose; Garcia, Rick; Halpin, Mike; Harman, Alice; Heron, Teresa; Holtom, Jonathan; Hung, Anthony; Jackson, Angelia; Jairam, Seree; Jordahl, Claire; Koerner, Jeff; Kriegel, Robert; Linero, Alvaro; Mancarella, Owen; Maybin, Leslie; McDonald, Jim; Mitchell, Bruce; Muthia, Mallika; Nasca, Mara; Newburg, Deanna; Noor, Quaid; Phillips, Cindy; Reynolds, John; Robbins, Gary; Roberson, Ron; Robinson, Richard; Rustin, Jeff; Spellmon, Linda; Svec, Ed; Tallam, Laxmana; Tilley, Lori; Turner, John B.; White, Kevin M.; Woosley, Jerry; Zahm, Alan; Zell, David
Cc: Vielhauer, Trina
Subject: Agenda for the Monthly Permitting Teleconference on Thursday, April 8 at 9:30 am EDT 850/921-2530 or SC291-2530

850/921-2530 or Suncom 291-2530

Teleconference Date: Thursday, April 8th

Al Linero and Jim Pennington, Moderators

9:30 Roll Call and Opening Remarks

9:35 Requested Topics

- EPA's Permit Audit Results
- Clean Air Improvement Legislation

9:50 PSD Permitting Issues

- Coal Fired Power Plants

10:15 Title V Permitting Issues

- CAM Plans

10:30 Adjourn

4/12/2004

Reminders:

Northwest Permitting Audit

Southwest Permitting Audit

OTHER QUESTIONS/FOLLOW UP

Schedule next call. May 13 (2nd Thursday of each month.)

Bull, Robert

From: Bull, Robert
Sent: Friday, April 02, 2004 10:27 AM
To: Bull, Robert; 'Mijares, Bryan E'
Cc: Knight, Nancy; 'Jensen, Douglas A'; 'Coombs, Barry C (Chris)'; 'Ravishankar, Krish (Ravi)'; Pennington, Jim; Sheplak, Scott; Pell, Leigh; Holtom, Jonathan
Subject: RE: VAN - ISO Heat Input Calculation [Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV]

Good Morning Bryan,

I have had further discussions within my department regarding the permitting note listed below. During conversations this morning, it was brought to my attention that the entire permitting note will not be added to any permits, and would not be able to be added simply as an administrative correction. Our department has discussed this issue with EPA, and agrees that a permit may be issued without the permitting note. The department still believes that recordkeeping should be kept for heat input as stated in your Title V permit, and parameters be met according to the permit as well.

If you have any questions regarding compliance issues regarding this issue, please contact Scott Sheplak, Compliance and Enforcement Administrator at (850) 921-9532. Please contact me regarding any future changes to your Title V permit by email or phone at (850) 921-9585.

Thank you,

Bobby Bull

-----Original Message-----

From: Bull, Robert
Sent: Friday, April 02, 2004 8:03 AM
To: 'Mijares, Bryan E'
Cc: Knight, Nancy; Jensen, Douglas A; Coombs, Barry C (Chris); Ravishankar, Krish (Ravi); Pennington, Jim; Sheplak, Scott; Pell, Leigh
Subject: RE: VAN - ISO Heat Input Calculation [Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV]

Good Morning,

After reviewing your request, we feel that Vandolah has regular recordkeeping requirements for heat input, and that the parameters for heat input should still be met in accordance with your Title V permit.

Of the two Permitting Notes submitted, only the first listed would be applicable to Vandolah since it is an oil and gas fired facility:

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

This permitting note may be added to your Title V permit by an Administrative Correction and incorporated in your permit at the time of renewal.

The second permitting note listed would apply to coal fired power plants, and would not be applicable to Vandolah.

Regular recordkeeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, in order to demonstrate what percentage of the rated capacity that the unit was tested. Such heat input determinations may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the

4/12/2004

heating value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.}

This permitting note is also being reviewed by EPA for validity. If you have any questions regarding compliance issues regarding this issue, please contact Scott Sheplak, Compliance and Enforcement Administrator at (850) 921-9532. Please contact me regarding any future changes to your Title V permit by email or phone at (850) 921-9585.

Thank you,

Bobby Bull
Engineer II
Florida DEP
Bureau of Air Regulation

-----Original Message-----

From: Mijares, Bryan E [mailto:Bryan.Mijares@ElPaso.com]

Sent: Tuesday, March 23, 2004 3:15 PM

To: Bull, Robert

Cc: Knight, Nancy; Jensen, Douglas A; Coombs, Barry C (Chris); Ravishankar, Krish (Ravi)

Subject: VAN - ISO Heat Input Calculation [Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV]

Mr. Bull,

As discussed this afternoon, attached is the 2003 Statement of Compliance for the Vandolah Power Project, located near Wauchula, Hardee County, FL.

As noted in the attached certification, it is the Plant's position that regular recordkeeping is not required for ISO heat input. The permit (Section III, Condition A.5) does indicate two separate values for ISO heat input (i.e., is 1,612 MMBtu/hr for natural gas fired operation and 1,806 MMBtu/hr for fuel oil fired operation at 100% load and ISO Standard Day conditions). ISO standard day conditions is defined as 59°F, 60% relative humidity, and 14.696 psia.

At your earliest convenience, we would like to discuss next steps re: this issue. Thank you.

<<VAN - Title V - Statement of Compliance - 2003 (20040225).pdf>>

Bryan Mijares
Graduate Engineer, M.S.M.E.
Environmental - Domestic Power
El Paso Corporation
(719) 520-3778 (Work)
(719) 337-3976 (Mobile)
(719) 667-7833 (Fax)
Bryan.Mijares@ElPaso.com

2 N Nevada Ave
Colorado Springs, CO 80903

This email and any files transmitted with it from the ElPaso Corporation are confidential and intended solely for the

use of the individual or entity to whom they are addressed.

If you have received this email in error please notify the

sender.



Vandolah Power Company, LLC
2394 Vandolah Road
Wauchula, FL 33873

Tel 863-773-2277
Fax 863-773-5908

VIA UPS OVERNIGHT (TRACKING # _____)

February 25, 2004

Joel Smolen
Air Compliance Supervisor
Florida Department of Environmental Protection (FDEP)
Southwest District Office
3804 Coconut Palm Dr,
Tampa, FL, 33619-8218

Re: Vandolah Power Company, LLC
Facility ID: 0490043; ORIS Code: 55415; Title V Permit: 0490043-003-AV
Title V Statement of Compliance - 2003

Dear Mr. Smolen:

On behalf of Vandolah Power Company, LLC, attached is the 2003 "Statement of Compliance - Title V Source" form and support information for the Vandolah Power Project located near Wauchula, Hardee County, Florida. The Acid Rain Phase II Compliance Certification Report for 2003 has also been completed and submitted under separate submittal.

Please note the following:

- There was a monitoring deviation in 2003 due to a missed linearity test for Unit 2 (GT201). The linearity test for GT201 was not performed in the 1st quarter 2003 as required because the unit operating hours in the 4th quarter 2002 were greater than 168 unit operating hours. Also, the linearity was not performed within the grace period of 168 consecutive unit operating hours. Resolution of this issue involved data invalidation (approximately 173 hours) and data substitution (per the provisions of 40 CFR 75, including Appendix B, §2.2.4(b)). The revised Electronic Data Reports (EDRs) have been submitted to EPA and the 2003 allocations reflect the data substitution methodology. It is our understanding that this issue has been resolved to EPA's satisfaction.
- It was reported in the 2nd quarter 2003 "Quarterly Report of Excess Emissions and Monitoring System Performance" that "the CEMS recorded information indicated that the Plant ran beyond its permitted heat input limit on different occasions". The Title V permitted limit per Section III, Condition A.5 is 1,612 MMBtu/hr for natural gas fired operation and 1,806 MMBtu/hr for fuel oil fired operation at 100% load and ISO Standard Day conditions (i.e., 59°F, 60% relative humidity, and 14.696 psia). The Plant's initial method of this determination was based on the EDR data from the CEMS. However, it was later determined that the EDR heat input data is calculated based on ambient conditions (per 40 CFR 75 methodology) and is not converted to ISO conditions. It is our understanding that a conversion to ISO conditions is not required because the permit

indicates "these maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics."

- ✍ Although not specifically stated in the Vandolah Title V permit, there are numerous FDEP Title V permits for facilities of similar SIC codes (e.g., 4911 and 4931) that have further clarification regarding this "capacity" permit condition. For your reference, below is an example regarding "capacity" that is standard language in several FDEP Title V permits:

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

Regular recordkeeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, in order to demonstrate what percentage of the rated capacity that the unit was tested. Such heat input determinations may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heating value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.}

Based on our interpretation of the Vandolah Title V permit language regarding "capacity" (Condition A.5), as well as supporting permit language in other FDEP Title V permits for similar industries, it is Vandolah's position that regular recordkeeping is not required for heat input and that there is no compliance issue associated with this permit condition.

If there are any questions regarding this submittal, please do not hesitate to contact me at (863)773-2277 (e-mail: Doug.Jensen@ElPaso.com).

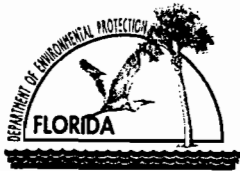
Sincerely,

Douglas A. Jensen
Plant Manager

Attachment

cc:

- Ms. Rosalyn Hughes – US EPA Region 4, Air Enforcement Section, 61 Forsyth Street, Atlanta, GA 30303-8960 [tel 404-562-9206]
- Mr. Bryan Mijares - El Paso Corp.



Department of Environmental Protection

Division of Air Resource Management

STATEMENT OF COMPLIANCE - TITLE V SOURCE

REASON FOR SUBMISSION (Check one to indicate why this statement of compliance is being submitted)

☒ **Annual Requirement** ☐ **Transfer of Permit** ☐ **Permanent Facility Shutdown**

REPORTING PERIOD*	REPORT DEADLINE**
January 1 through December 31 of 2003 (year)	February 29, 2004

*The statement of compliance must cover all conditions that were in effect during the indicated reporting period, including any conditions that were added, deleted, or changed through permit revision.

**See Rule 62-213.440(3)(a)2., F.A.C.

Facility Owner/Company Name: Vandolah Power Company, LLC

Site Name: Vandolah Power Project Facility ID No. 0490043 County: Hardee

COMPLIANCE STATEMENT (Check only one of the following three options)

_____ **A.** This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, and there were no reportable incidents of deviations from applicable requirements associated with any malfunction or breakdown of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above.

 X **B.** This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part; however, there were one or more reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each incident of deviation, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

_____ **C.** This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, EXCEPT those identified in the pages attached to this report and any reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each item of noncompliance, the following information is included:

1. Emissions unit identification number.
2. Specific permit condition number (note whether the permit condition has been added, deleted, or changed during certification period).
3. Description of the requirement of the permit condition.
4. Basis for the determination of noncompliance (for monitored parameters, indicate whether monitoring was continuous, i.e., recorded at least every 15 minutes, or intermittent).
5. Beginning and ending dates of periods of noncompliance.
6. Identification of the probable cause of noncompliance and description of corrective action or preventative measures implemented.
7. Dates of any reports previously submitted identifying this incident of noncompliance.

For each incident of deviation, as described in paragraph **B.** above, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

STATEMENT OF COMPLIANCE - TITLE V SOURCE

RESPONSIBLE OFFICIAL CERTIFICATION

I, the undersigned, am a responsible official (Title V air permit application or responsible official notification form on file with the Department) of the Title V source for which this document is being submitted. With respect to all matters other than Acid Rain program requirements, I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this document are true, accurate, and complete.

(Signature of Title V Source Responsible Official)

(Date)

Name: Douglas A. Jensen

Title: Plant Manager

DESIGNATED REPRESENTATIVE CERTIFICATION (only applicable to Acid Rain source)

I, the undersigned, 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.

(Signature of Acid Rain Source Designated Representative)

(Date)

Name: Douglas A. Jensen

Title: Plant Manager

{Note: Attachments, if required, are created by a responsible official or designated representative, as appropriate, and should consist of the information specified and any supporting records. Additional information may also be attached by a responsible official or designated representative when elaboration is required for clarity. This report is to be submitted to both the compliance authority (DEP district or local air program) and the U.S. Environmental Protection Agency(EPA) (U.S. EPA Region 4, Air and EPCRA Enforcement Branch, 61 Forsyth Street, Atlanta GA 30303).}

Title V Statement of Compliance - Support Information

Part B. Exceptions Summary - Incident(s) of Deviation

Report	Brief Description of Incident
<p>1st Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated April 29, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 1, 2, 1, & 1 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>2nd Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated July 30, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 0, 0, 0, & 0 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>3rd Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated October 17, 2003 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 8, 4, 0, & 5 <p>SEE attached Excess Emission Report, EER (cover letter only). <i>NOTE - Per 02/04 conversations with Nancy Knight (FDEP), FDEP has requested that the reports be re-submitted to include the duration of excess emissions without FDEP's SU/SD/Malfunction exclusion. These reports will be resubmitted by Vandolah.</i></p>
<p>4th Quarter 2003</p> <p>Quarterly Excess Emission and Monitoring System Performance Report</p> <ul style="list-style-type: none"> o Dated January 29, 2004 	<p>For the four (4) combustion units (GT101, GT201, GT301, and GT401), the following were noted:</p> <ul style="list-style-type: none"> o Excess Emissions (NOx) without Startup, Shutdown, Malfunction Exclusion (Hour Duration): 1, 12, 1, and 1 o Excess Emissions (NOx) with Startup, Shutdown, Malfunction Exclusion (Hour Duration): 0, 0, 0, and 0 o Monitoring System Downtime (Hour Duration): 0, 2, 0, & 0 <p>SEE attached Excess Emission Report, EER (cover letter only)</p>

February 13, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John O'Rourke, V.P. & Managing Director
Vandolah Power Company, L.L.C.
1001 Louisiana Street
Houston, Texas 77002

Mr. John S. Ellis
IPS Avon Park Corporation
1560 Gulf Boulevard, #701
Clearwater, Florida 32767

Re: DEP File No. 0490043-001-AC (PSD-FL-275)
Vandolah Power Project
Transfer of Ownership

Gentlemen:

This letter is to acknowledge receipt of the attached letter dated February 6, 2001 from Golder Associates requesting a transfer of ownership of the Vandolah Power Project from IPS Avon Park Corporation to Vandolah Power Company, L.L.C. Vandolah Power Company L.L.C. is an affiliate of El Paso Energy Corporation located at the same address. The proposed facility will be constructed pursuant to the referenced air construction permit near Wauchula in Hardee County, Florida.

Golder was the consultant for the original applicant and owner, IPS Avon Park Corporation. The request from Golder Associates includes a signature from a representative of Vandolah Power Company, L.L.C. Accordingly, the Department has reasonable assurance that a transfer of ownership is in effect between the two parties. The Department has amended its records in the Air Resources Management System to reflect new ownership.

Please advise the Department immediately if any facts stated above are in error. If you have any questions regarding this matter, please call Al Linero at 850/921-9523.

Sincerely,

C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

CHF/al

Enclosure

Cc: Ken Kosky, P.E., Golder Associates
Betty Robinson, Golder Associates
Bill Thomas, DEP SWD
John Stroble, VPC LLC

COMMENTS ON TITLE V AIR OPERATION DRAFT PERMIT
DRAFT PERMIT NO. 0490043-003-AV
VANDOLAH POWER PROJECT

Document	Section	Specific Item	Comment
1 Intent to Issue Title V Permit	Page 5 of 5	Certificate of Service	✓ Please change the name of the Responsible Official for the Vandolah Power Project from Donald Jensen to Douglas Jensen. ✓
2 Statement of Basis	2nd paragraph, 1st sentence		✓ Please make the bolded correction to the following sentence: This facility consists of four, dual-fuel, nominal 170 megawatt (MW) General Electric model PG7241FA combustion turbine-electrical generators with evaporative inlet coolers and four [not two] 60-foot exhaust stacks, and two 2.8-million gallon fuel oil storage tanks. ✓
3 Main portion of draft permit	All	All	✓ Since this permit will not be effective until after construction of the facility is complete and all construction-only items have been completed, we would like for all construction-only items to be removed from this permit. We would also like all items that are not applicable to the facility to be removed from the permit. We have made note of these items in the remaining portion of this attachment. We would like the Title V Operations Permit to reflect only items that we are currently required to follow as an operating facility. ✓
4 Main portion of draft permit	Section II, Item 7, Bullet 3	Not Federally Enforceable	✓ Please confirm that the facility is allowed to apply oil as a dust suppressant to unpaved roads, yards, open stockpiles, and other similar activities. ✓
5 Main portion of draft permit	Section II, Item 12, 1st sentence	Certification by a Responsible Official	✓ Please make the bolded correction to the following sentence to correct a typographical error: 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 states , based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. No, Rule cite
6 Main portion of draft permit	Section III.A, Item A.5, 3rd sentence	Capacity	✓ Please delete the following sentence, since this action was completed in the construction portion of this project: Manufacturer's curves corrected for site conditions or equations for correction to other ambient conditions shall be provided to the Department of Environmental Protection (DEP) within 45 days of completing the initial compliance testing. ✓
7 Main portion of draft permit	Section III.A, Item A.8, 1st sentence	Hours of Operation	✓ In the Best Available Control Technology appendix of the facility's PSD permit (Permit No. PSD-FL-275), it states that the Department will limit operation of the units to 3,390 hours per year per unit. It furthers states that no single unit may operate more than 5,000 hours per year. We would like for the Title V permit to include a similar statement. Please make the bolded changes to the referenced sentence as follows: The stationary gas turbines shall only operate up to an average of 3,390 hours including up to 1000 hours on fuel oil during any calendar year, and no single unit may operate more than 5,000 hours per year. ✓? ck w/ AI ✓
8 Main portion of draft permit	Section III.A, Item A.11, 1st sentence	Control System Characteristics	✓ Please delete the following sentence, since this action was completed in the construction portion of this project: Manufacturer's emissions performance versus load diagrams for the DLN and wet injection systems prior to their installation. ✓
9 Main portion of draft permit	Section III.A, Item A.13, 2nd bullet, 1st sentence	Nitrogen Oxides (NOx) Emissions	✓ Please make the bolded correction to the following sentence to clarify the averaging period while burning oil: The concentration of NOx in the exhaust gas shall not exceed 42 ppmvd at 15% O2 on the basis of a 3-hr block average (of valid hour hours during which the unit is actually operated only) as measured by the continuous emission monitoring system (CEMS). ✓ ded up AI ✓
10 Main portion of draft permit	Section III.A, Item A.15, 1st sentence	Volatile Organic Compounds (VOC) Emissions	✓ Please make the bolded correction to the following sentence to make the units consistent with what is given in Table A.12: The concentration of VOC in the stack exhaust gas with the combustion turbine operating on natural gas shall exceed neither 1.4 ppmvd [not ppmvw] nor 2.8 lb/hr (ISO conditions) and neither 7 ppmvw nor 16.2 lb/hr (ISO conditions) while operating on oil to be demonstrated by initial stack test using EPA Method 18, 25 or 25A. ✓

COMMENTS ON TITLE V AIR OPERATION DRAFT PERMIT
DRAFT PERMIT NO. 0490043-003-AV
VANDOLAH POWER PROJECT

*to be added
A19 Date 6/14*

Document	Section	Specific Item	Comment
11 Main portion of draft permit	Section III.A, Item A.20	Excess Emissions	This paragraph specifies that excess emissions must be included in the 24-hour average for NOX. However, the 24-hour average only applies while the turbines are burning natural gas, according to Item A.13. Item A.13 also states that a 3-hour average applies when the turbines are burning oil. Please clarify that the averaging periods for excess NOx emissions are 24 hours while the turbines are burning natural gas and 3 hours while the turbines are burning fuel oil.
12 Main portion of draft permit	Section III.A, Item A.21, 3rd sentence	Excess Emissions Report	Please make the bolded corrections to the following sentence to reference the correct conditions: Following the NSPS format, 40 CFR 60.7 Subpart A, periods of startup, shutdown, or malfunction shall be monitored, recorded, and reported as excess emissions when emission levels exceed the permitted standards listed in Specific Conditions A.12 [not 18] and A.13 [not 19].
13 Main portion of draft permit	Section III.A, Item A.22, 1st sentence	Compliance with Emission Standards	Please remove the construction-only portion of the referenced sentence and change it to read as follows: Compliance with the allowable emission limiting standards shall be determined annually as indicated in this permit, by using the following reference methods as described in 40 CFR 60, Appendix A (1998 version), and adopted by reference in Chapter 62-204.800, F.A.C.
14 Main portion of draft permit	Section III.A, Item A.23, 3rd bullet	Annual Performance Tests	Please clarify the test methods to be used and the circumstances under which to use them in the following sentence: 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 40CFR60 Subpart GG and (A) short-term NOX BACT limits (EPA reference Method 7E, "Determination of Nitrogen Oxides Emissions from Stationary Sources" or RATA test data may be used to demonstrate compliance for annual test requirements).
15 Main portion of draft permit	Section III.A, Item A.24, 1st paragraph	Continuous Compliance with the NOx Emission Limits	The first sentence of the referenced paragraph in Item A.24 specifies that continuous compliance with the NOx emission limits shall be demonstrated with the CEM system based on the applicable averaging time of a 24-hr block average (DLN). This is fine while the turbines are firing natural gas, since Item A.13 specifies that the NOx emission rate shall not exceed 9 ppmvd @ 15% O2 on a 24-hour block average while firing natural gas. However, Item A.13 then states that the NOx emission rate shall not exceed 42 ppmvd @ 15% O2 on a 3-hour average [please note that "block" is not included] while firing fuel oil. Please clarify that the averaging periods for continuous NOx compliance are 24 hours while the turbines are burning natural gas and 3 hours while the turbines are burning fuel oil.
16 Main portion of draft permit	Section III.A, Item A.24, 1st paragraph, last sentence	Continuous Compliance with the NOx Emission Limits	Please make the bolded corrections to the following sentence to reference the correct conditions: These excess emissions periods shall be reported as required in Conditions A.19 [not 25] and A.20 [not 26].
17 Main portion of draft permit	Section III.A, Item A.26, 1st and 2nd sentences	Compliance with CO Emission Limits	Please delete the following two sentences, since these actions were completed in the construction portion of this project: An initial test for CO shall be conducted concurrently with the initial NOX test, as required. The initial NOX and CO test results shall be the average of three valid one-hour runs.
18 Main portion of draft permit	Section III.A, Item A.27	Compliance with the VOC Emission Limits	Please clarify what is meant by "periodic tuning data."
19 Main portion of draft permit	Section III.A, Item A.31.(a)2, 1st sentence	Applicable Test Procedures, Required Sampling Time, Opacity Compliance Tests	Please change the referenced sentence to read as follows, in order to specify the required test method and to remove a condition that is not applicable to this facility: When EPA Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be 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.

X? AI ✓

~~12, 19, 20 X~~

✓

AL

check w/ AI ✓

~~13, 14, 20 X~~

✓

X? AI

X

COMMENTS ON TITLE V AIR OPERATION DRAFT PERMIT
DRAFT PERMIT NO. 0490043-003-AV
VANDOLAH POWER PROJECT

Document	Section	Specific Item	Comment
20 Main portion of draft permit	Section III.A, Item A.31.(a)2, paragraph a	Applicable Test Procedures, Required Sampling Time, Opacity Compliance Tests	Please delete this paragraph, since it is not applicable to this facility.
21 Main portion of draft permit	Section III.A, Item A.31.(a)2, paragraph b	Applicable Test Procedures, Required Sampling Time, Opacity Compliance Tests	Please delete this paragraph, since it is not applicable to this facility.
22 Main portion of draft permit	Section III.A, Item A.31.(c)	Applicable Test Procedures, Required Flow Rate Range	Please delete this paragraph, since it is not applicable to this facility.
23 Main portion of draft permit	Section III.A, Item A.31.(e)	Applicable Test Procedures, Allowed Modification to EPA Method 5	Please delete this paragraph, since it is not applicable to this facility.
24 Main portion of draft permit	Section III.A, Item A.34, 1st sentence	Test Notification	Please remove the construction-only portion of the referenced sentence and change it to read as follows: The DEP's Southwest District shall be notified, in writing, at least 15 days before annual compliance test(s).
25 Main portion of draft permit	Section III.A, Item A.36(a)4	General Compliance Testing	Please specify the compounds for which a compliance test must be conducted. <i>look at summary page for pollutant table</i>
26 Main portion of draft permit	Section III.A, Item A.36(a)5	General Compliance Testing	Please clarify whether visibility testing as a surrogate for PM/PM10 testing is required when a fuel burning emissions unit burns liquid and/or solid fuel less than 400 hours per year.
27 Main portion of draft permit	Section III.A, Item A.39(c), 2nd sentence	Test Reports	Please change the referenced sentence to read as follows, in order to specify the test required: As a minimum, the test report, other than for an EPA Method 9 test, shall provide the following information.
28 Main portion of draft permit	Section III.A, Item A.40, 1st sentence	Compliance Test Reports	Please make the bolded correction to the following sentence to reference the correct condition: A test report indicating the results of the required compliance tests shall be filed as per Condition A.35 [not 38] above.
29 Main portion of draft permit	Section III.A, Item A.42, 3rd sentence	CEMS for Reporting Excess Emissions	Please make the bolded corrections to the following sentence to reference the correct conditions: Periods when NOX emissions (ppmvd @ 15% oxygen) are above the BACT standards, listed in Specific Conditions A.12 [not 34] and A.13 [not 35], shall be reported to the DEP Southwest District within one working day (verbally) followed up by a written explanation not later than three (3) working days (alternatively by facsimile within one working day).
30 Main portion of draft permit	Section IV, Item 2, footnote under SO2 allowances table		Please specify the relevant part of 40 CFR 73. 73.10
31 Appendix H-1, Permit History/ID Number Changes	Table		Please change the permit number listed in the table from 0490043-003-AC to 0490043-001-AC
32 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 2		Please make the bolded addition to the following sentence to clarify the building's name: Operation of an Clark Diesel-based fire protection system for the operations/maintenance building. The unit is rated at 265 BHP.
33 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 3		Please make the bolded correction to the following sentence to clarify the purpose of the fuel gas heater: Operation of a 17 MMBtu/hr indirect fired fuel gas heater to ensure the natural gas during operations remains above the dew point.

ok

maybe ok AI

ok

ok.

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Co

X 117(b)(1)

X ✓

X rule 6

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COMMENTS ON TITLE V AIR OPERATION DRAFT PERMIT
DRAFT PERMIT NO. 0490043-003-AV
VANDOLAH POWER PROJECT

Document	Section	Specific Item	Comment
34 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 5	✓	Please make the bolded addition to the following sentence to clarify the building's name: Miscellaneous maintenance and cleaning and painting of the operations/maintenance building including the control room, maintenance shop, storage warehouse, offices and their contents. ✓
35 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 8	✓	Please clarify the meaning of the following sentence: Surface coating operations; both 5% and 5% VOC both 5% + 5% ✓
36 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 9	✓	Please list the water analyses operations separately, and change the referenced sentence to read as follows: Demin water analyses operations to ensure proper operation of the water injection system. ✓
37 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Additional Line	✓	Please add the following sentence as a separate line in the table: Raw water analyses in the combustion turbine glycol cooling loop for corrosion control and cooling. ✓
38 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Additional Line	✓	Please add the following sentence as a separate line in the table: Evaporative inlets for turbine cooling. ✓
39 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Line 10	✓	Please make the bolded addition to the following sentence to clarify that there are two ponds onsite: Storm water detention basin and/or percolation pond maintenance (if required). ✓
40 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Additional Line	✓	Please add the following sentence as a separate line in the table: Operation of a CO2-based generator purge system to be used when removing the generators from service, or in the event of an emergency purge of the normally H2-filled generator. ✓
41 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Additional Line	✓	Please add the following sentence as a separate line in the table: Operation of a H2-filled generator, which will be purged for maintenance or in the case of an emergency. ✓
42 Appendix I-1, List of Insignificant Emissions Units and/or Activities	Table, Additional Line	✓	Please add the following sentence as a separate line in the table: Operation of a foam suppression fire protection system for the fuel oil storage tanks. ✓

November 1, 2002

Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station # 5505
Tallahassee, Florida 32399-2400

Re: Vandolah Power Project
Comments on Draft Title V Operation Permit
Draft Permit No. 0490043-003-AV

Dear Sir or Madam:

El Paso Corporation, on behalf of the Vandolah Power Project (Vandolah) located in Wauchula, Hardee County, Florida, is submitting the attached comments on the above-referenced draft Title V operation permit. Please note that a number of our comments involve the removal of items that are not applicable to the facility or that are no longer applicable to the facility (i.e., construction-only items). If possible, we would like these items removed so that the permit reflects only items that we are required to comply with as an operating facility. We would also appreciate it greatly if we could review the draft Title V operation permit again prior to finalizing the permit.

If you have any questions or need more information on our comments, please contact me at 713-420-4771, or Doug Jensen, the Vandolah plant manager, at 863-773-2277. Thank you very much for your help.

Best Regards,

Jennifer Mollhagen
Sr. Environmental Scientist

cc: Doug Jensen, Vandolah
Chris Coombs, Vandolah
Krish Ravishankar, El Paso
Paul Talarico, El Paso
Robert Emerson, El Paso
Clive Henton, El Paso