

Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

October 6, 1999

Mr. Stanley J. Martin
General Manager, Big Bend Station
Tampa Electric Company
P. O. Box 111
Tampa, Florida 33601-0111

Re: Revised DRAFT Title V Permit No.: 0570039-002-AV
Big Bend Station

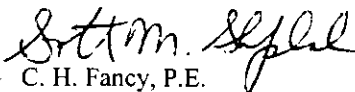
Dear Mr. Martin:

One copy of the Revised DRAFT Title V Air Operation Permit for the Big Bend Station located at Big Bend Road, North Ruskin, Hillsborough County, is enclosed. The previous DRAFT Title V operation permit dated September 30, 1997, is withdrawn. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" is also included.

The Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your revised Title IV Acid Rain Part by January 1, 2000, for the inclusion of the Phase I/II NO_x limitations pursuant to Rule 62-214.360(6), Florida Administrative Code.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Cindy L. Phillips, P.E., at 850/921-9534.

Sincerely,

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

CHF/P

Enclosures

cc: Mr. Gregg Worley, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return the card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
Mr. Gregory M. Nelson, P.E.
Designated Representative
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

4a. Article Number
P 263 585 255

4b. Service Type
 Registered
 Express Mail
 Return Receipt for Merchandise
 COD

5. Received By: (Print Name)
[Signature]

6. Signature: (Address of Agent)
[Signature]

7. Date of Delivery
OCT 12 1999

8. Addressee's Address (Only if requested and fee is paid)

1. Addressee's Address
2. Restricted Delivery
Consult postmaster for fee.

I also wish to receive the following services (for an extra fee):

Addressee's Address
 Restricted Delivery
Consult postmaster for fee.

PS Form 3811, December 1994 102595-97-9-0179 Domestic Return Receipt

Thank you for using Return Receipt Service.

P 263 585 255

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Mr. Gregory M. Nelson, P.E.	
Street & Number P.O. Box 111	
Post Office, State, & ZIP Code Tampa, Florida 33601-0111	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	10/08/99
Revised DRAFT No.:0570039-002- AV TECO - Big Bend Station	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return the card to you.
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3. Article Addressed to:
Mr. Stanley J. Martin
General Manager, Big Bend Station
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

4a. Article Number
P 263 585 254

4b. Service Type
 Registered
 Express Mail
 Return Receipt for Merchandise
 COD

5. Received By: (Print Name)
[Signature]

6. Signature: (Address of Agent)
[Signature]

7. Date of Delivery
OCT 12 1999

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US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Mr. Stanley J. Martin	
Street & Number P.O. Box 111	
Post Office, State, & ZIP Code Tampa, Florida 33601-0111	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	10/08/99
Revised Draft No:0570039-002- AV TECO - Big Bend Station	

PS Form 3800, April 1995

10

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner, 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 petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the 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 state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- (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 permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section

7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Thomas W. Reese, Esquire
2951 61st Avenue S.
St. Petersburg, Florida 33712

4a. Article Number

P 263 585 256

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Thomas W. Reese*

Thank you for using Return Receipt Service.

December 1994

102595-97-B-0179

Domestic Return Receipt

P 263 585 256

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Mr. Thomas W. Reese, Esquire	
Street & Number	
2951 61st Avenue S.	
Post Office, State, & ZIP Code	
St. Petersburg, FL 33712	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	10/08/99
Revised DRAFT No.: 0570039-002-AV	
TECO - Big Bend Station	

PS Form 3800, April 1995

In the Matter of an
Application for Permit by:

Tampa Electric Company
P. O. Box 111
Tampa, Florida 33601-0111

DRAFT Permit No.: 0570039-002-AV
Big Bend Station
Hillsborough County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit (copy of Revised DRAFT Permit enclosed) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Tampa Electric Company, applied on June 14, 1996, to the permitting authority for a Title V air operation permit for the Big Bend Station located at Big Bend Road, North Ruskin, Hillsborough County. The applicant submitted the Phase I/II NO_x Acid Rain Compliance Plan on December 29, 1997. This permit incorporates the Phase I/II NO_x standards into the Title IV Acid Rain Part pursuant to Rule 62-214.360(6), Florida Administrative Code (F.A.C.).

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." However, the Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your revised Title IV Acid Rain Part by January 1, 2000, for the inclusion of the Phase I/II NO_x limitations pursuant to Rule 62-214.360(6), Florida Administrative Code.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the attached Title V Revised DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC

NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT.” Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Revised DRAFT Permit, the permitting authority shall issue another Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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), F.S., 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), F.S., however, any person who asked the permitting authority 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, F.A.C.

A petition that disputes the material facts on which the permitting authority’s action is based must contain the following information:

(a) The name and address of each agency affected and each agency’s file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests will be affected by the agency determination;

(c) A statement of how and when each 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, as well as the rules and statutes which entitle the petitioner to relief;

(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 permitting authority’s

action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection 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 of Environmental Protection, 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 United States Environmental Protection Agency 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.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**


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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the revised DRAFT permit) and all copies were sent by certified mail before the close of business on 10/8/99 to the person(s) listed:

Stanley J. Martin, R.O.
Gregory M. Nelson, P.E., D.R.
Thomas W. Reese, Esq.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the revised DRAFT permit) were sent by U.S. mail on the same date to the person(s) listed:

Gail Kamaras, LEAF
Thomas W. Davis, P.E.
J. James Hunter, TEC
Jerry Campbell, EPCHC
Bill Thomas, SWD

10/8/99 cc: Reading File
Cindy Phillips

Clerk Stamp

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

Barbara J. Fortwell 10/8/99
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V Revised DRAFT Permit No.: 0570039-002-AV
Big Bend Station
Hillsborough County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Tampa Electric Company for the Big Bend Station located at Big Bend Road, North Ruskin, Hillsborough County. This permit incorporates the Phase I/II NO_x standards into the Title IV Acid Rain Part pursuant to Rule 62-214.360(6), Florida Administrative Code (F.A.C.). The applicant's name and address are: Tampa Electric Company, P. O. Box 111, Tampa, Florida 33601-0111.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V Revised DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V Revised DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Revised DRAFT Permit, the permitting authority shall issue another Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 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 applicable 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 (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address and telephone number of the petitioner; 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 petitioner's substantial rights will be affected by the agency determination;

(c) A statement of how and when the 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 state;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;

(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.

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Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

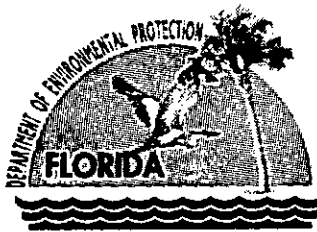
Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected Local Program:

Environmental Protection Commission
of Hillsborough County
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530
Fax: 813/272-5605

The complete project file includes the Revised DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

P.E. Certification Statement

Permittee:
Tampa Electric Company
Big Bend Station

DEP File No.: 0570039-002-AV
Facility ID No.: 0570039

Project type: Initial Title V 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, and the acid rain part).

C. L. Phillips 10/6/99
C. L. Phillips Date
Registration Number: 50246

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section
MS #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Phone (850) 921-9534
Fax (850) 922-6979

SECRET
AG 1002
NO 11A12
081003 0011
SECRET

STATEMENT OF BASIS

Tampa Electric Company
Big Bend Station
Facility ID No.: 0570039
Hillsborough County

Initial Title V Air Operation Permit
Revised DRAFT Permit No.: 0570039-002-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of the following regulated emissions units:

Unit No. 1 is a 4037 MMBtu/hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation. The generator nameplate capacity is 445.5 MW.

Unit No. 2 is a 3996 MMBTU per hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation.

Unit No. 1 and Unit No. 2 share a common stack. Particulate emissions generated during the operation of the units are controlled by dry electrostatic precipitators (ESPs) manufactured by Western Precipitator Division, Joy Manufacturing Corporation. ESP control efficiency is 99.7%.

Unit No. 3 is a 4115 MMBTU/hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation. The generator has a nameplate capacity of 445.5 MW. This unit may be fired on coal or a coal/petroleum coke blend consisting of a maximum of 20.0 percent petroleum coke by weight. Operation of this unit may include diverting all of the flue gas into the existing Big Bend Unit No. 4 flue gas desulfurization (FGD) system for sulfur dioxide emission reduction. Sulfur dioxide emissions that are generated and not diverted through the Unit No. 4 FGD system are uncontrolled. Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator (ESP) manufactured by Research-Cottrell, Inc. ESP control efficiency is 99.7%.

Unit No. 4 is a 4330 MMBTU/hour, dry-bottom tangentially fired utility boiler, SCC 1-01-002-12. Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator (ESP) manufactured by Belco. The control efficiency of the ESP is 99.7%. Sulfur dioxide emissions are controlled by flue gas desulfurization equipment manufactured by Research-Cottrell.

As an option, Unit No. 3 exhaust gas, following particulate matter removal by the unit's ESP, will be routed to the inlet of the Unit No. 4 flue gas desulfurization (FGD) system scrubber. In this integrated mode, Unit No. 3 will meet the same emissions limitations as Unit No. 4. The FGD scrubber will continue to treat the exhaust gas from Unit #4. The FGD scrubber outlet stream, consisting of the combined Unit No. 3 and Unit No. 4 treated exhaust, will then be split and discharged through Stacks #2 and #3. Stack #3 does *not* include a recirculation duct to return exhaust gas to the inlet of the FGD scrubber. Continuous opacity monitoring systems (COMS) will be located at the outlet of Unit #3 and Unit #4 ESPs. Continuous SO₂, CO₂, and NO_x emissions monitoring systems (CEMS) will be located in Stacks #2 and #3. These monitoring systems will be used to determine compliance with all current applicable requirements. {Applicable regulations: 40 CFR 60 Subpart Da, and the federal Acid Rain Program, Phase II, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; PA79-12, PSD-FL-040 and an ASP for Coal Sampling.}

Units No. 1, No. 2, No. 3, and No. 4 are regulated under the federal Acid Rain Program, Phase I and Phase II, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; and regulated under Rule 62-296.405, F.A.C.

Combustion Turbine No. 1 is a self-contained combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, three-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only.

Combustion Turbine No. 2 is a self-contained Westinghouse combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, three-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only.

Combustion Turbine No. 3 is a self-contained Westinghouse combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, multi-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. This unit is rated at 78 MW.

Fly Ash Silo No. 1 handles fly ash from Steam Generator Units No. 1 and No. 2. Fly ash is pneumatically conveyed from the individual electrostatic precipitators to Silo No. 1. Also, the fly ash may be pneumatically conveyed from tanker trucks to Silo No. 1. The sum total loading rate to the silo for all the processes combined is 44.5 tons per hour. Fly ash from Silo No. 1 is discharged in either a wet or dry state. The dry fly ash is gravity fed by tubing into totally enclosed tanker trucks. The wet fly ash is processed through a pugmill and then unloaded into a dump truck. Particulate matter emissions generated by silo loading and silo unloading to a tanker truck are controlled by a 20,081 DSCFM Flex Kleen Model No. 84 UDTR-640 baghouse in addition to reasonable precautions.

Fly Ash Silo No. 2 handles fly ash from Steam Generator Units Nos. 1, 2, and/or 3. Fly ash is pneumatically conveyed in a series of pipes from the individual unit precipitators (Units 1, 2, and/or 3, only two units at any time) to the silo for temporary storage. From the silo, the fly ash is gravity fed by tubing into closed tanker trucks and transported to an off-site consumer. Particulate emissions generated during silo loading operation and from the tanker truck loadout chutes are controlled by a 20,081 DSCFM Flex Kleen, Model No. 84 UDTR-640 baghouse in addition to reasonable precautions.

Fly Ash Silo No. 3 handles fly ash from Steam Generator Unit No. 4. Particulate emissions are controlled by a 1,200 DSCFM Flex Kleen Model 84-WRTC-80-II-G baghouse.

Particulate emissions from the truck and railcar unloading of limestone are controlled by a Mikro-Pulsaire Model 400S12TR baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LB to Conveyor LC are controlled by a Sternvent Model DKED18003 baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LD to Conveyor LE are controlled by a Sternvent Model DKED 18003 baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LE to the South Storage Silo are controlled by a Flex Kleen Model 58-BVBC-36-IIG baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LE to the North Storage Silo are controlled by a Flex Kleen Model 58-BVBC-36-IIG baghouse.

Steam Generator Units Nos. 1-3 Coal Bunkers with an exhaust fan/cyclone collector (Roto-Clone controlling dust emission from each unit's respective bunker. Two moving transfer stations via their respective conveyor belts route coal through enclosed chutes to the various bunkers. Coal Bunkers 1-3 are each equipped with a 9400 ACFM American Air Filter (AAF) Company Type D Roto-Clone to abate dust emissions during ventilation. A number of vent pipes convey fresh air from each bunker to a Roto-Clone during particulate removal. Particulate matter removed by the Roto-Clones is returned to the coal bunkers via a hopper and return line. Unit No. 1 Coal Bunker is situated west of Unit No. 2 Coal Bunker. Unit No. 3 Coal Bunker is situated east of Unit No. 2 Coal Bunker.

Also regulated are the solid fuel yard, consisting of various solid fuel handling and transfer equipment, surface coating of miscellaneous metal parts and marine vessels, and abrasive blasting.

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

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

Tampa Electric Company
Big Bend Station
Facility ID No.: 0570039
Hillsborough County

Initial Title V Air Operation Permit
Revised DRAFT Permit No.: 0570039-002-AV

Permitting Authority:

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

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

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

October 5, 1999

Compliance Authority:

Environmental Protection Commission
of Hillsborough County
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530
Fax: 813/272-5605

Initial Title V Air Operation Permit
Revised DRAFT Permit No.: 0570039-002-AV

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Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

Permittee:

Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

REVISED DRAFT Permit No.: 0570039-002-AV

Facility ID No.: 0570039

SIC Nos.: 49, 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Big Bend Station. This facility is located at Big Bend Road, North Ruskin, Hillsborough County; UTM Coordinates: Zone 17, 361.9 km East and 3075.0 km North; Latitude: 27° 47' 36" North and Longitude: 82° 24' 11" West.

STATEMENT OF BASIS: This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213 and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:

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

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

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99)

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

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

FIGURE 1 - SUMMARY REPORT-GASEOUS AND OPACITY EXCESS EMISSIONS AND MONITORING SYSTEM PERFORMANCE REPORT (version dated 7/96)

Figure 2 - Air Sampling Stations Hillsborough County, Florida

DOCUMENT III.I.6 - PROCEDURES FOR STARTUP AND SHUTDOWN UNITS 1 - 4

DOCUMENT III.I.7 - OPERATION AND MAINTENANCE PLAN (version dated 7/18/97)

Phase II NO_x Compliance Plan received December 29, 1997

Effective Date: January 1, 2000

Renewal Application Due Date: July 5, 2004

Expiration Date: December 31, 2004

Howard L. Rhodes, Director,
Division of Air Resources
Management

HLR/CLP

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of four steam boilers (Units Nos. 1 through 4); four steam turbines; three simple-cycle combustion turbines (CT Nos. 1, 2, and 3); solid fuels, fly ash, limestone, gypsum, slag, and bottom ash storage and handling facilities. Unit Nos. 1, 2, 3, and 4 have nominal maximum heat inputs of 4037, 3996, 4115 and 4330 million BTU per hour, respectively. Unit Nos. 1 through 4 are fired with coal. Unit Nos. 3 and 4 are also fired with a petroleum coke/coal fuel blend. The combustion turbines are fired with No. 2 distillate fuel oil. In addition, there is a ship surface coating operation.

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

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

Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions.

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-001	Unit No. 1 Steam Generator
-002	Unit No. 2 Steam Generator
-003	Unit No. 3 Steam Generator
-004	Unit No. 4 Steam Generator
-005	Combustion Turbine No. 2
-006	Combustion Turbine No. 3
-007	Combustion Turbine No. 1
-008	Fly Ash Silo No. 1 Baghouse
-018	Flyash Silo No. 1 Truck Loadout
-009	Fly Ash Silo No. 2 Baghouse
-019	Flyash Silo No. 2 Truck Loadout
-014	Fly Ash Silo No. 3 Baghouse
-xxx	Fly Ash Silo No. 3 Truck Loadout
-xxx	Fly Ash Handling and Storage Fugitive Emissions (all except silos)
-011	Truck Unloading of Limestone
-012	Limestone Silo A with one baghouse and one backup baghouse
-013	Limestone Silo B with one baghouse and one backup baghouse
-xxx	Limestone Handling Conveyor LB to Conveyor LC with baghouse
-xxx	Limestone Handling Conveyor LD to Conveyor LE with baghouse
-xxx	Limestone Handling Conveyor LE to South Storage Silo with baghouse
-xxx	Limestone Handling Conveyor LE to North Storage Silo with baghouse

Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions. (continued)

E.U.

ID No.

Brief Description

-010	Solid Fuel Yard, Fugitive Emissions
-xxx	Cyclone collectors for fuel blending bins (FH-032 through FH-035)
-xxx	Cyclone collectors for fuel crushers (FH-048 and FH-049)
-xxx	Cyclone collectors for bunkers (FH-059 through FH-062)
-015	Unit No. 1 Coal Bunker
-016	Unit No. 2 Coal Bunker
-017	Unit No. 3 Coal Bunker
-xxx	Surface coating of miscellaneous metal parts
-xxx	Surface coating of marine vessel exteriors
-xxx	Abrasive Blast Booth with baghouse
-xxx	Abrasive Blast Media Storage with baghouse

Unregulated Emissions Units and/or Activities

-xxx

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

Subsection C. Relevant Documents.

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

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History / ID Number Changes

These documents are on file with permitting authority:

Phase I Acid Rain Permit dated July 15, 1994

Initial Title V Permit Application received June 14, 1996

Additional Information Request dated February 13, 1997

Letter dated June 27, 1997, changing the Designated Representative

Additional Information Response received July 21, 1997

Proposed Compliance Plan dated December 30, 1998, requesting additional SO₂ limits

Memo from Power Plant Siting dated February 23, 1999, to confirm COC correction.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-3, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: APPENDIX TV-3, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}

2. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.

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

[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

{Permitting Note: Although the Permittee is not required to perform a visible emissions compliance test to demonstrate compliance with the facility-wide limitations annually or before renewal, if the Department believes that the general visible emissions standard is being violated, the Department may require that the owner or operator perform a visible emissions compliance test per Chapter 62-297.310(7)(b), Special Compliance Tests. In addition, Department personnel who are certified to perform visible emissions tests may determine compliance with the general visible emissions standard.}

4. Prevention of Accidental Releases (Section 112(r) of CAA).

a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable; and

b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.

[40 CFR 68]

5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

[Rule 62-213.440(1), F.A.C.]

6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]

7. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
[Rule 62-296.320(1)(a), F.A.C.]

8. [Not federally enforceable.] The Permittee shall take reasonable precautions to prevent emissions of unconfined particulate matter at this facility. These precautions include
[Rule 62-296.320(4)(c)2., F.A.C.]
{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C. (condition 58. of APPENDIX TV-3, TITLE V CONDITIONS.)}

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

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

11. The permittee shall submit all compliance related notifications and reports required of this permit to the Environmental Protection Commission of Hillsborough County:

Environmental Protection Commission
of Hillsborough County
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530
Fax: 813/272-5605

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

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9155, Fax: 404/562-9163

Section III. Regulated Emissions Units Conditions.

Subsection A. Steam Generators Units Nos. 1, 2, & 3

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-001	Unit No. 1 Steam Generator
-002	Unit No. 2 Steam Generator
-003	Unit No. 3 Steam Generator

Descriptions. Unit No. 1 is a 4037 MMBtu/hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation. The generator nameplate capacity is 445.5 MW. Unit No. 1 began commercial operation in 1970.

Unit No. 2 is a 3996 MMBTU per hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation. The generator nameplate capacity is 445.5 MW. Unit No. 2 began commercial operation in 1973.

Unit No. 1 and Unit No. 2 share a common stack (Stack #1). Particulate emissions generated during the operation of the units are controlled by dry electrostatic precipitators (ESPs) manufactured by Western Precipitator Division, Joy Manufacturing Corporation. ESP control efficiency is 99.7%.

Unit No. 3 is a 4115 MMBTU/hour, coal-fired, "wet" bottom, opposed-fired utility boiler manufactured by Riley Stoker Corporation. The generator has a nameplate capacity of 445.5 MW. Unit No. 3 began commercial operation in 1976. This unit may be fired on coal or a coal/petroleum coke blend consisting of a maximum of 20.0 percent petroleum coke by weight. Operation of this unit may include diverting all of the flue gas into the existing Big Bend Unit No. 4 flue gas desulfurization (FGD) system for sulfur dioxide emission reduction. Sulfur dioxide emissions that are generated and not diverted through the Unit No. 4 FGD system are uncontrolled. Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator (ESP) manufactured by Research-Cottrell, Inc. ESP control efficiency is 99.7%.

{Permitting note: Units No. 1, No. 2, and No. 3 are regulated under the federal Acid Rain Program, Phase I and Phase II, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; and regulated under 62-296.405, F.A.C.}

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

Essential Potential to Emit (PTE) Parameters

A.1. a. Capacity. The maximum permitted heat input rate for each unit is as follows:

<u>Unit No.</u>	<u>MMBTU/hr</u>
1	4037
2	3996
3	4115

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

{Permitting note: The heat input limitations have been placed on this permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of

the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability. Regular recordkeeping is not required for heat input. Instead the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rate capacity that the unit was tested. Rule 62-297.310(5), F.A.C., requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods to calculate average hourly heat input during the test.}

A.1.b. Capacity during and after compliance testing of emissions. Separate testing of emissions from each unit shall be conducted with each emissions unit operation at 90 to 100 percent of the maximum permitted heat input rate. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Each emission unit shall be tested with the station master and boiler master in the automatic mode in order to insure that the emissions are representative of normal conditions.

[Rules 62-4.160(2), 62-4.070(3), and 62-297.310(2), F.A.C.]

A.2. Methods of Operation - Fuels.

a. Normal operation: The only fuel allowed to be burned in Units Nos. 1 and 2 is coal. The only fuels allowed to be burned in Unit No. 3 are coal or a coal/petroleum coke blend containing a maximum of 20.0% petroleum coke by weight. The sulfur content of the petroleum coke shall not exceed 6.0 % by weight (dry basis).

b. Startup operation: In addition to the fuels allowed to be burned during normal operation, each unit may also burn new No. 2 fuel during startup.

[Rules 62-4.070(3), 62-4.160(2), 62-210.200, and 62-213.440(1), F.A.C.]

A.3. Mode of Operation. Tampa Electric Company (TECO) is allowed to divert and integrate all of Unit No. 3 flue gas for purposes of treating that flue gas in the existing Unit No. 4 flue gas desulfurization (FGD) system. At all times while firing any blend of coal and petroleum coke, Unit No. 3 shall operate only in the integrated mode except during startups, shutdowns, and/or malfunctions during all of which best operational practices shall be employed including the cessation of petroleum coke bunkering.

[Rule 62-4.070(3), F.A.C., 40 CFR 60.40a, and Permit No. PSD-FL-040]

A.4. Hours of Operation. Unit No. 1, Unit No. 2, and Unit No. 3 are each allowed to operate continuously, i.e., 8760 hours/year.

[Rule 62-210.200, F.A.C., Definitions (PTE)]

Emission Limitations and Standards

A.5. Except as provided in Specific Condition No. A.10., visible emissions from each unit shall not exceed 20% opacity except for one six-minute period per hour during which opacity shall not exceed 27%.

[Rule 62-296.405(1)(a), F.A.C.]

A.6. Except as provided in Specific Condition No. A.10., the particulate matter emission rate for each unit shall not exceed 0.1 pounds per million BTU heat input.
[Rule 62-296.405(1)(b), F.A.C.]

A.7. Based on the maximum permitted heat input rates listed in Specific Condition A.1., the maximum permitted particulate matter emission rate for each unit is as follows:

<u>Unit No.</u>	<u>lbs/hr</u>	<u>lbs/day</u>	<u>tons/yr</u>
1	403.7	9688.8	1768.20
2	399.6	9590.4	1750.25
3	411.5	9876.0	1802.37

In the event that a maximum permitted heat input rate for a unit is reduced, the maximum permitted particulate matter emission rate for that unit shall also be reduced accordingly.
[Rule 62-296.700(4)(b)1., F.A.C.]

A.8. Sulfur Dioxide Emission Limits.

a. Units No. 1, No. 2, and No. 3, each shall not emit more than 6.5 pounds of sulfur dioxide per million BTU heat input on a two-hour average; nor shall Units No. 1, No. 2, and No. 3, in total, emit more than 31.5 tons per hour of sulfur dioxide on a three-hour average and 25 tons per hour of sulfur dioxide on a 24-hour average.

[Rules 62-296.405(1)(c)2.b. and 3., F.A.C.; and Rule 62-204.240(1), F.A.C.]

b. Integrated Operation - While in the integrated mode Units No. 3 and 4 shall meet the sulfur dioxide limitations that are applicable to Unit No. 4. (Specific Conditions **B.5.**, **B.6.**, and **B.7.**). Unit 3 will be operated in this integrated mode except during unit or FGD startups, shutdowns, maintenance and/or malfunctions, during all of which best operational practices shall be employed, including the cessation of bunkering fuels that would emit higher than 6.5 lb SO₂ per MMBtu.

c. Units No. 1 and No. 2, in total, shall not emit more than 16.5 tons per hour of sulfur dioxide on a 24-hour average.

d. Unit No. 3 shall not emit more than 8.5 tons per hour of sulfur dioxide on a twenty-four hour average.

[40 CFR 60.40a; Permit No. PSD-FL-040; Applicant request.]

A.9. Under nonintegrated conditions (i.e., no diversion of flue gas emissions), Unit No. 3 shall not emit more than 0.70 of a pound of nitrogen oxides (expressed as NO₂) per million BTU heat input based upon a 30-day rolling average. Under integrated conditions, Unit No. 3 shall meet the nitrogen oxide limitations that are applicable to Unit No. 4.

[Rule 62-296.405(1)(d)4. and Rule 62-296.405(1)(e)4., F.A.C.]

A.10. *Excess Emissions.*

(1) Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (a) best operational practices to minimize emissions are adhered to and (b) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department or the Environmental Protection Commission of Hillsborough County (EPCHC) for longer duration.

(2) Excess emissions from existing fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

(3) Excess emissions from existing fossil fuel steam generators resulting from boiler cleaning (soot blowing) and load change shall be permitted provided the duration of such excess emissions shall not exceed 3 hours in any 24-hour period and visible emissions shall not exceed Number 3 of the Ringelmann Chart (60 percent opacity), and providing (a) best operational practices to minimize emissions are adhered to and (b) the duration of excess emissions shall be minimized. A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this specific condition A.8.(3), for boiler cleaning and load changes, at units which have installed and are operating continuous opacity monitors. Particulate matter emissions shall not exceed an average of 0.3 lbs. per million BTU heat input during the 3-hour period of excess emissions allowed by this specific condition A.10.(3).

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

(5) In case of excess emissions resulting from malfunctions, TECO shall notify the EPCHC in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the permitting authority or the EPCHC.
[Rule 62-210.700, F.A.C.]

Test Methods and Procedures

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

A.11. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the TECO shall have formal compliance tests conducted on each Steam Generator Unit. Unit No. 1, Unit No. 2, and Unit No. 3 shall each be individually stack tested for particulate matter and visible emissions, under both sootblowing and non-sootblowing operation conditions, and for sulfur dioxide emissions. Due to the common stack, Unit No. 1 shall not be in operation during the compliance testing of Unit No. 2, and Unit No. 2 shall not be in operation during the compliance testing of Unit No. 1. Testing of Unit No. 3 shall be conducted under nonintegrated conditions (i.e., no diversion of flue gas emission is allowed during compliance testing.)
[Rules 62-297.310(7)(a)2. and 4., and 62-4.070(3), F.A.C.]

A.12. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. In lieu of Method 9 testing, a transmissometer utilizing a 6-minute block average for opacity measurement may be used, provided such transmissometer is installed, certified, calibrated, operated and maintained in accordance with the provisions of 40 CFR Part 75.
[Rule 62-296.405(1)(e)1., F.A.C., and request of applicant.]

A.13. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature at no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen base F-factor computed according to EPA Method 19 is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.
[Rule 62-296.405(1)(e)2., F.A.C.]

A.14. **Not federally enforceable.** Compliance testing for particulate matter emissions and visible emissions may be conducted either: (a) without fly ash re-injections occurring, or (b) while fly ash collected by the electrostatic precipitator is being re-injected into the boiler at a rate which is representative of the maximum anticipated fly ash re-injection rate. If the most recent particulate and visible emission compliance tests were conducted without fly ash re-injection occurring, and fly ash re-injection occurs for any reason other than a malfunction, then the results from new particulate and visible emissions compliance tests, conducted while fly ash collected by the precipitator is being re-injected into the boiler at a rate which is representative of the maximum anticipated fly ash re-injection rate, shall be submitted to the EPCHC within 60 days of the date that such fly ash re-injection occurred. The EPCHC may, for good cause shown, grant an extension of the 60-day time limit on a case-by-case basis.
[AO29-219924, AO29-179912, and AO29-179911]

A.15. The test methods for sulfur dioxide emissions shall be DEP Methods 6, 6A, 6B or 6C, incorporated and adopted by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated in the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedances of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards.

A.16. The permittee shall demonstrate compliance with the sulfur dioxide limits in specific condition A.8, by means of continuous emissions monitoring systems (CEMS). In addition to any other requirements associated with the operation and maintenance of these CEMS (i.e., Acid Rain requirements), operation of the CEMS shall be in accordance with the requirements listed below. The annual calibration RATA associated with these CEMS may be used in lieu of the required annual EPA Reference Method 6, as long as all of the requirements of Rule 62-297.310, F.A.C., are met (i.e., prior test notification, proper test result submittal, etc.).
[Applicant request.]

A.17. Continuous Monitor Performance Specifications. If continuous monitoring systems are required by rule or are elected by the permittee to be used for demonstrating compliance with the standards of the Department, they must be installed, maintained and calibrated, either:
(a) in accordance with the EPA performance specifications listed below. These Performance Specifications are contained in 40 CFR 60, Appendix B, and are adopted by reference in Rule 62-204.800, F.A.C.

- (1) [Reserved]
- (2) Performance Specification 2--Specifications and Test Procedures for SO₂ Continuous Emission Monitoring Systems in Stationary Sources.
- (3) [Reserved], Or,
- (b) in accordance with the applicable requirements of 40 CFR 75, Subparts B and C. Excess emissions pursuant to Rule 62-210.700, F.A.C., shall be determined using the 40 CFR part 75 CEMS.

[Rule 62-297.520, F.A.C.; 40 CFR 75; and, Applicant request.]

A.18. [Not federally enforceable.] Fuel Sampling and Analysis. The following fuel sampling and analysis protocol shall be used as an **alternate sampling procedure** authorized by permit to demonstrate compliance with the sulfur dioxide standard in the event that the SO₂ continuous emissions monitor is not able to capture valid data:

Compliance with the sulfur dioxide emission limits in specific condition A.8. shall be demonstrated by:

(1) Conducting annual stack tests each for Units No. 1, No. 2, and No. 3, consistent with the test method requirements of specific condition A.13., and using the test results along with a fuel analysis for the coal burned to show compliance with the two-hour standard (two-hour average emissions) of 6.5 pounds of sulfur dioxide per million BTU heat input. A copy of the test data shall be submitted to the Department and the EPCHC as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(2) Not charging the fuel bunkers of units 1 through 3 with any coal with a composite sulfur content that would produce emissions greater than 6.5 pounds of sulfur dioxide per million BTU heat input to show continuing compliance with the two hour standard. This can be accomplished in part by blending various grades of coal on-site prior to charging into the fuel bunkers located in the tripper room.

(3) Daily composite fuel sampling and analysis to show compliance with the emission cap for units 1 through 3 of 18.75 tons of sulfur dioxide per hour on a 24-hour average. The following equation shall be used:

$$\text{tons/hour SO}_2 = \frac{\text{(i) \#S}}{\text{MMBTU}} \times 2 \frac{\text{(ii) \#SO}_2}{\text{\#S}} \times \frac{\text{(iii) MMBTU}}{\text{MWH}} \times .95 \times \frac{\text{(iv) MWH}}{\text{day}} \times \frac{\text{(v) tons SO}_2}{2000 \text{ lbs. SO}_2} \times \frac{\text{(vi) day}}{24 \text{ hours}} \text{(vii)}$$

- Where:
- (i) - comes from the daily fuel analysis
 - (ii) - conversion factor
 - (iii) - heat rate from the previous month's heat rate calculation
 - (iv) - conversion factor describing percent S in the coal that is converted to gaseous SO₂
 - (v) - daily generation from station logs
 - (vi) - conversion factor
 - (vii) - conversion factor

This equation shall be used and the calculations completed for each of the Units No. 1, No. 2, and No. 3. This information shall be submitted to the EPCHC on a quarterly basis no later

than 45 days following the calendar quarter. If an exceedance of this standard occurs, then the TECO shall report this event to the EPCHC within 24 hours of the determination.

(4) Adhering to the study, previously submitted, that demonstrates by a statistical analysis that the 31.5 tons of SO₂ per hour on a three-hour average is being met. This study provides reasonable assurance that a daily sample can be used to demonstrate compliance with the 3-hour emission cap. [AO29-219924, AO29-179912, and AO29-179911]

A.19. **Not federally enforceable.** Compliance with nitrogen oxides emission limit for Unit No. 3 shall be demonstrated continuously based upon a 30-day rolling average. The 30-day rolling average shall be determined by calculating the arithmetic average of all hourly emission rates for NO_x for the 30 successive boiler operating days, except for data obtained during startup, shutdown, malfunction. The calculations shall be consistent with the equations in 40 CFR 60, Appendix A, Reference Method 19. For the purpose of calculating a 30-day rolling average, a boiler operating day is defined as a 24-hour period (between 12:01 a.m. and 12:00 midnight) during which fossil fuel is combusted in a steam operating unit for the entire 24-hours.
[Permit No. AO29-179911 (July 29, 1994 amendment); 40 CFR 60.46a(g)]

A.20. The continuous emission monitors shall meet the quality assurance requirements and performance specifications contained in 40 CFR 75.
[Rule 62-296.401(1)(e)4., F.A.C.]

A.21. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rule 62-296.401(1)(e)5., F.A.C.]

Continuous Emissions Monitoring Requirements.

A.22. For Units No. 1, No. 2, and No. 3, TECO shall operate, calibrate, and maintain a continuous monitoring system for continuously monitoring opacity. For Unit No. 3, TECO shall also operate, calibrate, and maintain a continuous monitoring system for continuously monitoring nitrogen oxides (expressed as NO₂). In addition, when the emissions from Unit No. 3 are controlled by the Unit No. 4 flue gas desulfurization equipment, TECO shall operate, calibrate, and maintain a continuous monitoring system for continuously monitoring sulfur dioxide. Performance specifications, location of monitor, data requirements, data reduction and reporting requirements shall conform with the requirements of 40 CFR Part 51, Appendix P, adopted and incorporated by reference in Rule 62-204.800(2), F.A.C., and 40 CFR Part 60, Appendix B, adopted by reference in Rule 62-204.800(7), F.A.C.
[Rule 62-296.401(1)(f), F.A.C.]

A.23. An oxygen or carbon dioxide continuous monitoring system shall be operated for Unit No. 3. Measurements of oxygen or carbon dioxide in the flue gas shall be utilized to convert nitrogen oxides and sulfur dioxide continuous emission monitoring data to units of pounds per million BTU heat input for proof of compliance.
[Rule 62-296.401(1)(f)1.d., F.A.C.]

Excess Emissions Recordkeeping and Reporting Requirements

A.24. For each unit, TECO shall submit to the EPCHC a written report of emissions in excess of the emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excessive emissions shall be explained. This report does not relieve TECO of the legal liability for violations. All recorded data shall be maintained on file for a period of at least 5 years. The report shall be submitted within 30 days following each calendar quarter.

[Rule 62-296.405(1)(g) and Rule 62-213.440(1)(b)2.b., F.A.C.]

A.25. For Unit No. 3, gravimetric instrument data verifying that the 20.0% maximum petroleum coke content by weight has not been exceeded shall be maintained for two years and submitted to the Department and the EPCHC with each annual operating report. Also to be maintained and available for inspection shall be a record of operation showing the date, fuel used, mode of operation (integrated/non-integrated), and the duration of all startups, shutdowns and malfunctions.

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

A.26. For Unit No. 3, TECO shall maintain and submit to the Department and the EPCHC on an annual basis for a period of 5 years from the date the unit begins firing petroleum coke, data demonstrating that the operational change did not result in an emissions increase.

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

A.27. **Not federally enforceable.** For Unit No. 3, TECO shall submit a quarterly report to the Department and the EPCHC within 30 days following each calendar quarter. This report shall contain the 30-day NO_x rolling average, all time periods of boiler operation as well as a statement of CEM and/or boiler malfunction, start-up or shutdown.

[Permit No. AO29-179911 (July 29, 1994 amendment)]

A.28. Continuous Emission Monitoring Network and Alarms

To demonstrate compliance with emission limits that are protective of AAQS, data inputs will consist of hourly CEM data from the SO₂, Flow, and CO₂ monitors for Units 1-3 at Big Bend Station. Tampa Electric Company (TEC) will use CEM data from Common Stack #1 to represent individual unit compliance with the emission limitations for each Unit 1 and Unit 2. When Unit 3 is operated in the integrated mode, TEC will use apportioned CEM data from both Common Stack #2 and #3 to represent individual unit compliance with the emission limitations for Unit 3. In the event any monitor fails, TEC will comply with 40 CFR 75, Subpart D – Missing Data Substitution Procedures.

[Applicant request.]

A.29. Compliance Plan Verification

1. *Frequency* – Reporting of compliance status shall be performed on a quarterly calendar basis. Reports will be due no later than 45 days following the last day of the reporting quarter.
2. *Content* – Quarterly reports will consist of:
 - a. two-hour average SO₂ emissions rate for each Units 1, 2, and 3 in lb/MMBtu;
 - b. three-hour average SO₂ emissions for Units 1-3 in ton per hour;
 - c. 24-hour average SO₂ emissions for Units 1-3 in tons per hour; and
 - d. 24-hour average SO₂ emissions for Units 1-2 and Unit 3 in tons per hour.

[Applicant request.]

Subsection B. Steam Generator Unit No. 4 (and No. 3 in integrated mode)

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-004	Unit No. 4 Steam Generator
-003	Unit No. 3 Steam Generator, only when operated in integrated mode.

Unit No. 4 is a 4330 MMBTU/hour, dry-bottom tangentially fired utility boiler, SCC 1-01-002-12. The generator nameplate capacity is 486 MW. Unit No. 4 began commercial operation in 1985. Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator (ESP) manufactured by Belco. The control efficiency of the ESP is 99.7%. Sulfur dioxide emissions are controlled by flue gas desulfurization equipment manufactured by Research-Cottrell.

As an option, Unit No. 3 exhaust gas, following particulate matter removal by the unit's ESP, will be routed to the inlet of the Unit No. 4 flue gas desulfurization (FGD) system scrubber. In this integrated mode, Unit No. 3 will meet the same emissions limitations as Unit No. 4. The FGD scrubber will continue to treat the exhaust gas from Unit #4. The FGD scrubber outlet stream, consisting of the combined Unit No. 3 and Unit No. 4 treated exhaust, will then be split and discharged through Stacks #2 and #3. Stack #3 does *not* include a recirculation duct to return exhaust gas to the inlet of the FGD scrubber. Continuous opacity monitoring systems (COMS) will be located at the outlet of Unit #3 and Unit #4 ESPs. Continuous SO₂, CO₂, and NO_x emissions monitoring systems (CEMS) will be located in Stacks #2 and #3. These monitoring systems will be used to determine compliance will all current applicable requirements.

{Applicable regulations: 40 CFR 60 Subpart Da, and the federal Acid Rain Program, Phase I and Phase II, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; PA79-12, PSD-FL-040 and an ASP for Coal Sampling.}

The following conditions apply to the emissions unit listed above:

Essential Potential to Emit (PTE) Parameters

B.1. Capacity. The maximum permitted heat input rate for Unit No. 4 is 4330 MMBTU/hr. Testing of emissions shall be conducted with the emissions unit operation at 90 to 100 percent of the maximum permitted heat input rate. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Each emission unit shall be tested with the station master and boiler master in the automatic mode in order to insure that the emissions are representative of normal conditions.

[Rules 62-4.160(2), 62-4.070(3), and 62-297.310(2), F.A.C.]

B.2. Methods of Operation - Fuels.

a. Normal operation: The only fuels fired in Unit No. 4 shall be coal or a coal/petroleum coke blend containing a maximum of 20.0% petroleum coke by weight. The sulfur content of the petroleum coke shall not exceed 6.0 % by weight (dry basis). Vanadium content of the mineral ash from the petroleum coke fired shall not exceed 35.0% by weight (ignited basis).

b. Startup operation: In addition to the fuels allowed to be burned during normal operation, Unit No. 4 may also burn new No. 2 fuel during startup.

c. Coal should not be burned in Unit No. 4 unless both the electrostatic precipitator and limestone scrubber are operating properly.

d. Coal burned in Unit No. 4 should be washed before it is transported to the plant site. TECO shall maintain records of all coal washing and preparation activities for any coal which is to be fired in Big Bend Unit No. 4. These reports shall be submitted to the Department on a quarterly basis.

e. TECO shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values.

[Rules 62-4.070(3), 62-4.160(2), 62-210.200, and 62-213.440(1), F.A.C.; PSD-FL-040; Power Plant Siting Certification PA 79-12]

B.3. Mode of Operation. Tampa Electric Company is allowed to divert and integrate all of Unit No. 3 flue gas for purposes of treating that flue gas in the existing Unit No. 4 flue gas desulfurization (FGD) system.

[Rule 62-4.070(3), F.A.C., 40 CFR 60.40a, and Permit No. PSD-FL-040]

B.4. Hours of Operation. Unit No. 4 is allowed to operate continuously, i.e., 8760 hours/year.

[Rule 62-210.200, F.A.C., Definitions (PTE)]

Emission Limitations and Standards

B.5.a. Particulate matter emissions from Unit No. 4 shall not exceed 0.03 lb/million Btu heat input. This standard applies at all times except during periods of startup, shutdown, or malfunction.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.42a(a); 40 CFR 60.46a(a); 40 CFR 60.46a(c)]

b. Based on the maximum permitted heat input rate listed in Specific Condition B.1., the particulate matter emissions from Unit No. 4 shall not exceed 129.9 lbs/hour, 3118 lbs/day, and 569.0 tons/year.

[PSD-FL-040 and Rule 62-296.700(4)(b)1., F.A.C.]

B.6. Visible emissions Unit No. 4 shall not exceed 20 (twenty) percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 (twenty-seven) percent opacity.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.42a(b); PSD-FL-040]

B.7. Sulfur dioxide emissions from Unit No. 4 when combusting solid fuel or solid-derived fuel shall not exceed 0.82 lb/million Btu heat input and 10 percent of the potential combustion concentration (90 percent reduction). Based upon a heat input of 4330 million Btu/hour, SO₂ emissions shall not exceed 3551 lb/hr.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.43a(a)(1); PSD-FL-040]

B.8. Compliance with a sulfur dioxide emission limitation and percent reduction requirements are both determined on a 30-day rolling average basis.

[Rule 62.204.800(7)(b)2., F.A.C.; 40 CFR 60.43a(g)]

B.9. When different fuels are combusted simultaneously, the applicable standard is determined by proration using the following formula:

(1) If emissions of sulfur dioxide to the atmosphere are greater than 0.60 lb/million Btu heat input

$E_s = \text{the lesser of } (0.80x + 1.20y)/100 \text{ or } 0.82$
and $\%P_s = 10$

(2) If emissions of sulfur dioxide to the atmosphere are equal to or less than 0.60 lb/million Btu heat input:

$E_s = \text{the lesser of } (0.80x + 1.20y)/100 \text{ or } 0.82$
and $\%P_s = (10x + 30y)/100$

where:

E_s = the sulfur dioxide emission limit (lb/million Btu heat input),
 $\%P_s$ = the percentage of potential sulfur dioxide emission allowed.
 x = the percentage of total heat input derived from the combustion of liquid fuel
 y = the percentage of total heat input derived from the combustion of solid fuel

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.43a(h); PSD-FL-040]

B.10. Nitrogen dioxide emissions from Unit No. 4 when combusting bituminous coal or a coal/petroleum coke blend shall not exceed 0.60 lb/million Btu heat input. Based upon a heat input of 4330 million Btu/hour, NO_x emissions shall not exceed 2598 lb/hr. Nitrogen dioxide emissions from Unit No. 4 when combusting liquid fuel shall not exceed 0.30 lb/million Btu heat input. These emission limits are based on a 30-day rolling average. These standards apply at all times except during periods of startup, shutdown, or malfunction.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.44a(a); 40 CFR 60.46a(b); 40 CFR 60.46a(c)]

B.11. When liquid and solid fuels are combusted simultaneously, the applicable standard is determined by proration using the following formula:

$E_n = [0.30 x + 0.60 y]/100$

where:

E_n = the applicable standard for nitrogen oxides when multiple fuels are combusted simultaneously (lb/million Btu heat input);
 x = the percentage of total heat input derived from the combustion of liquid fuels
 y = the percentage of total heat input derived from the combustion of solid fuels

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.44a(c)]

B.12. Carbon monoxide (CO) emissions from Unit No. 4 shall not exceed 0.029 lb/million Btu heat input, and shall not exceed 124 lb/hr.
[PSD-FL-040 (October 9, 1985 modification)]

Compliance provisions.

B.13. The sulfur dioxide emission standards in specific conditions B.7. and B.9. apply at all times except during periods of startup, shutdown, or when both emergency conditions exist and the following procedures in specific condition B.12. are implemented.
[Rule 62-296.800(7)(b)2., F.A.C.; 40 CFR 60.46a(c)]

B.14. During emergency conditions in the principal company, an affected facility with a malfunctioning flue gas desulfurization system may be operated if sulfur dioxide emissions are minimized by:

- (1) Operating all operable flue gas desulfurization system modules, and bringing back into operation any malfunctioned module as soon as repairs are completed,
- (2) Bypassing flue gases around only those flue gas desulfurization system modules that have been taken out of operation because they were incapable of any sulfur dioxide emission reduction or which would have suffered significant physical damage if they had remained in operation, and
- (3) Operating a *spare* flue gas desulfurization system module. The Department or EPCHC may at their discretion require TECO within 60 days of notification to demonstrate spare module capability. To demonstrate this capability, the owner or operator must demonstrate compliance with the appropriate requirements of specific conditions B.5. and B.7. for any period of operation lasting from 24 hours to 30 days when:
 - (i) Any one flue gas desulfurization module is not operated,
 - (ii) The affected facility is operating at the maximum heat input rate,
 - (iii) The fuel fired during the 24-hour to 30-day period is representative of the type and average sulfur content of fuel used over a typical 30-day period, and
 - (iv) TECO has given the Department or EPCHC at least 30 days notice of the date and period of time over which the demonstration will be performed.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.46a(d)]

B.15. Compliance with the sulfur dioxide emission limitations and percentage reduction requirements in specific conditions B.7. and B.9., and the nitrogen oxides emission limitations in specific conditions B.10. and B.11., is based on the *average emission rate* for 30 successive boiler operating days. A separate performance test is completed at the end of each boiler operating day after the initial performance test, and a new 30 day *average emission rate* for both sulfur dioxide and nitrogen oxides and a new percent reduction for sulfur dioxide are calculated to show compliance with the standards.
[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.46a(e)]

B.16. Compliance is determined by calculating the arithmetic average of all hourly *emission rates* for SO₂ and NO_x for the 30 successive boiler operating days, except for data obtained during startup, shutdown, malfunction (NO_x only), or emergency conditions (SO₂ only). Compliance with the percentage reduction requirement for SO₂ is determined based on the average inlet and average outlet SO₂ emission rates for the 30 successive boiler operating days.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.46a(g)]

B.17. If TECO has not obtained the minimum quantity of emission data as required in the following emission monitoring specific conditions B.18. through B.27, compliance of Unit No. 4 with the sulfur dioxide and nitrogen oxides standards for the day on which the 30-day period ends may be determined by the Administrator by following the applicable procedures in section 7 of Method 19, *Determination of Compliance When Minimum Data Requirement Is Not Met*.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.46a(h); 40 CFR 60, Appendix A, Method 19]

Emission Monitoring.

B.18. TECO shall calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the opacity of emissions discharged to the atmosphere. If opacity interference due to water droplets exists in the stack (for example, from the use of an FGD system), the opacity is monitored upstream of the interference (at the inlet to the FGD system). If opacity interference is experienced at all locations (both at the inlet and outlet of the sulfur dioxide control system), alternate parameters indicative of the particulate matter control system's performance are monitored (subject to the approval of the Department and the EPCHC

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(a)]

B.19. TECO shall calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring sulfur dioxide emissions as follows:

(1) Sulfur dioxide emissions are monitored at both the inlet and outlet of the sulfur dioxide control device.

(2) An "as fired" fuel monitoring system (upstream of coal pulverizers) meeting the requirements of Method 19, Determination of Sulfur Dioxide Removal Efficiency and Particulate Matter, Sulfur Dioxide, and Nitrogen Oxides Emission Rates, may be used to determine potential sulfur dioxide emissions in place of a continuous sulfur dioxide emission monitor at the inlet to the sulfur dioxide control device as required in the preceding specific condition B.17.(1).

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(b); 40 CFR 60, App. A, Method 19]

B.20. TECO shall calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring nitrogen oxides emissions discharged to the atmosphere.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(c)]

B.21. TECO shall calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the oxygen and/or carbon dioxide content of the flue gases at each location where sulfur dioxide or nitrogen oxides emissions are monitored. The sulfur dioxide, nitrogen dioxide, oxygen and/or carbon dioxide, and opacity monitoring devices shall meet the applicable requirements of Section 62-214, F.A.C., 40 CFR 60.47a., and 40 CFR 75.). The opacity monitor shall be placed in the duct work between the electrostatic precipitator and the FGD scrubber. When Units 3 and 4 are operating in the integrated mode (Unit 3 flue gases routed through the Unit 4 FGD system), the continuous monitoring system will measure sulfur dioxide emissions at the inlet and outlet of the Unit 4 FGD system and from the Unit 3 stack, while emissions of nitrogen oxides, oxygen and/or carbon dioxide, and opacity shall be measured in the Unit 4 duct prior to the FGD system. When Units 3 and 4 are not operating in the integrated mode, the continuous monitoring system will measure only Unit 4's

inlet duct and stack for SO₂ emissions. The emissions of nitrogen oxides, oxygen and/or carbon dioxide, and opacity shall be measured in the Unit 4 duct prior to the FGD system.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(d); Power Plant Siting Certification PA 79-12D]

B.22. The continuous monitoring systems required in specific conditions B.19., B.20., and B.21., shall be operated and record data during all periods of operation of Unit No. 4 including periods of startup, shutdown, malfunction or emergency conditions, except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(e)]

B.23. TECO shall obtain emission data for at least 18 hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement cannot be met with a continuous monitoring system, TEC shall supplement emission data with other monitoring systems approved by the Department or the EPCHC, or the reference methods and procedures as described in Specific Condition B.25.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a (f)]

B.24. The 1-hour averages required under 40 CFR 60.13(h), *Monitoring Requirements*, are expressed in lbs/million Btu heat input and used to calculate the average emission rates required in specific conditions B.15. and B.16. The 1-hour averages are calculated using the data points required under 40 CFR 60.13(b), *Monitoring Requirements*. At least two data points must be used to calculate the 1-hour averages.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(g)]

B.25. When it becomes necessary to supplement continuous monitoring system data to meet the minimum data requirements in specific condition B.21., TECO shall use the following reference methods and procedures. Acceptable alternative methods and procedures are given in specific condition B.25.

(1) Method 6 shall be used to determine the SO₂ concentration at the same location as the SO₂ monitor. Samples shall be taken at 60-minute intervals. The sampling time and sample volume for each sample shall be at least 20 minutes and 0.020 dscm (0.71 dscf). Each sample represents a 1-hour average.

(2) Method 7 shall be used to determine the NO_x concentration at the same location as the NO_x monitor. Samples shall be taken at 30-minute intervals. The arithmetic average of two consecutive samples represents a 1-hour average.

(3) The emission rate correction factor, integrated bag sampling and analysis procedure of Method 3B shall be used to determine the O₂ or CO₂ concentration at the same location as the O₂ or CO₂ monitor. Samples shall be taken for at least 30 minutes in each hour. Each sample represents a 1-hour average.

(4) The procedures in Method 19 shall be used to compute each 1-hour average concentration in lb/million Btu heat input.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(h); 40 CFR 60, Appendix A, Methods 3B, 6, 7, and 19]

B.26. TECO shall use the following methods and procedures to conduct the monitoring system performance evaluations required under 40 CFR 60.13(c), *Monitoring Requirements*, and the calibration checks required under 40 CFR 60.13(d), *Monitoring Requirements*. Acceptable alternative methods and procedures are given in specific condition B.25.

(1) Methods 6, 7, and 3B, as applicable, shall be used to determine O₂, SO₂, and NO_x concentrations

(2) SO₂ or NO_x (NO), as applicable, shall be used for preparing the calibration gas mixtures (in N₂, as applicable) under 40 CFR 60 Appendix B, Performance Specification 2.

(3) The span value for a continuous monitoring system for measuring opacity is between 60 and 80 percent and for a continuous monitoring system measuring nitrogen oxides is determined as follows

Fossil fuel	Span value for nitrogen oxides (ppm)
Liquid.....	500
Solid.....	1,000
Combination.....	500y + 1,000z

where:

y = the fraction of total heat input derived from liquid fossil fuel, and

z = the fraction of total heat input derived from solid fossil fuel.

(4) All span values computed under the preceding specific condition B.26.(3) for burning combinations of fossil fuels are rounded to the nearest 500 ppm.

(5) For affected facilities burning fossil fuel alone or in combination with non-fossil fuel, the span value of the sulfur dioxide continuous monitoring system at the inlet to the sulfur dioxide control device is 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the sulfur dioxide control device is 50 percent of maximum estimated hourly potential emissions oil fuel, alone or in combination with non-fossil fuel, the span value of the fuel fired.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(i); 40 CFR 60.13; 40 CFR 60 Appendix A, Methods 3B, 6, and 7; 40 CFR 60 Appendix B, Performance Specification 2.]

B.27. TECO may use the following as alternatives to the reference methods and procedures specified in conditions B.25. and B.26.:

(1) For Method 6, Method 6A or 6B (whenever Methods 6 and 3 or 3B data are used) or 6C may be used. Each Method 6B sample obtained over 24 hours represents 24 1-hour averages. If Method 6A or 6B is used under specific condition B.24., the conditions under 40 CFR 60.46(d)(1) apply; these conditions do not apply under specific condition B.23.

(2) For Method 7, Method 7A, 7C, 7D, or 7E may be used. If Method 7C, 7D, or 7E is used, the sampling time for each run shall be 1 hour.

(3) For Method 3, Method 3A or 3B may be used if the sampling time is 1 hour.

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

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.47a(j); 40 CFR 60.46(d)(1), 40 CFR 60 Appendix A, Methods 3, 3A, 3B, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, and 7E]

Compliance determination procedures and methods.

B.27. In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the methods in appendix A of 40 CFR 60 or the methods and procedures as specified in conditions B.29. through B.32., except as provided in 40 CFR 60.8(b). 40 CFR

60.8(f) does not apply to specific conditions B.30 and B.32. for SO₂ and NO_x. Acceptable alternative methods are given in specific condition B.32.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.48a(a); 40 CFR 60.8]

B.29. TECO shall determine compliance with the particulate matter standards in specific condition B.5. as follows:

(1) The dry basis F factor (O₂) procedures in Method 19 shall be used to compute the emission rate of particulate matter.

(2) For the particulate matter concentration, Method 5B shall be used after wet FGD systems.

(i) The sampling time and sample volume for each run shall be at least 120 minutes and 1.70 dscm (60 dscf). The probe and filter holder heating system in the sampling train may be set to provide an average gas temperature of no greater than 160±14 °C (320±25 °F).

(ii) For each particulate run, the emission rate correction factor, integrated or grab sampling and analysis procedures of Method 3B shall be used to determine the O₂ concentration. The O₂ sample shall be obtained simultaneously with, and at the same traverse points as, the particulate run. If the particulate run has more than 12 traverse points, the O₂ traverse points may be reduced to 12 provided that Method 1 is used to locate the 12 O₂ traverse points. If the grab sampling procedure is used, the O₂ concentration for the run shall be the arithmetic mean of all the individual O₂ concentrations at each traverse point.

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

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.48a(b); 40 CFR 60.11, 40 CFR 60 Appendix A, Methods 1, 3B, 5B, 9, and 19]

B.30. TECO shall determine compliance with the SO₂ standards in specific conditions B.7. and B.9. as follows:

(1) The percent of potential SO₂ emissions (%P_s) to the atmosphere shall be computed using the following equation:

$$\%P_s = [(100 - \%R_f) (100 - \%R_g)]/100$$

where:

%P_s = percent of potential SO₂ emissions, percent.

%R_f = percent reduction from fuel pretreatment, percent.

%R_g = percent reduction by SO₂ control system, percent.

(2) The procedures in Method 19 may be used to determine percent reduction (%R_f) of sulfur by such processes as fuel pretreatment (physical coal cleaning, hydrodesulfurization of fuel oil, etc.), coal pulverizers, and bottom and flyash interactions. This determination is optional.

(3) The procedures in Method 19 shall be used to determine the percent SO₂ reduction (%R_g of any SO₂ control system. Alternatively, a combination of an "as fired" fuel monitor and emission rates measured after the control system, following the procedures in Method 19, may be used if the percent reduction is calculated using the average emission rate from the SO₂ control device and the average SO₂ input rate from the "as fired" fuel analysis for 30 successive boiler operating days.

(4) The appropriate procedures in Method 19 shall be used to determine the emission rate.

(5) The continuous monitoring systems specified in conditions B.19. and B.21. shall be used to determine the concentrations of SO₂ and CO₂ or O₂.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.48a (c); 40 CFR 60.43a; 40 CFR 60.47a(b) and (d); 40 CFR 60 Appendix A, Method 19]

B.31. TECO shall determine compliance with the NO_x standards in specific conditions B.10. and B.11. as follows:

- (1) The appropriate procedures in Method 19 shall be used to determine the emission rate of NO_x.
- (2) The continuous monitoring systems specified in specific conditions B.20. and B.21. shall be used to determine the concentrations of NO_x and CO₂ or O₂.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.48a(d); 40 CFR 60.44a; 40 CFR 60.47a(c); 40 CFR 60.47a(d)]

B.32. TECO may use the following as alternatives to the reference methods and procedures specified in condition B.29:

(1) For Method 5 or 5B, Method 17 may be used at Unit No. 4 if the stack temperature at the sampling location does not exceed an average temperature of 160 °C (320 °F). The procedures of sections 2.1 and 2.3 of Method 5B may be used in Method 17 only if it is used after wet FGD systems. Method 17 shall not be used after wet FGD systems if the effluent is saturated or laden with water droplets.

(2) The F_z factor (CO₂) procedures in Method 19 may be used to compute the emission rate of particulate matter under the stipulations of 40 CFR 60.46(d)(1). The CO₂ shall be determined in the same manner as the O₂ concentration.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.48a(e); 40 CFR 60.46(d)(1); 40 CFR 60 Appendix A, Methods 5, 5B, 17, and 19]

Reporting requirements.

B.33. For sulfur dioxide, nitrogen oxides, and particulate matter emissions, the performance test data from the initial performance test and from the performance evaluation of the continuous monitors (including the transmissometer) are submitted to the Department and the EPCHC.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(a)]

B.34. For sulfur dioxide and nitrogen oxides the following information is reported to the Department and the EPCHC for each 24-hour period.

- (1) Calendar date.
- (2) The average sulfur dioxide and nitrogen oxide emission rates (lb/million Btu heat input) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and, description of corrective actions taken.
- (3) Percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and, description of corrective actions taken.
- (4) Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 18 hours of operation of the facility; justification or not obtaining sufficient data; and description of corrective actions taken.
- (5) Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO_x only), emergency conditions (SO₂ only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions.

(6) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

(7) Identification of times when hourly averages have been obtained based on manual sampling methods.

(8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.

(9) Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with 40 CFR 60 Appendix B, Performance Specifications 2 or 3.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(b); 40 CFR 60 Appendix B]

B.35. If the minimum quantity of emission data, as required by the emission monitoring specific conditions B.18. through B.27., is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of specific condition B.17. is reported to the Administrator for that 30-day period:

(1) The number of hourly averages available for outlet emission rates (n_o) and inlet emission rates (n_i) as applicable.

(2) The standard deviation of hourly averages for outlet emission rates (s_o) and inlet emission rates (s_i) as applicable.

(3) The lower confidence limit for the mean outlet emission rate (E_o^*) and the upper confidence limit for the mean inlet emission rate (E_i^*) as applicable.

(4) The applicable potential combustion concentration.

(5) The ratio of the upper confidence limit for the mean outlet emission rate (E_o^*) and the allowable emission rate (E_{std}) as applicable.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(c); 40 CFR 60 Appendix A, Method 19]

B.36. If any sulfur dioxide standards under specific conditions B.7. or B.9. are exceeded during emergency conditions because of control system malfunction, the owner or operator of the affected facility shall submit a signed statement:

(1) Indicating if emergency conditions existed and requirements under specific condition B.14. were met during each period, and

(2) Listing the following information:

(i) Time periods the emergency condition existed;

(ii) Electrical output and demand on the owner or operator's electric utility system and the affected facility;

(iii) Amount of power purchased from interconnected neighboring utility companies during the emergency period;

(iv) Percent reduction in emissions achieved;

(v) Atmospheric emission rate (ng/J or lb/MMBtu) of the pollutant discharged; and

(vi) Actions taken to correct control system malfunction.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(d); 40 CFR 60.43a; 40 CFR 60.46a(d)]

B.37. If fuel pretreatment credit is claimed toward the sulfur dioxide emission standards in specific conditions B.7. or B.9., TECO shall submit a signed statement:

(1) Indicating what percentage cleaning credit was taken for the calendar quarter, and whether the credit was determined in accordance with the provisions of specific condition B.30. and Method 19 (Appendix A of 40 CFR 60); and

(2) Listing the quantity, heat content, and date each pretreated fuel shipment was received during the previous quarter; the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the previous quarter.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(e), 40 CFR 60.48a(c)]

B.38. For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(f)]

B.39. The owner or operator of the affected facility shall submit a signed statement indicating whether:

(1) The required continuous monitoring system calibration, span, and drift checks or other periodic audits have or have not been performed as specified.

(2) The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance.

(3) The minimum data requirements have or have not been met; or, the minimum data requirements have not been met for errors that were unavoidable.

(4) Compliance with the standards has or has not been achieved during the reporting period.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(g)]

B.40. For the purposes of the reports required under *40 CFR 60.7*, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under specific condition B.4. Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(h)]

B.41. The owner or operator of an affected facility shall submit the written reports required under this section and subpart A to the Department and the EPCHC for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

[Rule 62-204.800(7)(b)2., F.A.C.; 40 CFR 60.49a(i)]

B.42. Gravimetric instrument data verifying that the 20.0% maximum petroleum coke content by weight has not been exceeded shall be maintained for five years and submitted to the Department and the EPCHC with each annual operating report. Also to be maintained and available for inspection shall be a record of operation showing the date, fuel used, mode of operation (integrated/non-integrated), and the duration of all startups, shutdowns and malfunctions.

[PSD-FL-040; Rules 62-4.070(3), and 62-213.440(1)(b)2.b., F.A.C.]

B.43. TECO shall submit to the Department a standardized plan or procedure that will allow the permittee to monitor emission control equipment efficiency and enable the permittee to return malfunctioning equipment to proper operation as expeditiously as possible.
[Power Plant Siting Certification PA 79-12]

B.44. Pursuant to Rule 62-212.200(2)(d), F.A.C., the actual emissions of the No. 4 Unit shall equal the representative actual emissions as defined in 40 CFR 52.d21(b)(33). TECO shall maintain and submit to the Department and the EPCHC on an annual basis for a period of 5 years from the date the unit begins firing petroleum coke, data demonstrating that the operational change did not result in an emissions increase.
[PSD-FL-040; PA 79-12, Conditions of Certification]

B. 45.

a. Ambient Air Monitoring. TECO shall continue to operate the existing two ambient monitoring devices for sulfur dioxide in accordance with EPA reference methods in 40 CFR 53, and existing two ambient monitoring devices for suspended particulates at the locations designated on Figure 2. The monitoring devices shall be specifically located at a location approved by the Department. The frequency of operation shall be every six days for TSP and continuously for sulfur dioxide, unless otherwise specified by the Department. New or existing monitoring devices shall be located as designated by the Department. Such monitoring shall be continued until by the Department that the effects of the modification on ambient air quality have been quantified.

b. Conversion of Particulate Monitoring to PM_{2.5}. The owner or operator shall convert the ambient monitoring equipment at the two locations (sites) designated on Figure 2 for total suspended particulate to PM_{2.5} no later than twelve months from the effective date of this permit. Monitoring for total suspended particulate shall continue until the conversion is complete. The owner or operator shall notify the Department's Bureau of Air Monitoring and Mobile Sources (BAMMS) when the conversion is complete and identify which data correspond to the new monitoring results. The owner or operator shall then continue to operate the ambient monitoring devices for PM_{2.5}. The frequency of operation of each monitoring device for PM_{2.5} shall be at a minimum of every three days, unless otherwise specified by the Department. The owner or operator may install a continuous monitor for PM_{2.5}, provided that such monitor is a correlated acceptable continuous (CAC) fine particle monitor.

[Power Plant Siting #PA 79-12, Conditions of Certification; PSD-FL-040; Rules 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

B.46. Ambient Monitoring Specifications and Reporting Requirements. Ambient monitoring activities required by specific condition B.48. of this permit for sulfur dioxide, total suspended particulate matter, and PM_{2.5} shall be conducted in such a manner so as to meet the minimum quality assurance requirements as delineated in 40 CFR Parts 50 and 58.14; Part 58, Appendices A, C, D and E; and the Department's *State-Wide Quality Assurance Air Program Plan (Plan)*. Changes to the *Plan* will be distributed by the Department's Bureau of Air Monitoring and Mobile Sources (BAMMS) to the owner or operator. The owner or operator shall comply with *Plan* changes as soon as practicable, but no later than upon renewal of this permit.

The owner or operator shall submit to the Department for review and approval, within 90 days of the effective date of this permit, standard operating procedures for each monitor, calibrator and ancillary piece of equipment utilized in the production of the required ambient air quality data.

The owner or operator shall submit the required monitoring data and quality assurance results to BAMMS within ninety (90) days after the end of each calendar quarter in an electronic medium and format: either Aerometric Information Retrieval System (AIRS) or Storage and Retrieval of Aerometric Data (SAROAD) for the monitoring data, and the Precision and Accuracy Data (PAData) format for the quality assurance data.

The owner or operator shall allow Department auditors, with a minimum of seven (7) days prior notification, access to the monitoring locations for the purpose of the performance of accuracy audits which may be completed in lieu of, or in addition to, the owner or operator's quarterly accuracy audits as specified in 40 CFR, Part 58, Appendix A, 3.2 and 3.4. The owner or operator shall also submit to an annual systems audit as specified in 40 CFR, Part 58, Appendix A, 2.5. The systems audit, which reviews the quality assurance and monitoring effort for the preceding year, shall be conducted between February and June of the year following the year in which the audited data were produced. In addition, the Department staff shall be allowed access to the monitoring locations, with a minimum of seven (7) days prior notification, on an annual basis, for the purpose of determining compliance with the siting requirements as specified in 40 CFR, Part 58, Appendix E.

[Rules 62-213.440 and 62-296.405(1)(c)3., F.A.C.; Power Plant Siting Certification PA 79-12]

B.47. Stack height. The height of the boiler exhaust stack for Unit No. 4 shall not be less than 490 ft. above grade.

[Power Plant Siting Certification PA 79-12]

The following requirements of 40 CFR 60, Subpart A - General Provisions Requirements, apply to Unit No. 4:

B.48. Definitions. For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.

[40 CFR 60.2; Rule 62-204.800(7)(a), F.A.C.]

40 CFR 60.7 Notification and record keeping.

B.49. The owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:

A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

[40 CFR 60.7(a)(4)]

B.50. The owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or, any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 CFR 60.7(b)]

B.51. Each owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form [see 40 CFR 60.7(d)] to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or, the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or, the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate).

Written reports of excess emissions shall include the following information:

- (1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
- (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
- (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
- (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

[40 CFR 60.7(c)(1), (2), (3), and (4)]

B.52. The summary report form shall contain the information and be in the format shown in Figure 1 (attached) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

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

{See attached Figure 1: Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance} (electronic file name: figure1.doc)

[40 CFR 60.7(d)(1) and (2)]

B.53. (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

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

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR 60, Subpart A, and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in 40 CFR 60.7(e)(2).

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

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in 40 CFR 60.7(e)(1) and (e)(2).

[40 CFR 60.7(e)(1)]

B.54. Any owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and, all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least 5 (five) years following the date of such measurements, maintenance, reports, and records.

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

40 CFR 60.8 Performance tests.

B.55. Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

[40 CFR 60.8(c)]

B.56. The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present.

[40 CFR 60.8(d)]

40 CFR 60.11 Compliance with standards and maintenance requirements.

B.57. Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.

[40 CFR 60.11(a)]

B.58. Compliance with opacity standards in 40 CFR 60 shall be determined by conducting observations in accordance with Reference Method 9 in Appendix A of 40 CFR 60, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5).

[40 CFR 60.11(b)]

B.59. The opacity standards set forth in 40 CFR 60 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

[40 CFR 60.11(c)]

B.60. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

B.61. The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of EPA Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he or she shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting

data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which EPA Method 9 data indicates noncompliance, the EPA Method 9 data will be used to determine opacity compliance.

[40 CFR 60.11(e)(5)]

40 CFR 60.12 Circumvention.

B.62. No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

40 CFR 60.13 Monitoring requirements.

B.63. For the purposes of 40 CFR 60.13, all continuous monitoring systems (CMS) required under applicable subparts shall be subject to the provisions of 40 CFR 60.13 upon promulgation of performance specifications for continuous monitoring systems under Appendix B of 40 CFR 60 and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, Appendix F of 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

[40 CFR 60.13(a)]

B.64. If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, Appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in Appendix B of 40 CFR 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

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

[40 CFR 60.13(c)(1)]

B.65. (1) Owners and operators of all continuous emission monitoring systems (CEMS) installed in accordance with the provisions of this part shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance

specifications in Appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

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

[40 CFR 60.13(d)(1) and (2)]

B.66. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems (CMS) shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

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

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

[40 CFR 60.13(e)(1) and (2)]

B.67. All continuous monitoring systems (CMS) or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of Appendix B of 40 CFR 60 shall be used.

[40 CFR 60.13(f)]

B.68. When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems (CMS) on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

[40 CFR 60.13(g)]

B.69. Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated

from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).
[40 CFR 60.13(h)]

B.70. Although the type of control equipment described in the PSD-FL-040 application was determined by EPA to be adequate, EPA may, upon review of the data, disapprove the application if EPA determines the selected devices to be inadequate to meet the emission limits specified.
[PSD-FL-040]

Subsection C. Combustion Turbines

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-007	Combustion Turbine No. 1
-005	Combustion Turbine No. 2
-006	Combustion Turbine No. 3

Descriptions

Combustion Turbine No. 1 is a self-contained combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, three-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. The generator nameplate capacity is 18 MW. Unit No. 1 began commercial operation in 1969.

Combustion Turbine No. 2 is a self-contained Westinghouse combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, three-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. The generator nameplate capacity is 78 MW. Unit No. 2 began commercial operation in 1974.

Combustion Turbine No. 3 is a self-contained Westinghouse combustion turbine generating unit. The unit is a predesigned integrated simple-cycle, single-shaft, multi-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. The generator nameplate capacity is 78 MW. Unit No. 3 began commercial operation in 1974.

The following conditions apply to the Emissions Units listed above:

Essential Potential to Emit (PTE) Parameters

C.1. Methods of Operation - Fuels. The combustion turbines shall be fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only.
[Rule 62-4.160(2), F.A.C., Construction application request]

C.2. Hours of Operation. Combustion Turbine No. 2 shall not be operated more than 10 hours per day, 365 days per year. Hours of operation shall not exceed 3650 hours per year.
[Rule 62-210.200, F.A.C., Definitions (PTE), AC-29-2210]

Emission Limitations and Standards

C.3. Visible emissions from each combustion turbine shall not be equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b)1., F.A.C.]

C.4. During each federal fiscal year (October 1 - September 30) the Tampa Electric Company shall have formal compliance tests conducted on each combustion turbine for opacity. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

[Rule 62-296.712, Rule 62-297.310(7)(a)4.a., , and Rule 62-297.310(7)(a)8., F.A.C.]

C.5. The test methods for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

Recordkeeping and Reporting Requirements

C.6. If TEC chooses to conduct a visible emissions compliance test only once per five-year period, per Rule 62-297.310(7)(a)8., daily recordkeeping of the hours of operation is required to show that the 400-hour annual limit is not exceeded each year during the five-year period.

[Rule 62-297.310(7)(a)8., and Rule 62-4.070(3), F.A.C.]

C.7. Documentation of the type, quantity, and analysis of the fuel oil used/received is required. Records shall be kept for five years.

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

C.8. The average daily and total annual hours of operation for each combustion turbine shall be submitted in an annual operation report. In addition, for each combustion turbine, annual emissions reporting requirements apply to emissions of each pollutant that a turbine emits in the following quantities:

(1) for PM₁₀, sulfur oxides, VOC, and nitrogen oxides - 25 tons per year or more

(2) for carbon monoxide - 250 tons per year or more

(3) for lead or lead compounds, measured as elemental lead - 5 tons per year or more.

[62-210.370(3), F.A.C., 40 CFR 51.322(b)]

Subsection D. Flyash Handling and Storage

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-008	Fly Ash Silo No. 1 Baghouse
-018	Fly Ash Silo No. 1 Truck Loadout
-009	Fly Ash Silo No. 2 Baghouse
-019	Fly Ash Silo No. 2 Truck Loadout
-xxx	Fly Ash Handling and Storage Fugitive Emissions (all except silos)

Descriptions

Fly Ash Silo No. 1 handles fly ash from Steam Generator Units No. 1 and No. 2. Fly ash is pneumatically conveyed from the individual electrostatic precipitators to Silo No. 1. Also, the fly ash may be pneumatically conveyed from tanker trucks to Silo No. 1. The sum total loading rate to the silo for all the processes combined is 44.5 tons per hour. Fly ash from Silo No. 1 is discharged in either a wet or dry state. The dry fly ash is gravity fed by tubing into totally enclosed tanker trucks. The wet fly ash is processed through a pugmill and then unloaded into a dump truck. Particulate matter emissions generated by silo loading and silo unloading to a tanker truck are controlled by a 20,081 DSCFM Flex Kleen Model No. 84 UDTR-640 baghouse in addition to reasonable precautions.

Fly Ash Silo No. 2 handles fly ash from Steam Generator Units Nos. 1, 2, and/or 3. Fly ash is pneumatically conveyed in a series of pipes from the individual unit precipitators (Units 1, 2, and/or 3, only two units at any time) to the silo for temporary storage. From the silo, the fly ash is gravity fed by tubing into closed tanker trucks and transported to an off-site consumer. Particulate emissions generated during silo loading operation and from the tanker truck loadout chutes are controlled by a 20,081 DSCFM Flex Kleen, Model No. 84 UDTR-640 baghouse in addition to reasonable precautions.

The following conditions apply to the Emissions Units listed above:

Essential Potential to Emit (PTE) Parameters

D.1. Capacity. The maximum permitted loading rate for all Fly Ash Silo No. 1 processes combined is 44.5 tons per hour. For Fly Ash Silo No. 2, the maximum permitted loading rate is 11.9 tons per hour. Separate testing of emissions from each unit shall be conducted with each emissions unit operation at 90 to 100 percent of the maximum permitted heat input rate. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [AC29-194516; AO29-161082; Rule 62-4.160(2), and Rule 62-297.310(2), F.A.C.]

D.2. Hours of Operation. Fly Ash Silos No. 1 and No. 2 are each allowed to operate continuously, i.e., 8760 hours/year.
[Rule 62-210.200, F.A.C., Definitions (PTE)]

Emission Limitations and Standards

D.3. Visible emissions from each silo baghouse shall not be equal to or greater than 20 percent opacity. Visible emissions from each silo truck loadout shall not be equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b)1., F.A.C.]

D.4. Visible emissions from the flyash handling system and flyash silos are limited to 5% opacity.
[Power Plant Siting Certification PA 79-12]

D.5. Total maximum allowable emissions of particulate matter from the each silo baghouse shall not exceed 0.03 grains/DSCF, 5.16 lbs./hr. and 22.62 tons/yr. based on a design flow rate of 20,081 DSCFM. The requirement of formal particulate matter compliance testing as provided in specific condition D.6. shall be waived if the baghouse meets the alternative standard of 5% opacity. If the Department or the Environmental Protection Commission of Hillsborough County has reason to believe that the particulate weight emission standard is not being met, the agency shall require that compliance be demonstrated by EPA Method 17 specified in 62-297, F.A.C.
[Rule 62-4.160(2) and Rule 62-297.620(4), F.A.C.; AO29-160255; AO29-161082]

Test Methods and Procedures

D.6. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the Tampa Electric Company shall have formal compliance tests conducted on each silo baghouse for opacity and particulate matter and formal compliance test conducted on each silo truck loadout for opacity.
[Rule 62-297.310(7)(a)4., F.A.C.]

D.7. The test method for particulate emissions shall be EPA Method 17, with an acetone wash and an average stack temperature below 275 degrees Fahrenheit, or EPA Method 5 with an acetone wash. These test methods are incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(a)3.a.(ii) and 62-296.320(4)(a)3.c., F.A.C.]

D.8. The test methods for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)4., F.A.C.]

D.9. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.320(4), F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. The following reasonable precaution shall be taken to control unconfined particulate matter emissions associated with the fly ash silo/truck operations. Reasonable precautions shall include, but not limited to:

A) Fly ash transported by dump truck shall be adequately wetted and processed through the pugmill.

- B) Dump trucks used to transport fly ash shall utilize tarps at all times except when loading/unloading.
- C) Fly ash transported in a dry state shall be accomplished utilizing an enclosed tanker truck.
- D) Fly ash spilled and/or leaked on plant grounds shall be adequately wetted and disposed of daily.
- E) Fly ash collected from spills and/or leaks must be adequately wetted at all times.
- F) Ensure the proper seating of the unloader chute onto the tanker inlet prior to loading.
- G) Keep the dust extractor operational during loading.
- H) Close the tanker's inlet as soon as practical after the loading process.
- I) Extend the tubing from the silo into the closed tanker type trucks during loadout.
- J) Periodic watering of plant roads

[Rule 62-296.320(4)(c)2., F.A.C., AO29-160255, and precautions specified in initial Title V application.]

D.10. Compliance testing for the silo and tanker truck loading operations shall be conducted under the following conditions:

- a. All conveyance hoppers will be operational during the test.
- b. All fly ash will be directed to the silo, no reinjection of fly ash to the boiler systems will occur during the test.
- c. The boilers shall operate at the maximum capability of this unit under normal operating conditions during the test.
- d. Two tanker trucks shall be loaded during the test. The loading valve shall be completely open during filling.
- e. The visible emission test shall be at least 30 minutes in duration and the period of time during which truck loading occurred indicated on the test report.

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

D.11. Compliance with the emission limitations of Specific Conditions Nos. 3 and 4 shall be determined using EPA Methods 1, 2, 4, 5 and 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297.401, F.A.C. The Method 9 observation period for the silo and tanker truck loading operations shall be at least thirty (30) minutes in duration. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A.

D.12. All compliance tests shall be conducted while loading the silo at approximately the maximum feed rate (24 hour average). Failure to submit the feed rate or operating at conditions during testing which do not reflect normal operating conditions may invalidate the data.

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

Subsection E. Flyash Silo No. 3

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-014	Fly Ash Silo No. 3 Baghouse
-xxx	Fly Ash Silo No. 3 Truck Loadout
-xxx	Fly Ash Handling System Fugitive Emissions

Description

Fly Ash Silo No. 3 handles fly ash from Steam Generator Unit No. 4. Particulate emissions are controlled by a 1,200 DSCFM Flex Kleen Model 84-WRTC-80-II-G baghouse.

The following conditions apply to the Emissions Unit listed above:

Essential Potential to Emit (PTE) Parameters

E.1. Particulate emissions from the flyash handling system and flyash silo shall not exceed 0.2 lb/hr. [Power Plant Siting Certification PA 79-12; PSD-FL-040]

E.2. Visible emissions from the flyash handling system and the flyash silo are limited to 5% opacity. [Power Plant Siting Certification PA 79-12]

E.3. The flyash handling system (including transfer and silo storage) will be maintained at negative pressures and vented to a control system. [PSD-FL-040]

E.4. Although the type of control equipment described in the PSD-FL-040 application was determined by EPA to be adequate, EPA may, upon review of the data, disapprove the application if EPA determines the selected devices to be inadequate to meet the emission limits specified. [PSD-FL-040]

Subsection F. Limestone Handling and Storage

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-011	Truck/Railcar Limestone Unloading Receiving Hopper with baghouse
-012	Limestone Silo A with 2 baghouses
-013	Limestone Silo B with 2 baghouses
-xxx	Limestone Handling Conveyor LB to Conveyor LC with baghouse
-xxx	Limestone Handling Conveyor LD to Conveyor LE with baghouse
-xxx	Limestone Handling Conveyor LE to South Storage Silo with baghouse
-xxx	Limestone Handling Conveyor LE to North Storage Silo with baghouse
-xxx	Limestone Storage and Handling Fugitive Emissions

Descriptions

Particulate emissions from the truck and railcar unloading of limestone are controlled by a Mikro-Pulsaire Model 400S12TR baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LB to Conveyor LC are controlled by a Sternvent Model DKED18003 baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LD to Conveyor LE are controlled by a Sternvent Model DKED 18003 baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LE to the South Storage Silo are controlled by a Flex Kleen Model 58-BVBC-36-IIG baghouse. Particulate emissions generated by the transfer of limestone from Handling Conveyor LE to the North Storage Silo are controlled by a Flex Kleen Model 58-BVBC-36-IIG baghouse.

The following conditions apply to the Emissions Units listed above:

Essential Potential to Emit (PTE) Parameters

F.1. Total combined particulate matter emissions from the limestone handling hoppers/conveyors shall not exceed 0.65 lb/hr. Visible emissions are limited to 5% opacity. Compliance testing for particulate matter emissions is not required provided opacity limit is maintained.
[PSD-FL-040; Power Plant Siting Certification PA 79-12]

F.2. Total combined particulate matter emissions from the limestone silos shall not exceed 0.05 lb/hr. Visible emissions are limited to 5% opacity. Compliance testing for particulate matter emissions is not required provided opacity limit is maintained.
[PSD-FL-040; Power Plant Siting Certification PA 79-12]

F.3. All conveyors and conveyor transfer points will be enclosed to preclude particulate matter emissions.
[PSD-FL-040]

F.4. The limestone handling receiving hopper, conveyor transfer points and silos will be maintained at negative pressures with the exhaust vented to a control system(s).
[PSD-FL-040]

F.5. Although the type of control equipment described in the PSD-FL-040 application was determined by EPA to be adequate, EPA may, upon review of the data, disapprove the application if EPA determines the selected devices to be inadequate to meet the emission limits specified.

[PSD-FL-040]

Subsection G. Coal Bunkers with Roto-Clones

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-015	Unit No. 1 Coal Bunker with Roto-Clone
-016	Unit No. 2 Coal Bunker with Roto-Clone
-017	Unit No. 3 Coal Bunker with Roto-Clone

Descriptions

Steam Generator Units Nos. 1-3 Coal Bunkers with an exhaust fan/cyclone collector (Roto-Clone) controlling dust emission from each unit's respective bunker. Two moving transfer stations via their respective conveyor belts route coal through enclosed chutes to the various bunkers. Coal Bunkers 1-3 are each equipped with a 9400 ACFM American Air Filter (AAF) Company Type D Roto-Clone to abate dust emissions during ventilation. A number of vent pipes convey fresh air from each bunker to a Roto-Clone during particulate removal. Particulate matter removed by the Roto-Clones is returned to the coal bunkers via a hopper and return line. Unit No. 1 Coal Bunker is situated west of Unit No. 2 Coal Bunker. Unit No. 3 Coal Bunker is situated east of Unit No. 2 Coal Bunker.

The following conditions apply to the Emissions Units listed above:

Essential Potential to Emit (PTE) Parameters

G.1. Capacity. The annual coal throughput shall not exceed 4,000 TPH per bunker.
[Rule 62-4.160(2), F.A.C.]

G.2. Hours of Operation. To show compliance with the annual allowable emission rate, hours of bunker loading operation shall not exceed 4167 hours per year.
[Rule 62-210.200, F.A.C., Definitions (PTE)]

Emission Limitations and Standards

G.3. Visible emissions from each unit shall not be equal to or greater than 20% opacity. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. and 4., F.A.C.]

G.4. Since a source of less than 1 TPY is exempt from particulate RACT provisions, the maximum allowable particulate emissions shall not exceed 0.99 tons per year from each cyclone exhaust. Also maximum allowable particulate emission shall not exceed 0.48 lbs./hr from each cyclone exhaust.
[AO29-163788]

G.5. The maximum allowable emission rate for particulate matter for this source is set by specific condition no. G.4. Because of the expense and complexity of conducting a stack test on minor sources of particulate matter, the Department hereby waives the requirement for a stack test. The alternative standard establishes a visible emission limitation not to exceed an opacity of 5%. Compliance with

this alternate emission limitation shall be determined using DEP Method 9 contained in 62-297.401, F.A.C.
[AO29-163788]

G.6. Capacity during and after compliance testing of emissions. Separate testing of emissions from each unit shall be conducted with each emissions unit operation at 90 to 100 percent of the maximum permitted heat input rate. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-4.160(2), and Rule 62-297.310(2), F.A.C.]

G.7. Should the Department have reason to believe the particulate emission standard is not being met, the Department may require that compliance with the particulate emission standards be demonstrated by testing using EPA Methods 1, 2, 4 and 5 in accordance with 62-297.401, F.A.C.
[Rule 62-297.310(7)(b), F.A.C.]

Subsection H. Solid Fuel Yard

This section addresses the following Regulated Emissions Units:

<u>E.U. ID No.</u>	<u>Brief Description</u>
-010	Solid Fuel Yard, Fugitive Emissions
-xxx	Cyclone collectors for fuel blending bins (FH-032 through FH-035)
-xxx	Cyclone collectors for fuel crushers (FH-048 and FH-049)
-xxx	Cyclone collectors for bunkers (FH-059 through FH-062)

Descriptions The solid fuel yard consists of

The following conditions apply to the Emissions Units listed above:

H.1. Based upon the permitted heat input to Steam Generator Units No. 3 and 4, the annual limit of petroleum coke handled in the solid fuel yard is 550,000 tons per year.

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

H.2. TECO shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values.

[Power Plant Siting Certification PA 79-12]

H.3. Particulate emissions from the solid fuel handling facilities:

(a) Pursuant to Chapter 1-3.62 Rules of the Environmental Protection Commission of Hillsborough County, visible emission shall not exceed 20% opacity for any unconfined emission unit in the fuel yard. Unconfined emissions as defined by Rule 62-296.200, F.A.C., shall include the static fuel piles, etc. Pursuant to Rule 62.296.711(2), F.A.C., visible emissions shall not exceed 5 percent opacity for the remaining emission units in the fuel yard. Visible emissions compliance tests shall be demonstrated using EPA Reference Method 9, 40 CFR Part 60, Appendix A, Visual Determination of Fugitive Emissions from Material Sources (July 1, 1993 version). All testing shall be done within 90 days of completing reconfiguration of the fuel yard, and prior notification of testing shall be submitted in writing at least 15 days beforehand to the EPC of Hillsborough County. Particulate emissions shall be controlled by use of control devices.

(b) The permittee must submit to the Department within ten (10) working days after it becomes available, copies of technical data pertaining to the selected particulate emissions control for the coal handling facility. These data should include, but not be limited to, guaranteed efficiency and emission rates, and major design parameters such as air/cloth ratio and flow rate. The Department may, upon review of these data, disapprove the use of such device if the Department determines the selected control device to be inadequate to meet the emission limits specified in condition (a) above. Such disapproval shall be issued within 30 days of receipt of the technical data.

(c) The fuel pile operations are subject to Rule 62-296.310(3), F.A.C., Unconfined Emissions of Particulate Matter. Reasonable precautions to minimize unconfined particulate matter shall be in accordance with Rule 62-296.310(3)(c), F.A.C.; and, may include, but shall not be limited to, the coating of roads and construction sites used by contractors and regrassing or watering areas of disturbed fuel.

(d) From each fuel transloading source/emissions point (i.e., off-loading and loading of fuel {for export from Big Bend Station}), the maximum **hourly** transloading transfer of fuel shall not exceed 4,000 tons, 24-hour rolling average.

(e) From each fuel transloading source/emissions point, (i.e., off-loading and loading of fuel {for export from Big Bend Station}), the maximum annual transloading transfer of fuel shall not exceed 1,428,030 tons.

(f) The number of railcars and trucks and the quantity of fuel loaded by each fuel transloading source/emissions point (i.e., off-loading and loading of fuel {for export from Big Bend Station}) shall be recorded, maintained, and kept on file for a minimum of five years. The annual quantity of fuel loaded by each fuel transloading source/emissions point shall be submitted in the Annual Operation Report.

[Power Plant Siting Certification PA 79-12; {permitting note}]

H.4. Although the type of control equipment described in the PSD-FL-040 application was determined by EPA to be adequate, EPA may, upon review of the data, disapprove the application if EPA determines the selected devices to be inadequate to meet the emission limits specified.

[PSD-FL-040]

H.5. All conveyors and conveyor transfer points will be enclosed to preclude particulate matter emissions excepting the coal handling stacker reclaimer, the tail end conveyor feeding the tripper and the barge unloading belt which are exempted for feasibility considerations.

[PSD-FL-040]

H.6. Coal storage piles will be shaped, compacted and oriented to minimize wind erosion.

[PSD-FL-040]

H.7. Water sprays for storage piles, handling equipment, etc., including the handling equipment exempted from the conveyor enclosure requirement, will be applied during dry periods and as necessary to all facilities to maintain opacity below 20 percent.

[Rules 62-4.160(2) and 62-296.320(4)(c), F.A.C.]

Subsection I. Surface Coating of Miscellaneous Metal Parts

This section addresses the following Regulated Emissions Units:

-xxx Surface coating of miscellaneous metal parts

Description

These conditions apply to the surface coating of miscellaneous metal parts as defined in 62-296.513, F.A.C. These parts include such things as pumps, compressors, conveyor components, fans, blowers, transformers.

The following conditions apply to the Emissions Unit listed above:

I.1. Capacity. The total maximum coating usage shall not exceed 2 gallons per hour and 7000 gallons per year.

[Rule 62-210.200, F.A.C., Definitions (PTE)]

I.2. Recordkeeping. TECO shall maintain daily records of operations for the most recent 5 year period. The records shall be made available to the local, state, or federal air pollution agency upon request. The records shall include, but not be limited to, the following:

- a. The rule number applicable to the operation for which the records are being maintained.
- b. The application method and substrate type (metal, etc.).
- c. The amount and type of adhesive, coatings (including catalyst and reducer for multicomponent coatings), solvent, and/or graphic arts material used at each point of application, including exempt compounds.
- d. The VOC content as applied in each adhesive, coating, solvent, and/or graphic arts material.
- e. The date for each application of each adhesive, coating, solvent, and/or graphic arts material.
- f. The amount of surface preparation, clean-up, wash-up of solvent (including exempt compounds) used and the VOC content of each.

[Rule 62-296.500(2)(b)1., F.A.C.]

I.3. The VOC content shall be calculated using a percent solids basis (less water and exempt solvents) for adhesives, coating, and inks, using EPA Reference Method 24.

[Rule 62-296.500(2)(b)2., F.A.C.]

I.4. Reporting. Annually, in accordance with a schedule and reporting format provided by the Department or EPCHC, TECO shall provide EPCHC with proof of compliance with the limitations in condition I.5.

[Rule 62-296.500(2)(c), F.A.C.]

The following conditions apply to the Emissions Unit listed above if the Emissions Unit emits more than 15 pounds of VOC in any one day and 3 pounds VOC in any one hour:

I.5. Emissions Limits for surface coating of miscellaneous metal parts.

(a) No owner or operator of a coating line for miscellaneous metal parts and products shall cause, allow, or permit the discharge into the atmosphere of any volatile organic compounds in excess of:

- (1) 4.3 pounds per gallon of coating (0.52 kilograms per liter), excluding water, delivered to a coating applicator that applies clear coatings;
- (2) 3.5 pounds per gallon of coating (0.42 kilograms per liter), excluding water, delivered to a coating applicator in coating application system that is air dried or forced warm air dried at temperatures up to 194 degrees Fahrenheit (90 degrees Celsius);
- (3) 3.5 pounds per gallon of coating (0.42 kilograms per liter), excluding water, delivered to a coating applicator that applies extreme performance coatings; or,
- (4) 3.0 pounds per gallon of coating (0.36 kilograms per liter), excluding water, delivered to a coating applicator for all other coatings and coating application systems.

(b) If more than one emission limitation in condition I.5.(a) above applies to a specific coating, then the least stringent emission limitation shall be applied.

(c) All volatile organic compound emissions from solvent washings shall be considered in the emission limitations in condition I.5.(a) above unless the solvent is directed into containers that prevent evaporation into the atmosphere.

[Rule 62-296.513(2), F.A.C.]

I.6. Control Technology. The emission limits in condition I.5.(a) above shall be achieved by: The application of low solvent coating technology.

[Rule 62-296.513(3), F.A.C.]

I.7. Test Methods and Procedures to Determine Low Solvent Technology. The test method for volatile organic compounds shall be EPA Method 24 or EPA 450/3-84-019, incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.]

[Rules 62-296.513(4)(a) and (c), F.A.C.]

Subsection J. Abrasive Blasting

This section addresses the following Regulated Emissions Units:

- xxx Abrasive Blast Booth with baghouse
- xxx Abrasive Blast Media Storage with baghouse

Description

The abrasive blast booth is used to prepare miscellaneous metal parts for surface coating. Particulate emissions from the abrasive blast booth are controlled by a Torit Model No. DFT 4-16 pulse jet baghouse with an inlet flow rate of 7,500 acfm. Particulate emissions from the abrasive blast media storage are controlled by a pulse jet baghouse with an inlet air flow rate of 800 dscfm.

The following conditions apply to the Emissions Units listed above:

J.1. Capacity. The maximum annual usage of abrasive blast media shall be 3 tons per year.
[Rules 62-4.160(2), 62-210.200(PTE)]

J.2. Hours of Operation. The emission units are each allowed to operate continuously, i.e., 8760 hours/year.
[Rule 62-210.200, F.A.C., Definitions (PTE)]

J.3. Emissions Limitations. The particulate emissions from each baghouse shall not exceed 0.03 gr/dscf, or any visible emissions greater than 5% opacity. However, TECO may exceed these emission limits if a pollution control device for particulate matter is utilized that has an actual particulate matter collection efficiency of at least 98 percent. The opacity standard for the emissions units shall be the average opacity level achieved during the initial compliance test which established compliance with the standard, plus 5% opacity.
[Rules 62-296.712(2), F.A.C.]

J.4. Test Methods and Procedures.

- (a) The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference by reference in Chapter 62-297, F.A.C.
- (b) The test method for particulate matter emissions shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet.
- (c) A visible emissions test indicating no visible emissions (5 percent opacity) may be submitted in lieu of a particular stack test for materials handling emissions subject to this rule, where the emissions unit is equipped with a baghouse.
- (d) Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.
[Rule 62-296.712(3), F.A.C.]

J.5. The maximum allowable particulate matter emissions from the abrasive blasting operations shall not exceed 15 tons for any 12 consecutive month period.
[Rule 62-212.300, F.A.C.]

J.6. No used or waste oils shall be burned in the diesel compressors. The observation point for the blasting operation tests shall be at the point of maximum opacity leaving the enclosure.

[Rule 62-070(3), F.A.C.]

J.7. TECO shall maintain monthly records on the type and amount of abrasive blasting material used . A rolling 12-month total shall be kept as well.

[Rule 62-070(3), F.A.C.]

Subsection K. Surface Coating of Ships

This section addresses the following Regulated Emissions Units:

-xxx Surface coating of ships

Description

Surface coating maintenance of ships.

The following conditions apply to the Emissions Units listed above:

K.1. Hours of Operation. Miscellaneous metal parts surface coating operations are allowed to operate for a total 3500 hours/year.

[Rule 62-210.200, F.A.C., Definitions (PTE)]

K.2. This emissions unit must comply with the following:

40 CFR 63 Subpart II – National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)

{Source: 40 CFR 63 Subpart II (7/1/96 version), and Fed. Register revision dated 12/17/96}

- 63.781 Applicability
- 63.782 Definitions
- 63.783 Standards.
- 63.784 Compliance dates.
- 63.785 Compliance procedures.
- 63.786 Test methods and procedures.
- 63.787 Notification requirements.
- 63.788 Recordkeeping and reporting requirements.}

§ 63.781 Applicability.

(a) The provisions of this subpart apply to shipbuilding and ship repair operations at any facility that is a major source.

(b) The provisions of this subpart do not apply to coatings used in volumes of less than 200 liters (52.8 gallons) per year, provided the total volume of coating exempt under this paragraph does not exceed 1,000 liters per year (264 gallons per year) at any facility. Coatings exempt under this paragraph shall be clearly labeled as “low-usage exempt,” and the volume of each such coating applied shall be maintained in the facility’s records.

(c) The provisions of this subpart do not apply to coatings applied with hand-held, nonrefillable, aerosol containers or to unsaturated polyester resin (i.e., fiberglass lay-up) coatings. Coatings applied to suitably prepared fiberglass surfaces for protective or decorative purposes are subject to this subpart.

(d) The provisions in subpart A of this part [See specific condition K.3., General Provisions] pertaining to startups, shutdowns, and malfunctions and continuous monitoring do not apply to this source category unless an add-on control system is used to comply with this subpart in accordance with § 63.783(c).

§ 63.782 Definitions.

Terms used in this subpart are defined in the Clean Air Act (CAA), in subpart A of part 63, or in this section as follows:

Add-on control system means an air pollution control device such as a carbon absorber or incinerator that reduces pollution in an air stream by destruction or removal prior to discharge to the atmosphere.

Affected source means any shipbuilding or ship repair facility having surface coating operations with a minimum 1,000 liters (L) (264 gallons [gal]) annual marine coating usage that is subject to this subpart.

Air flask specialty coating means any special composition coating applied to interior surfaces of high pressure breathing air flasks to provide corrosion resistance and that is certified safe for use with breathing air supplies.

Antenna specialty coating means any coating applied to equipment through which electromagnetic signals must pass for reception or transmission.

Antifoulant specialty coating means any coating that is applied to the underwater portion of a vessel to prevent or reduce the attachment of biological organisms and that is registered with the EPA as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act.

As applied means the condition of a coating at the time of application to the substrate, including any thinning solvent.

As supplied means the condition of a coating before any thinning, as sold and delivered by the coating manufacturer to the user.

Batch means the product of an individual production run of a coating manufacturer's process. A batch may vary in composition from other batches of the same product.

Bitumens mean black or brown materials that are soluble in carbon disulfide and consist mainly of hydrocarbons.

Bituminous resin coating means any coating that incorporates bitumens as a principal component and is formulated primarily to be applied to a substrate or surface to resist ultraviolet radiation and/or water.

Certify means, in reference to the volatile organic compounds (VOC) content or volatile organic hazardous air pollutants (VOHAP) content of a coating, to attest to the VOC content as determined through analysis by Method 24 of appendix A to 40 CFR part 60 or through use of forms and procedures outlined in appendix A of this subpart, or to attest to the VOHAP content as determined through an Administrator-approved test method. In the case of conflicting results, Method 24 of Appendix A to 40 CFR part 60 shall take precedence over the forms and procedures outlined in appendix A to this subpart for the options in which VOC is used as a surrogate for VOHAP.

Coating means any material that can be applied as a thin layer to a substrate and which cures to form a continuous solid film.

Cold-weather time period means any time during which the ambient temperature is below 4.5°C (40°F) and coating is to be applied.

Container of coating means the container from which the coating is applied, including but not

limited to a bucket or pot.

Cure volatiles means reaction products which are emitted during the chemical reaction which takes place in some coating films at the cure temperature. These emissions are other than those from the solvents in the coating and may, in some cases, comprise a significant portion of total VOC and/or VOHAP emissions.

Epoxy means any thermoset coating formed by reaction of an epoxy resin (i.e., a resin containing a reactive epoxide with a curing agent).

Exempt compounds means specified organic compounds that are not considered VOC due to negligible photochemical reactivity. Exempt compounds are specified in 40 CFR 51.100(s).

Facility means all contiguous or adjoining property that is under common ownership or control, including properties that are separated only by a road or other public right-of-way.

General use coating means any coating that is not a specialty coating.

Hazardous air pollutants (HAP) means any air pollutant listed in or pursuant to section 112(b) of the CAA.

Heat resistant specialty coating means any coating that during normal use must withstand a temperature of at least 204°C (400°F).

High-gloss specialty coating means any coating that achieves at least 85 percent reflectance on a 60 degree meter when tested by ASTM Method D523 (incorporation by reference - see § 63.14).

High-temperature specialty coating means any coating that during normal use must withstand a temperature of at least 426°C (800°F).

Inorganic zinc (high-build) specialty coating means a coating that contains 960 grams per liter (8 pounds per gallon) or more elemental zinc incorporated into an inorganic silicate binder that is applied to steel to provide galvanic corrosion resistance. (These coatings are typically applied at more than 2 mil dry film thickness.)

Major source means any source that emits or has the potential to emit, in the aggregate, 9.1 megagrams per year (10 tons per year) or more of any HAP or 22.7 megagrams per year (25 tons per year) or more of any combination of HAP.

Maximum allowable thinning ratio means the maximum volume of thinner that can be added per volume of coating without violating the standards of § 63.783(a), as determined using Equation 1 of this subpart.

Military exterior specialty coating or Chemical Agent Resistant Coatings (“CARC”) means any exterior topcoat applied to military or U.S. Coast Guard vessels that are subject to specific chemical, biological, and radiological washdown requirements.

Mist specialty coating means any low viscosity, thin film, epoxy coating applied to an inorganic zinc primer that penetrates the porous zinc primer and allows the occluded air to escape through the paint film prior to curing.

Navigational aids specialty coating means any coating applied to Coast Guard buoys or other Coast Guard waterway markers when they are recoated aboard ship at their usage site and immediately returned to the water.

Nonskid specialty coating means any coating applied to the horizontal surfaces of a marine vessel

for the specific purpose of providing slip resistance for personnel, vehicles, or aircraft.

Nonvolatiles (or volume solids) means substances that do not evaporate readily. This term refers to the film-forming material of a coating.

Normally closed means a container or piping system is closed unless an operator is actively engaged in adding or removing material.

Nuclear specialty coating means any protective coating used to seal porous surfaces such as steel (or concrete) that otherwise would be subject to intrusion by radioactive materials. These coatings must be resistant to long-term (service life) cumulative radiation exposure (ASTM D4082-89 [incorporation by reference - see § 63.14]), relatively easy to decontaminate (ASTM D4256-89 [reapproved 1994] [incorporation by reference - see § 63.14]), and resistant to various chemicals to which the coatings are likely to be exposed (ASTM D3912-80 [incorporation by reference - see § 63.14]). [For nuclear coatings, see the general protective requirements outlined by the U.S. Nuclear Regulatory Commission in a report entitled "U.S. Atomic Energy Commission Regulatory Guide 1.54" dated June 1973, available through the Government Printing Office at (202) 512-2249 as document number A74062-00001.]

Operating parameter value means a minimum or maximum value established for a control device or process parameter that, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator has complied with an applicable emission limitation or standard.

Organic zinc specialty coating means any coating derived from zinc dust incorporated into an organic binder that contains more than 960 grams of elemental zinc per liter (8 pounds per gallon) of coating, as applied, and that is used for the expressed purpose of corrosion protection.

Pleasure craft means any marine or fresh-water vessel used by individuals for noncommercial, nonmilitary, and recreational purposes that is less than 20 meters in length. A vessel rented exclusively to or chartered by individuals for such purposes shall be considered a pleasure craft.

Pretreatment wash primer specialty coating means any coating that contains a minimum of 0.5 percent acid, by mass, and is applied only to bare metal to etch the surface and enhance adhesion of subsequent coatings.

Repair and maintenance of thermoplastic coating of commercial vessels (specialty coating) means any vinyl, chlorinated rubber, or bituminous resin coating that is applied over the same type of existing coating to perform the partial recoating of any in-use commercial vessel. (This definition does not include coal tar epoxy coatings, which are considered "general use" coatings.)

Rubber camouflage specialty coating means any specially formulated epoxy coating used as a camouflage topcoat for exterior submarine hulls and sonar domes.

Sealant for thermal spray aluminum means any epoxy coating applied to thermal spray aluminum surfaces at a maximum thickness of 1 dry mil.

Ship means any marine or fresh-water vessel used for military or commercial operations, including self-propelled vessels, those propelled by other craft (barges), and navigational aids (buoys). This definition includes, but is not limited to, all military and Coast Guard vessels, commercial cargo and passenger (cruise) ships, ferries, barges, tankers, container ships, patrol and pilot boats, and dredges. For purposes of this subpart, pleasure crafts and offshore oil and gas drilling platforms are not considered ships.

Shipbuilding and ship repair operations means any building, repair, repainting, converting, or alteration of ships.

Special marking specialty coating means any coating that is used for safety or identification applications, such as markings on flight decks and ships' numbers.

Specialty coating means any coating that is manufactured and used for one of the specialized applications described within this list of definitions.

Specialty interior coating means any coating used on interior surfaces aboard U.S. military vessels pursuant to a coating specification that requires the coating to meet specified fire retardant and low toxicity requirements, in addition to the other applicable military physical and performance requirements.

Tack specialty coating means any thin film epoxy coating applied at a maximum thickness of 2 dry mils to prepare an epoxy coating that has dried beyond the time limit specified by the manufacturer for the application of the next coat.

Thinner means a liquid that is used to reduce the viscosity of a coating and that evaporates before or during the cure of a film.

Thinning ratio means the volumetric ratio of thinner to coating, as supplied.

Thinning solvent: see Thinner.

Undersea weapons systems specialty coating means any coating applied to any component of a weapons system intended to be launched or fired from under the sea.

Volatile organic compounds (VOC) is as defined in § 51.100(s) of this chapter.

Volatile organic hazardous air pollutants (VOHAP) means any compound listed in or pursuant to section 112(b) of the CAA that contains carbon, excluding metallic carbides and carbonates. This definition includes VOC listed as HAP and exempt compounds listed as HAP.

Weld-through preconstruction primer (specialty coating) means a coating that provides corrosion protection for steel during inventory, is typically applied at less than 1 mil dry film thickness, does not require removal prior to welding, is temperature resistant (burn back from a weld is less than 1.25 centimeters [0.5 inch]), and does not normally require removal before applying film-building coatings, including inorganic zinc high-build coatings. When constructing new vessels, there may be a need to remove areas of weld-through preconstruction primer due to surface damage or contamination prior to application of film-building coatings.

The following specific conditions from 40 CFR Part 63, Subpart II - Shipbuilding and Ship Repair (Surface Coating) apply:

40 CFR 63.783 Standards

(a) No owner or operator of any existing or new affected source shall cause or allow the application of any coating to a ship with an as-applied VOHAP content exceeding the applicable limit given in Table 2 of this subpart, as determined by the procedures described in 40 CFR 63.785(c)(1)-(4). For the compliance procedures described in 40 CFR 63.785(c)(1)-(3), VOC shall be used as a surrogate for VOHAP, and the EPA Reference Method 24 shall be used as the definitive measure for determining compliance. For the compliance procedure described in 40 CFR 63.785(c)(4), an alternative test method capable of measuring independent VOHAP shall be used to determine compliance. The method must be submitted to and approved by the Administrator.

[40 CFR 63.783(a)]

TABLE 2. VOLATILE ORGANIC HAP (VOHAP) LIMITS FOR MARINE COATINGS

Coating Category	VOHAP limits ^{a,b,c}		
	grams/liter coating (minus water and exempt compounds)	grams/liter solids ^d	
		t ³ 4.5°C	t < 4.5°C ^e
General use	340	571	728
Specialty	--	--	--
Air flask	340	571	728
Antenna	530	1,439	--
Antifoulant	400	765	971
Heat resistant	420	841	1,069
High-gloss	420	841	1,069
High-temperature	500	1,237	1,597
Inorganic zinc high-build	340	571	728
Military exterior	340	571	728
Mist	610	2,235	--
Navigational aids	550	1,597	--
Nonskid	340	571	728
Nuclear	420	841	1,069
Organic zinc	360	630	802
Pretreatment wash primer	780	11,095	--
Repair and maint. of thermoplastics	550	1,597	--
Rubber camouflage	340	571	728
Sealant for thermal spray aluminum	610	2,235	--
Special marking	490	1,178	--
Specialty interior	340	571	728

- (b) Each owner or operator of a new or existing affected source shall ensure that:
- (1) All handling and transfer of VOHAP-containing materials to and from containers, tanks, vats, drums, and piping systems is conducted in a manner that minimizes spills.
 - (2) All containers, tanks, vats, drums, and piping systems are free of cracks, holes, and other defects and remain closed unless materials are being added to or removed from them.
- [40 CFR 63.783(b)]

(c) Approval of alternative means of limiting emissions.

- (1) The owner or operator of an affected source may apply to the Permitting authority for permission to use an alternative means (such as an add-on control system) of limiting emissions from coating operations. The application must include:
- (i) An engineering material balance evaluation that provides a comparison of the emissions that would be achieved using the alternative means to those that would result from using coatings that comply with the limits in Table 2 of this section, or the results from an emission test that accurately measures the capture efficiency and control device efficiency achieved by the control system and the composition of the associated coatings so that the emissions comparison can be made;
 - (ii) A proposed monitoring protocol that includes operating parameter values to be monitored for compliance and an explanation of how the operating parameter values will be established through a performance test; and
 - (iii) Details of appropriate recordkeeping and reporting procedures.
- (2) The Permitting authority shall approve the alternative means of limiting emissions if, in the Permitting authority's judgment, postcontrol emissions of VOHAP per volume applied solids will be no greater than those from the use of coatings that comply with the limits in Table 2 of this section.
- (3) The Permitting authority may condition approval on operation, maintenance, and monitoring requirements to ensure that emissions from the source are no greater than those that would otherwise result from this subpart. [Rule 62-296.820, F.A.C.; 40 CFR 63.783(c)]

40 CFR 63.784 Compliance Dates

- (a) Each owner or operator of an existing affected source shall comply by 12/16/97.
[40 CFR 63.784(a)]
- (b) Each owner or operator of an existing unaffected area source that increases its emissions of (or its potential to emit) HAP such that the source becomes a major source that is subject to this subpart shall comply within 1 year after the date of becoming a major source.
[40 CFR 63.784(b)]
- (c) Each owner or operator of a new or reconstructed source shall comply with this subpart according to the schedule in 40 CFR 63.6(b) of subpart A.
[40 CFR 63.784(c)]

40 CFR 63.785 Compliance Procedures

- (a) For each batch of coating that is received by an affected source, the owner or operator shall (see Figure 1 for a flow diagram of the compliance procedures):

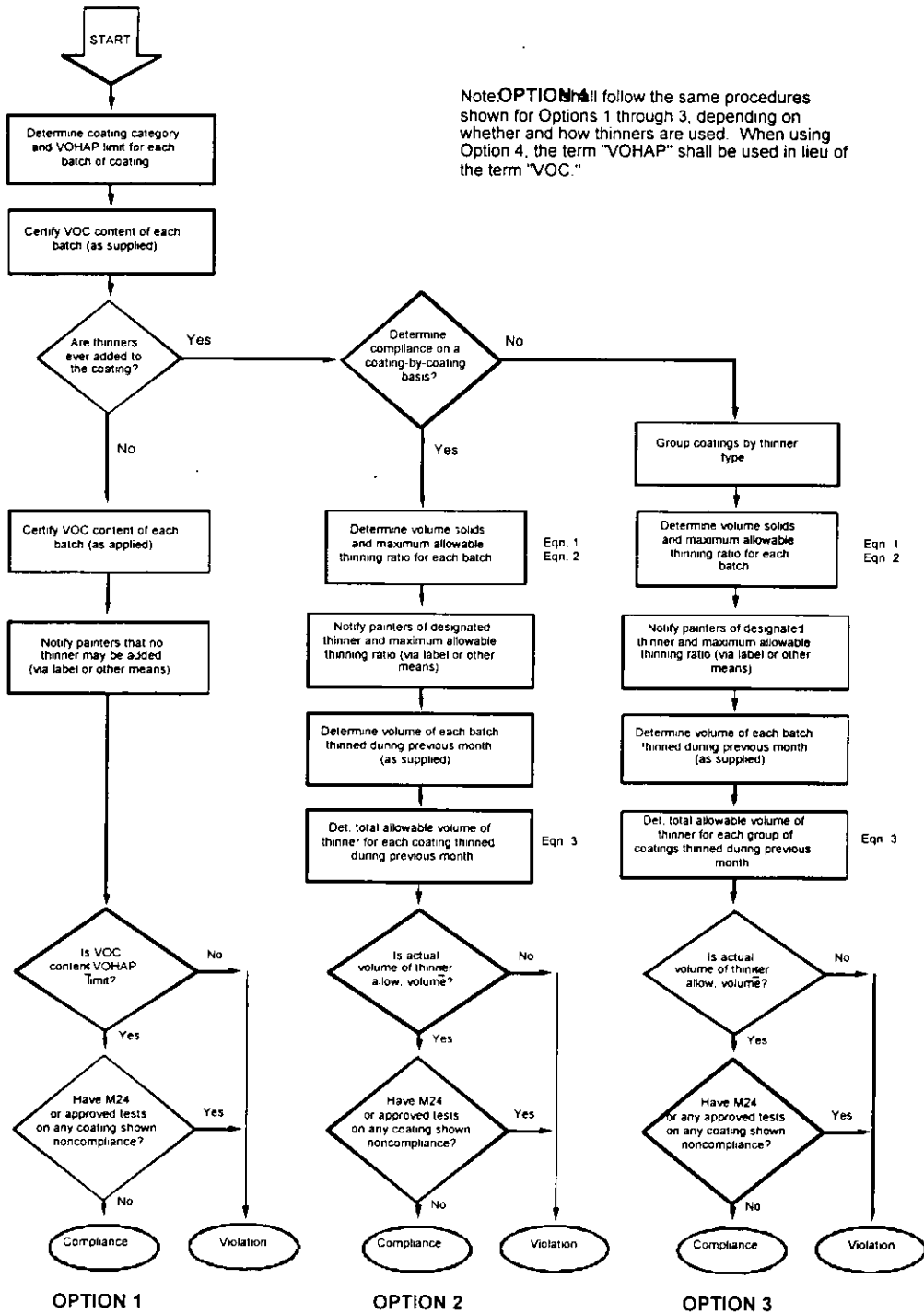


Figure 1. Flow diagram of compliance procedures.

(1) Determine the coating category and the applicable VOHAP limit as specified in 40 CFR 63.783(a).

(2) Certify the as-supplied VOC content of the batch of coating. The owner or operator may use a certification supplied by the manufacturer for the batch, although the owner or operator retains liability should subsequent testing reveal a violation. If the owner or operator performs the certification testing, only one of the containers in which the batch of coating was received is required to be tested.
[40 CFR 63.785(a)]

(b) (1) In lieu of testing each batch of coating, as applied, the owner or operator may determine compliance with the VOHAP limits using any combination of the procedures described in paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) of this section. The procedure used for each coating shall be determined and documented prior to application.

(2) The results of any compliance demonstration conducted by the affected source or any regulatory agency using Method 24 shall take precedence over the results using the procedures in paragraphs (c)(1), (c)(2), or (c)(3) of this section.

(3) The results of any compliance demonstration conducted by the affected source or any regulatory agency using an approved test method to determine VOHAP content shall take precedence over the results using the procedures in paragraph (c)(4) of this section.
[40 CFR 63.785(b)]

(c) (1) Coatings to which thinning solvent will not be added. For coatings to which thinning solvent (or any other material) will not be added under any circumstance or to which only water is added, the owner or operator of an affected source shall comply as follows:

(i) Certify the as-applied VOC content of each batch of coating.

(ii) Notify the persons responsible for applying the coating that no thinning solvent may be added to the coating by affixing a label to each container of coating in the batch or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iii) If the certified as-applied VOC content of each batch of coating used during a calendar month is less than or equal to the applicable VOHAP limit in 40 CFR 63.783(a) (either in terms of g/L of coating or g/L of solids), then compliance is demonstrated for that calendar month, unless a violation is revealed using Method 24.

(2) Coatings to which thinning solvent will be added--coating-by-coating compliance. For a coating to which thinning solvent is routinely or sometimes added, the owner or operator shall comply as follows:

(i) Prior to the first application of each batch, designate a single thinner for the coating and calculate the maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2) for each batch as follows:

$$R = \frac{(V_s)(VOHAP\ limit) - m_{VOC}}{D_{th}}$$

Eqn. 1

where:

R	=	Maximum allowable thinning ratio for a given batch (L thinner/L coating as supplied);
V _s	=	Volume fraction of solids in the batch as supplied (L solids/L coating as supplied);
VOHAP limit	=	Maximum allowable as-applied VOHAP content of the coating (g VOHAP/L solids);
m _{VOC}	=	VOC content of the batch as supplied [g VOC (including cure volatiles and exempt compounds on the HAP list)/L coating (including water and exempt compounds) as supplied];
D _{th}	=	Density of the thinner (g/L).

If V_s is not supplied directly by the coating manufacturer, the owner or operator shall determine V_s as follows:

$$V_s = 1 - \frac{m_{\text{volatiles}}}{D_{\text{avg}}}$$

Eqn. 2

where:

m _{volatiles}	=	Total volatiles in the batch, including VOC, water, and exempt compounds, (g/L coating); and
D _{avg}	=	Average density of volatiles in the batch (g/L).

The procedures specified in 40 CFR 63.786(d) may be used to determine the values of variables defined in this paragraph. In addition, the owner or operator may choose to construct nomographs, based on Equation 1, similar or identical to the one provided in appendix B as a means of easily estimating the maximum allowable thinning ratio.

(ii) Prior to the first application of each batch, notify painters and other persons, as necessary, of the designated thinner and maximum allowable thinning ratio(s) for each batch of the coating by affixing a label to each container of coating or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iii) By the 15th day of each calendar month, determine the volume of each batch of the coating used, as supplied, during the previous month.

(iv) By the 15th day of each calendar month, determine the total allowable volume of thinner for the coating used during the previous month as follows:

$$V_{th} = \sum_{i=1}^n (R \times V_b)_i + \sum_{i=1}^n (R_{cold} \times V_{b-cold})_i$$

Eqn. 3

where:

- V_{th} = Total allowable volume of thinner for the previous month (L thinner);
- V_b = Volume of each batch, as supplied and before being thinned, used during non-cold-weather days of the previous month (L coating as supplied);
- R_{cold} = Maximum allowable thinning ratio for each batch used during cold-weather days (L thinner/L coating as supplied);
- V_{b-cold} = Volume of each batch, as supplied and before being thinned, used during cold-weather days of the previous month (L coating as supplied);
- i = Each batch of coating; and
- n = Total number of batches of the coating.

(v) By the 15th day of each calendar month, determine the volume of thinner actually used with the coating during the previous month.

(vi) If the volume of thinner actually used with the coating [paragraph (c)(3)(v) of this section] is less than or equal to the total allowable volume of thinner for the coating [paragraph (c)(3)(iv) of this section], then compliance is demonstrated for the coating for the previous month, unless a violation is revealed using Method 24.

(3) Coatings to which the same thinning solvent will be added--group compliance. For coatings to which the same thinning solvent (or other material) is routinely or sometimes added, the owner or operator shall comply as follows:

(i) Designate a single thinner to be added to each coating during the month and "group" coatings according to their designated thinner.

(ii) Prior to the first application of each batch, calculate the maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2) for each batch of coating in the group using the equations in paragraph (c)(2) of this section.

(iii) Prior to the first application of each "batch," notify painters and other persons, as necessary, of the designated thinner and maximum allowable thinning ratio(s) for each batch in the group by affixing a label to each container of coating or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iv) By the 15th day of each calendar month, determine the volume of each batch of the group used, as supplied, during the previous month.

(v) By the 15th day of each calendar month, determine the total allowable volume of thinner for the group for the previous month using Equation 3.

(vi) By the 15th day of each calendar month, determine the volume of thinner actually used with the group during the previous month.

(vii) If the volume of thinner actually used with the group [paragraph (c)(3)(vi) of this section] is less than or equal to the total allowable volume of thinner for the group [paragraph (c)(3)(v) of this section], then compliance is demonstrated for the group for the previous month, unless a violation is revealed using Method 24.

(4) Demonstration of compliance through an alternative (i.e., other than Method 24) test method. The owner or operator shall comply as follows:

(i) Certify the as-supplied VOHAP content (g VOHAP/L solids) of each batch of coating.

(ii) If no thinning solvent will be added to the coating, the owner or operator of an affected source shall follow the procedure described in 40 CFR 63.785(c)(1), except that VOHAP content shall be used in lieu of VOC content.

(iii) If thinning solvent will be added to the coating, the owner or operator of an affected source shall follow the procedure described in 40 CFR 63.785(c)(2) or (3), except that in Equation 1: the term " m_{VOC} " shall be replaced by the term " m_{VOHAP} ," defined as the VOHAP content of the coating as supplied (g VOHAP/L coating) and the term " D_{th} " shall be replaced by the term " $D_{\text{th(VOHAP)}}$ " defined as the average density of the VOHAP thinner(s) (g/L).

[40 CFR 63.785(c)]

(d) A violation revealed through any approved test method shall result in a 1-day violation for enforcement purposes. A violation revealed through the recordkeeping procedures described in paragraphs (c)(1) through (c)(4) of this section shall result in a 30-day violation for enforcement purposes, unless the owner or operator provides sufficient data to demonstrate the specific days during which noncompliant coatings were applied.

[40 CFR 63.785(d)]

40 CFR 63.786 Test Methods and Procedures

(a) For the compliance procedures described in 40 CFR 63.785(c)(1)-(3), Method 24 of 40 CFR part 60, appendix A, is the definitive method for determining the VOC content of coatings, as supplied or as applied. When a coating or thinner contains exempt compounds that are volatile HAP or VOHAP, the owner or operator shall ensure, when determining the VOC content of a coating, that the mass of these exempt compounds is included.

[40 CFR 63.786(a)]

(b) For the compliance procedure described in 40 CFR 63.785(c)(4), the Permitting authority must approve the test method for determining the VOHAP content of coatings and thinners. As part of the approval, the test method must meet the specified accuracy limits indicated below for sensitivity, duplicates, repeatability, and reproducibility coefficient of variation each determined at the 95 percent confidence limit. Each percentage value below is the corresponding coefficient of variation multiplied by 2.8 as in the ASTM Method E180-93: Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals (incorporation by reference--see 40 CFR 63.14).

Sensitivity: The overall sensitivity must be sufficient to identify and calculate at least one mass percent of the compounds of interest based on the original sample. The sensitivity is defined as ten times the noise level as specified in ASTM Method D3257-93: Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography (incorporation by reference--see 40 CFR 63.14). In determining the sensitivity, the level of sample dilution must be factored in.

Repeatability: First, at the 0.1-5 percent analyte range the results would be suspect if duplicates vary by more than 6 percent relative and/or day to day variation of mean duplicates by the same analyst exceeds 10 percent relative. Second, at greater than 5 percent analyte range the results would be suspect if duplicates vary by more than 5 percent relative and/or day to day variation of duplicates by the same analyst exceeds 5 percent relative.

Reproducibility: First, at the 0.1-5 percent analyte range the results would be suspect if lab to lab variation exceeds 60 percent relative. Second, at greater than 5 percent range the results would be suspect if lab to lab variation exceeds 20 percent relative.

Any test method should include information on the apparatus, reagents and materials, analytical procedure, procedure for identification and confirmation of the volatile species in the mixture being analyzed, precision and bias, and other details to be reported. The reporting should also include information on quality assurance (QA) auditing.

Multiple and different analytical techniques must be used for positive identification if the components in a mixture under analysis are not known. In such cases a single column gas chromatograph (GC) may not be adequate. A combination of equipment may be need such as a GC/mass spectrometer or GC/infrared system. (If a GC method is used, the operator must use practices in ASTM Method E260-91: Standard Practice for Gas Chromatography [incorporation by reference--see 40 CFR 63.14].) . [40 CFR 63.786(b)]

(c) A coating manufacturer or the owner or operator of an affected source may use batch formulation data as a test method in lieu of Method 24 to certify the as-supplied VOC content of a coating if the manufacturer or the owner or operator has determined that batch formulation data have a consistent and quantitatively known relationship to Method 24 results. This determination shall consider the role of cure volatiles, which may cause emissions to exceed an amount based solely upon coating formulation data. Notwithstanding such determination, in the event of conflicting results, Method 24 shall take precedence.

[40 CFR 63.786(c)]

(d) Each owner or operator of an affected source shall use or ensure that the manufacturer uses the form and procedures mentioned in appendix A of this subpart to determine values for the thinner and coating parameters used in Equations 1 and 2. The owner or operator shall ensure that the coating/thinner manufacturer (or supplier) provides information on the VOC and VOHAP contents of the coatings/thinners and the procedure(s) used to determine these values.

[40 CFR 63.786(d)]

40 CFR 63.787 Notification Requirements

(a) Each owner or operator of an affected source shall comply with all applicable notification requirements in 40 CFR 63.9(a)-(d) and (i)-(j) of subpart A (General Provisions), with the exception that the deadline specified in 40 CFR 63.9(b)(2) and (3) shall be extended from 120 days to 180 days. Any owner or operator that receives approval pursuant to 40 CFR 63.783(c) of this subpart to use an add-on control system to control coating emissions shall comply with the applicable requirements of 40 CFR 63.9(e)-(h) of subpart A.

[40 CFR 63.787(a)]

(b) Implementation plan. The provisions of 40 CFR 63.9(a) (Notification requirements/Applicability and general information) of subpart A apply to the requirements of this paragraph.

(1) Each owner or operator of an affected source shall:

(i) Prepare a written implementation plan that addresses each of the subject areas specified in paragraph (b)(3) of this section; and

(ii) Not later than December 16, 1996, submit the implementation plan to the Administrator along with the notification required by 40 CFR 63.9(b)(2) or (5) of subpart A, as applicable.

(2) [Reserved]

(3) *Implementation plan contents.* Each implementation plan shall address the following subject areas:

(i) *Coating compliance procedures.* The implementation plan shall include the compliance procedure(s) under 40 CFR 63.785(c) that the source intends to use.

(ii) *Recordkeeping procedures.* The implementation plan shall include the procedures for maintaining the records required under 40 CFR 63.788, including the procedures for gathering the necessary data and making the necessary calculations.

(iii) *Transfer, handling, and storage procedures.* The implementation plan shall include the procedures for ensuring compliance with 40 CFR 63.783(b).

(4) *Major sources that intend to become area sources by the compliance date.* Existing major sources that intend to become area sources by the December 16, 1997 compliance date may choose to submit, in lieu of the implementation plan required under paragraph (b)(1) of this section, a statement that, by the compliance date, the major source intends to obtain and comply with federally enforceable limits on their potential to emit which make the facility an area source.

[40 CFR 63.787(b)]

REPORTING REQUIREMENTS^{a,b,c}

Requirement	All Opts.		Option 1		Option 2		Option 3	
	Rec	Rep	Rec	Rep	Rec	Rep	Rec	Rep
Notification (40 CFR 63.9(a)-(d))	X	X						
Implementation plan (40 CFR 63.787(b)) ^d	X	X						
Volume of coating applied at unaffected major sources (40 CFR 63.781(b))	X							
Volume of each low-usage-exempt coating applied at affected sources (40 CFR 63.781(c))	X	X						
ID of the coatings used, their appropriate coating categories, and the applicable VOHAP limit	X	X						
Determination of whether containers meet the standards described in 40 CFR 63.783(b)(2)	X	X						
Results of M-24 or other approved tests	X	X						
Certification of the as-supplied VOC content of each batch	X							
Certification of the as-applied VOC content of each batch			X					
Volume of each coating applied			X	X				
Density of each thinner and volume fraction of solids in each batch					X		X	
Maximum allowable thinning ratio(s) for each batch					X	X	X	X
Volume used of each batch, as supplied					X	X	X	X
Total allowable volume of thinner					X	X	X	X
Actual volume of thinner used					X	X	X	X
Identification of each group of coatings and designated thinners							X	X

^aAffected sources that comply with the cold-weather limits must record and report additional information, as specified in 40 CFR 63.788(b)(3)(ii)(C), (iii)(C), and (iv)(D).

^bAffected sources that detect a violation must record and report additional information, as specified in 40 CFR 63.788(b)(4).^cOPTION 4: the recordkeeping and reporting requirements of Option 4 are identical to those of

Options 1, 2, or 3, depending on whether and how thinners are used. However, when using Option 4, the term "VOHAP" shall be used in lieu of the term "VOC," and the owner or operator shall record and report the Permitting authority-approved VOHAP test method or certification procedure.

^dMajor sources that intend to become area sources by the compliance date may, in lieu of submitting an implementation plan, choose to submit a statement of intent as specified in 40 CFR 63.787(b)(4).

(a) Each owner or operator of an affected source shall comply with the applicable recordkeeping and reporting requirements in 40 CFR 63.10(a), (b), (d), and (f) of subpart A (General Provisions). Any owner that receives approval pursuant to 40 CFR 63.783(c) of this subpart to use an add-on control system to control coating emissions shall also comply with the applicable requirements of 40 CFR 63.10(c) and (e). A summary of recordkeeping and reporting requirements is provided in Table 3. [40 CFR 63.788(a)]

(b) Recordkeeping requirements.

(1) Each owner or operator of a major source shipbuilding or ship repair facility having surface coating operations with less than 1000 liters (264 gallons) annual marine coating usage shall record the total volume of coating applied at the source to ships. Such records shall be compiled monthly and maintained for a minimum of 5 years.

(2) Each owner or operator of an affected source shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:

- (i) All documentation supporting initial notification;
- (ii) A copy of the affected source's approved implementation plan;
- (iii) The volume of each low-usage-exempt coating applied;
- (iv) Identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;
- (v) Certification of the as-supplied VOC content of each batch of coating;
- (vi) A determination of whether containers meet the standards as described in 40 CFR 63.783(b)(2); and
- (vii) The results of any Method 24 or approved VOHAP measurement test conducted on individual containers of coating, as applied.

(3) The records required by paragraph (b)(2) of this section shall include additional information, as determined by the compliance procedure(s) described in 40 CFR 63.785(c) that each affected source followed:

(i) Coatings to which thinning solvent will not be added. The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(1) shall contain the following information:

- (A) Certification of the as-applied VOC content of each batch of coating; and
- (B) The volume of each coating applied.

(ii) Coatings to which thinning solvent will be added--coating-by-coating compliance. The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(2) shall contain the following information:

- (A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids (nonvolatiles) in each batch, including any calculations;
- (B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating, including calculations;
- (C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch of the coating, as supplied, during these dates;
- (D) The volume used of each batch of the coating, as supplied;

(E) The total allowable volume of thinner for each coating, including calculations; and

(F) The actual volume of thinner used for each coating.

(iii) Coatings to which the same thinning solvent will be added--group compliance. The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(3) shall contain the following information:

(A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids in each batch, including any calculations;

(B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2) for each batch of coating, including calculations;

(C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch in the group, as supplied, during these dates;

(D) Identification of each group of coatings and their designated thinners;

(E) The volume used of each batch of coating in the group, as supplied;

(F) The total allowable volume of thinner for the group, including calculations;

and

(G) The actual volume of thinner used for the group.

(iv) Demonstration of compliance through an alternative (i.e., non-Method 24) test method. The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(4) shall contain the following information:

(A) Identification of the Permitting authority-approved VOHAP test method or certification procedure;

(B) For coatings to which the affected source does not add thinning solvents, the source shall record the certification of the as-supplied and as-applied VOHAP content of each batch and the volume of each coating applied;

(C) For coatings to which the affected source adds thinning solvent on a coating-by-coating basis, the source shall record all of the information required to be recorded by paragraph (b)(3)(ii) of this section; and

(D) For coatings to which the affected source adds thinning solvent on a group basis, the source shall record all of the information required to be recorded by paragraph (b)(3)(iii) of this section.

(4) If the owner or operator of an affected source detects a violation of the standards specified in 40 CFR 63.783, the owner or operator shall, for the remainder of the reporting period during which the violation(s) occurred, include the following information in his or her records:

(i) A summary of the number and duration of deviations during the reporting period, classified by reason, including known causes for which a Federally-approved or promulgated exemption from an emission limitation or standard may apply.

(ii) Identification of the data availability achieved during the reporting period, including a summary of the number and total duration of incidents that the monitoring protocol failed to perform in accordance with the design of the protocol or produced data that did not meet minimum data accuracy and precision requirements, classified by reason.

(iii) Identification of the compliance status as of the last day of the reporting period and whether compliance was continuous or intermittent during the reporting period.

(iv) If, pursuant to paragraph (b)(4)(iii) of this section, the owner or operator identifies any deviation as resulting from a known cause for which no Federally-approved or promulgated exemption from an emission limitation or standard applies, the monitoring report shall also include all records that the source is required to maintain that pertain to the periods during which such deviation occurred and:

- (A) The magnitude of each deviation;
 - (B) The reason for each deviation;
 - (C) A description of the corrective action taken for each deviation, including action taken to minimize each deviation and action taken to prevent recurrence; and
 - (D) All quality assurance activities performed on any element of the monitoring protocol.
- [40 CFR 63.788(b)]

(c) Reporting requirements. Before the 60th day following completion of each 6-month period after the compliance date specified in 40 CFR 63.784, each owner or operator of an affected source shall submit a report to the Permitting authority for each of the previous 6 months. The report shall include all of the information that must be retained pursuant to paragraphs (b)(2)-(3) of this section, except for that information specified in paragraphs (b)(2)(i)-(ii), (b)(2)(v), (b)(3)(i)(A), (b)(3)(ii)(A), and (b)(3)(iii)(A). If a violation at an affected source is detected, the source shall also report the information specified in paragraph (b)(4) of this section for the reporting period during which the violation(s) occurred. To the extent possible, the report shall be organized according to the compliance procedure(s) followed each month by the affected source.

[40 CFR 63.788(c)]

APPENDIX A
VOC DATA SHEET:¹

PROPERTIES OF THE COATING "AS SUPPLIED" BY THE MANUFACTURER²

Coating Manufacturer: _____

Coating Identification: _____ Batch Identification: _____

Supplied To: _____

Properties of the coating as supplied¹ to the customer:

- A. Coating Density: $(D_c)_s$ ____ g/L
[] ASTM D1475-90* [] Other³
- B. Total Volatiles: $(m_v)_s$ ____ Mass Percent
[] ASTM D2369-93* [] Other³
- C. Water Content: 1. $(m_w)_s$ ____ Mass Percent
[] ASTM D3792-91* [] ASTM D4017-90* [] Other³

2. $(v_w)_s$ _____ Volume Percent
[] Calculated [] Other³

D. Organic Volatiles: $(m_o)_s$ _____ Mass Percent

E. Nonvolatiles: $(v_n)_s$ _____ Volume Percent
[] Calculated [] Other³

F. VOC Content $(VOC)_s$: 1. _____ g/L solids (nonvolatiles)
2. _____ g/L coating (less water and exempt compounds)

G. Thinner Density: D_{th} _____ g/L
ASTM _____ [] Other³

Remarks: (use reverse side)

Signed _____ Date:

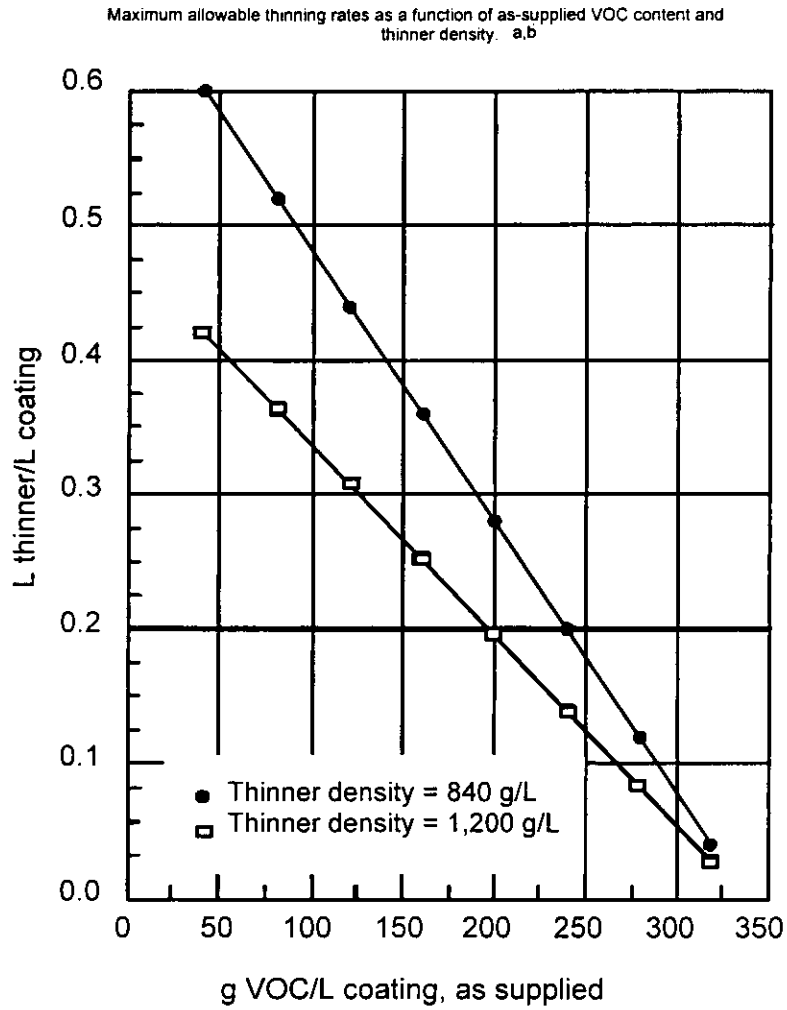
*Incorporation by reference--see 40 CFR 63.14.

¹Adapted from EPA-340/1-86-016 (July 1986), p. II-2.

²The subscript "s" denotes each value is for the coating
"as supplied" by the manufacturer.

³Explain the other method used under "Remarks."

Appendix B to Subpart II of Part 63



^aThese graphs represent maximum allowable thinning ratios for general use coatings without water or exempt compounds.
^bThe average density of the volatiles in the coating was assumed = 840 g solvent/L solvent.

K.3. This emissions unit must comply with the following general provisions:

40 CFR 63 Subpart A - General Provisions modified for Subpart II

Last Edited January 5, 1998

SOURCE: 40 CFR 63 (7-1-96 Edition) and Federal Register revision dated 12-17-96.

§ 63.1 Applicability.

(a) General.

(1) Terms used throughout this part are defined in § 63.2 or in the Clean Air Act (Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in § 63.2.

(2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.

(3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (including those requirements in part 60 of this chapter), or a standard issued under State authority.

(4) Subpart II clarifies the applicability of each paragraph in subpart A to sources subject to subpart II.

The provisions of this subpart (i.e., subpart A of this part) apply to owners or operators who are subject to subsequent subparts of this part, except when otherwise specified in a particular subpart or in a relevant standard. The general provisions in subpart A eliminate the repetition of requirements applicable to all owners or operators affected by this part. The general provisions in subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.

(5) [Reserved]

(6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD-13), Research Triangle Park, North Carolina 27711.

(7) Subpart D of this part contains regulations that address procedures for an owner or operator to obtain an extension of compliance with a relevant standard through an early reduction of emissions of hazardous air pollutants pursuant to section 112(i)(5) of the Act.

(8) Discusses State programs.

(9) [Reserved]

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

(11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the

number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in § 63.9(i).

(13) Special provisions set forth under an applicable subpart of this part or in a relevant standard established under this part shall supersede any conflicting provisions of this subpart.

(14) Any standards, limitations, prohibitions, or other federally enforceable requirements established pursuant to procedural regulations in this part [including, but not limited to, equivalent emission limitations established pursuant to section 112(g) of the Act] shall have the force and effect of requirements promulgated in this part and shall be subject to the provisions of this subpart, except when explicitly specified otherwise.

(b) Initial applicability determination for this part.

(1) 40 CFR 63.781 specifies applicability in more detail.

The provisions of this part apply to the owner or operator of any stationary source that -

- (i) Emits or has the potential to emit any hazardous air pollutant listed in or pursuant to section 112(b) of the Act; and
- (ii) Is subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to this part.

(2) In addition to complying with the provisions of this part, the owner or operator of any such source may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to title V of the Act (42 U.S.C. 7661). For more information about obtaining an operating permit, see part 70 of this chapter.

(3) An owner or operator of a stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants who determines that the source is not subject to a relevant standard or other requirement established under this part, shall keep a record of the applicability determination as specified in § 63.10(b)(3) of this subpart.

(c) Applicability of this part after a relevant standard has been set under this part.

(1) If a relevant standard has been established under this part, the owner or operator of an affected source shall comply with the provisions of this subpart and the provisions of that standard, except as specified otherwise in this subpart or that standard.

(2) If a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from the permitting authority in the State in which the source is located. Emission standards promulgated in this part for area sources will specify whether -

(i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);

(ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or

(iii) Area sources affected by that emission standard are immediately subject to the requirement to apply for and obtain a title V permit in all States. If a standard fails to specify what the permitting requirements will be for area sources affected by that standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without deferral. If the owner or operator is required to obtain a title V permit, he or she shall apply for such permit in accordance with part 70 of this chapter and applicable State regulations, or in accordance with the regulations contained in this chapter to implement the Federal title V permit program (42 U.S.C. 7661), whichever regulations are applicable.

(3) [Reserved]

(4) If the owner or operator of an existing source obtains an extension of compliance for such source in accordance with the provisions of subpart D of this part, the owner or operator shall comply with all requirements of this subpart except those requirements that are specifically overridden in the extension of compliance for that source.

(5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

(d) [Reserved]

(e) *Applicability of permit program before a relevant standard has been set under this part.* After the effective date of an approved permit program in the State in which a stationary source is (or would be) located, the owner or operator of such source may be required to obtain a title V permit from the permitting authority in that State (or revise such a permit if one has already been issued to the source) before a relevant standard is established under this part. If the owner or operator is required to obtain (or revise) a title V permit, he/she shall apply to obtain (or revise) such permit in accordance with the regulations contained in part 70 of this chapter and applicable State regulations, or the regulations codified in this chapter to implement the Federal title V permit program (42 U.S.C. 7661), whichever regulations are applicable.

§ 63.2 Definitions.

Additional terms are defined in 40 CFR 63.782; when overlap between subparts A and II occurs, subpart II takes precedence.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq., as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the stationary source, the group of stationary sources, or the portion of a stationary source that is regulated by a relevant standard or other requirement established pursuant to section 112 of the Act. Each relevant standard will define the “affected source” for the purposes of that standard. The term “affected source,” as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Sources regulated under part 60 or part 61 of this chapter are not affected sources for the purposes of part 63.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator’s satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that is not a test method in this chapter and that has been demonstrated to the Administrator’s satisfaction, using Method 301 in Appendix A of this part, to produce results adequate for the Administrator’s determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of a stationary source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance plan means a plan that contains all of the following:

- (1) A description of the compliance status of the affected source with respect to all applicable requirements established under this part;
- (2) A description as follows:
 - (i) For applicable requirements for which the source is in compliance, a statement that the source will continue to comply with such requirements;
 - (ii) For applicable requirements that the source is required to comply with by a future date, a statement that the source will meet such requirements on a timely basis;
 - (iii) For applicable requirements for which the source is not in compliance, a narrative description of how the source will achieve compliance with such requirements on a timely basis;
- (3) A compliance schedule, as defined in this section; and
- (4) A schedule for the submission of certified progress reports no less frequently than every 6 months for affected sources required to have a schedule of compliance to remedy a violation.

Compliance schedule means:

(1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements;
or

(2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or

(3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction non-compliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

(1) With regard to an emission standard established under this part, the date of promulgation in the FEDERAL REGISTER of such standard; or

(2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part. The effective date of a permit program established under title V of the Act (42 U.S.C. 7661) is determined according to the regulations in this chapter establishing such programs.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means the maximum achievable control technology emission limitation (MACT emission limitation) for hazardous air pollutants that the Administrator (or a State with an approved permit program) determines on a case-by-case basis, pursuant to section 112(g) or

section 112(j) of the Act, to be equivalent to the emission standard that would apply to an affected source if such standard had been promulgated by the Administrator under this part pursuant to section 112(d) or section 112(h) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

- (1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;
- (2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;
- (3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;
- (4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);
- (5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;
- (6) Limitations and conditions that are part of an operating permit issued pursuant to a program approved by the EPA into a SIP as meeting the EPA's minimum criteria for Federal enforceability, including adequate notice and opportunity for EPA and public comment prior to issuance of the final permit and practicable enforceability;
- (7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and
- (8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Lesser quantity means a quantity of a hazardous air pollutant that is or may be emitted by a stationary source that the Administrator establishes in order to define a major source under an applicable subpart of this part.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any

combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means:

- (1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or
- (2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.

Reconstruction means the replacement of components of an affected or a previously unaffected stationary source to such an extent that:

- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and
 - (2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act.
- Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is

subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the FEDERAL REGISTER.

Relevant standard means:

- (1) An emission standard;
- (2) An alternative emission standard;
- (3) An alternative emission limitation; or
- (4) An equivalent emission limitation established pursuant to section 112 of the Act that applies

to the stationary source, the group of stationary sources, or the portion of a stationary source regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Responsible official means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representative is approved in advance by the Administrator.

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).

(4) For affected sources (as defined in this part) applying for or subject to a title V permit: "responsible official" shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Standard conditions means a temperature of 293 °K (68° F) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

- (1) The provisions of this part and/or
- (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

§ 63.3 [Reserved]

§ 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities.*

(1) No owner or operator subject to the provisions of this part shall operate any affected source in violation of the requirements of this part except under-

(i) An extension of compliance granted by the Administrator under this part; or

(ii) An extension of compliance granted under this part by a State with an approved permit program; or

(iii) An exemption from compliance granted by the President under section 112(i)(4) of the Act.

(2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.

(3) After the effective date of an approved permit program in a State, no owner or operator of an affected source in that State who is required under this part to obtain a title V permit shall operate such source except in compliance with the provisions of this part and the applicable requirements of the permit program in that State.

(4) [Reserved]

(5) An owner or operator of an affected source who is subject to an emission standard promulgated under this part shall comply with the requirements of that standard by the date(s) established in the applicable subpart(s) of this part (including this subpart) regardless of whether -

(i) A title V permit has been issued to that source; or

(ii) If a title V permit has been issued to that source, whether such permit has been revised or modified to incorporate the emission standard.

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to

(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;

(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(3) The fragmentation of an operation such that the operation avoids regulation by a relevant standard.

(c) *Severability.* Notwithstanding any requirement incorporated into a title V permit obtained by an owner or operator subject to the provisions of this part, the provisions of this part are federally enforceable.

§ 63.5 Construction and reconstruction.

(a) *Applicability.*

(1) This section implements the preconstruction review requirements of section 112(i)(1) for sources subject to a relevant emission standard that has been promulgated in this part. In addition, this section includes other requirements for constructed and reconstructed stationary sources that are or become subject to a relevant promulgated emission standard.

(2) After the effective date of a relevant standard promulgated under this part, the requirements in this section apply to owners or operators who construct a new source or reconstruct a source after the proposal date of that standard. New or reconstructed sources that start up before the standard's effective date are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.

(b) *Requirements for existing, newly constructed, and reconstructed sources.*

(1) Upon construction an affected source is subject to relevant standards for new sources, including compliance dates. Upon reconstruction, an affected source is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

(2) [Reserved]

(3) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, no person may construct a new major affected source or reconstruct a major affected source subject to such standard, or reconstruct a major source such that the source becomes a major affected source subject to the standard, without obtaining written approval, in advance, from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section.

(4) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, no person may construct a new affected source or reconstruct an affected source subject to such standard, or reconstruct a source such that the source becomes an affected source subject to the standard, without notifying the Administrator of the intended construction or reconstruction. The notification shall be submitted in accordance with the procedures in § 63.9(b) and shall include all the information required for an application for approval of construction or reconstruction as specified in paragraph (d) of this section. For major sources, the application for approval of construction or reconstruction may be used to fulfill the notification requirements of this paragraph.

(5) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is located, no person may operate such source without complying with the provisions of this subpart and the relevant standard unless that person has received an extension of compliance or an exemption from compliance under § 63.6(i) or § 63.6(j) of this subpart.

(6) After the effective date of any relevant standard promulgated by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is located, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard shall be considered part of the affected source

and subject to all provisions of the relevant standard established for that affected source. If a new affected source is added to the facility, the new affected source shall be subject to all the provisions of the relevant standard that are established for new sources including compliance dates.

(c) [Reserved]

(d) *Application for approval of construction or reconstruction.*

Except information on control devices and control efficiencies should not be included in the application unless an add-on control system is or will be used to comply with subpart II in accordance with 40 CFR 63.783(c).

The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) *General application requirements.*

(i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section shall submit to the Administrator an application for approval of the construction of a new major affected source, the reconstruction of a major affected source, or the reconstruction of a major source such that the source becomes a major affected source subject to the standard. The application shall be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date of the relevant standard) if the construction or reconstruction commences after the effective date of a relevant standard promulgated in this part. The application shall be submitted as soon as practicable before startup but no later than 60 days after the effective date of a relevant standard promulgated in this part if the construction or reconstruction had commenced and initial startup had not occurred before the standard's effective date. The application for approval of construction or reconstruction

may be used to fulfill the initial notification requirements of § 63.9(b)(5) of this subpart.

The owner or operator may submit the application for approval well in advance of the date construction or reconstruction is planned to commence in order to ensure a timely review by the Administrator and that the planned commencement date will not be delayed.

(ii) A separate application shall be submitted for each construction or reconstruction.

Each application for approval of construction or reconstruction shall include at a minimum:

(A) The applicant's name and address;

(B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in § 63.2;

(C) The address (i.e., physical location) or proposed address of the source;

(D) An identification of the relevant standard that is the basis of the application;

(E) The expected commencement date of the construction or reconstruction;

(F) The expected completion date of the construction or reconstruction;

(G) The anticipated date of (initial) startup of the source;

(H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction.

However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and

(I) [Reserved]

(J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.

(iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in § 63.9(h) (see § 63.9(h)(5)).

(2) *Application for approval of construction.* Each application for approval of construction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each point of emission for each hazardous air pollutant that is emitted (or could be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations. An owner or operator who submits approximations of control efficiencies under this subparagraph shall submit the actual control efficiencies as specified in paragraph (d)(1)(iii) of this section.

(3) *Application for approval of reconstruction.* Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section - (i) A brief description of the affected source and the components that are to be replaced;

(ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the application for approval of reconstruction the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or other requirements, the owner or operator need not submit the information required in subparagraphs (d)(3) (iii) through (v) of this section, above.

(4) *Additional information.* The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) *Approval of construction or reconstruction.*

(1) (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this section was

submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.

(ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:

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

(B) The estimated life of the source after the re-placements compared to the life of a comparable entirely new source;

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

(D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with -

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.

(4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.

(5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall -

(i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(f) *Approval of construction or reconstruction based on prior State preconstruction review.*

(1) The Administrator may approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new or reconstructed source who is subject to such requirement demonstrates to the Administrator's satisfaction that the following conditions have been (or will be) met:

(i) The owner or operator of the new or reconstructed source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located before the promulgation date of the relevant standard and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant emission standard as proposed, if the source is properly built and operated; (ii) In making its finding, the State has considered factors substantially equivalent to those specified in paragraph (e)(1) of this section; and either

(iii) The promulgated standard is no more stringent than the proposed standard in any relevant aspect that would affect the Administrator's decision to approve or disapprove an application for approval of construction or reconstruction under this section; or

(iv) The promulgated standard is more stringent than the proposed standard but the owner or operator will comply with the standard as proposed during the 3-year period immediately following the effective date of the standard as allowed for in § 63.6(b)(3) of this subpart.

(2) The owner or operator shall submit to the Administrator the request for approval of construction or reconstruction under this paragraph no later than the application deadline specified in paragraph (d)(1) of this section (see also § 63.9(b)(2) of this subpart). The owner or operator shall include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph.

§ 63.6 Compliance with standards and maintenance requirements.

(a) Applicability.

(1) The requirements in this section apply to owners or operators of affected sources for which any relevant standard has been established pursuant to section 112 of the Act unless -

(i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or

(ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(j)(4) of the Act.

(2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) Compliance dates for new and reconstructed sources.

(1) Except as specified in paragraphs (b)(3) and (b)(4) of this section, the owner or operator of a new or reconstructed source that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act shall comply with such standard not later than the standard's effective date.

(2) Except as specified in paragraphs (b)(3) and (b)(4) of this section, the owner or operator of a new or reconstructed source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act shall comply with such standard upon startup of the source.

(3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to section 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:

(i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; and

(ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.

(4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall comply with the emission standard under section 112(f) not later than the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator shall comply with the standard as provided in paragraphs (b)(1) and (b)(2) of this section.

(5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or paragraph (b)(4) of this section shall notify the Administrator in accordance with § 63.9(d) of this subpart.

(6) [Reserved]

(7) After the effective date of an emission standard promulgated under this part, the owner or operator of an unaffected new area source (i.e., an area source for which construction or reconstruction was commenced after the proposal date of the standard) that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source that is subject to the emission standard, shall comply with the relevant emission standard immediately upon becoming a major source. This compliance date shall apply to new area sources that become affected major sources regardless of whether the new area source previously was affected by that standard. The new affected major source shall comply with all requirements of that standard that affect new sources.

(c) Compliance dates for existing sources.

Except 40 CFR 63.784(a) specifies the compliance date for existing affected sources.

(1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part. Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.

(2) After the effective date of a relevant standard established under this part pursuant to section 112(f) of the Act, the owner or operator of an existing source shall comply with such standard not later than 90 days after the standard's effective date unless the Administrator has granted an extension to the source under paragraph (i)(4)(ii) of this section.

(3)–(4) [Reserved]

(5) After the effective date of an emission standard promulgated under this part, the owner or operator of an unaffected existing area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source that is subject to the emission standard shall comply by the date specified in the standard for existing area sources that become major sources. If no such compliance date is specified in the standard, the source shall have a period of time to comply with the relevant emission standard that is equivalent to the compliance period specified in that standard for other existing sources. This compliance period shall apply to existing area sources that become affected major sources regardless of whether the existing area source previously was affected by that standard. Notwithstanding the previous two sentences, however, if the existing area source becomes a major source by the addition of a new affected source or by reconstructing, the portion of the existing

facility that is a new affected source or a reconstructed source shall comply with all requirements of that standard that affect new sources, including the compliance date for new sources.

(d) [Reserved]

(e) *Operation and maintenance requirements.*

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then these paragraphs do apply.

(1) (i) At all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards.

(ii) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.

(3) *Startup, shutdown, and malfunction plan.*

(i) The owner or operator of an affected source shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard. As required under § 63.8(c)(1)(i), the plan shall identify all routine or otherwise predictable CMS malfunctions. This plan shall be developed by the owner or operator by the source's compliance date for that relevant standard. The plan shall be incorporated by reference into the source's title V permit. The purpose of the startup, shutdown, and malfunction plan is to -

(A) Ensure that, at all times, owners or operators operate and maintain affected sources, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) During periods of startup, shutdown, and malfunction, the owner or operator of an affected source shall operate and maintain such source (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed under paragraph (e)(3)(i) of this section.

(iii) When actions taken by the owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall keep records for that event that demonstrate that the procedures specified in the plan were followed.

These records may take the form of a "checklist," or other effective form of recordkeeping, that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the owner or operator shall keep records of these events as specified in § 63.10(b) (and elsewhere in this part), including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in § 63.10(d)(5).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall record the actions taken for that event and shall report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with § 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator (see § 63.10(d)(5)(ii))).

(v) The owner or operator shall keep the written startup, shutdown, and malfunction plan on record after it is developed to be made available for inspection, upon request, by the Administrator for the life of the affected source or until the affected source is no longer subject to the provisions of this part. In addition, if the startup, shutdown, and malfunction plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the startup, shutdown, and malfunction plan on record, to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(2) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards; or

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.

(viii) If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment.

(f) Compliance with nonopacity emission standards -

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then these paragraphs do apply.

(1) *Applicability.* The nonopacity emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.

(2) Methods for determining compliance.

(i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in § 63.7, unless otherwise specified in an applicable subpart of this part.

(ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in § 63.6(e) and applicable subparts of this part.

(iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if -

(A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;

(B) The performance test was conducted under representative operating conditions for the source;

(C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in § 63.7(e) of this subpart; and

(D) The performance test was appropriately quality-assured, as specified in § 63.7(c) of this subpart.

(iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.

(v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.

(3) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with a nonopacity emission standard, as specified in paragraphs (f)(1) and (f)(2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(g) Use of an alternative nonopacity emission standard.

40 CFR 63.783(c) specifies procedures for application and approval of alternative means of limiting emissions.

(1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the

Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.

(2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with § 63.7 and § 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in § 63.7 and § 63.8.

(3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) Compliance with opacity and visible emission standards -
Subpart II does not contain any opacity or visible emission standards.

(i) Extension of compliance with emission standards.

(1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) Extension of compliance for early reductions and other reductions

(i) Early reductions. Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.

(ii) Other reductions. Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) (as defined in section 169(3) of the Act) or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.

(3) Request for extension of compliance. Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part (except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part).

(4) (i) (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act may request that the Administrator (or a State, when the State has an approved part 70 permit program and the source is required to obtain a part 70 permit under that program, or a State, when the State has been delegated the

authority to implement and enforce the emission standard for that source) grant an extension allowing the source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and who is otherwise required to obtain a title V permit shall

apply for such permit or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph will be incorporated into the affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) Any request under this paragraph for an extension of compliance with a relevant standard shall be submitted in writing to the appropriate authority not later than 12 months before the affected source's compliance date (as specified in paragraphs (b) and (c) of this section) for sources that are not including emission points in an emissions average, or not later than 18 months before the affected source's compliance date (as specified in paragraphs (b) and (c) of this section) for sources that are including emission points in an emissions average. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards, e.g., a compliance date specified by the standard is less than 12 (or 18) months after the standard's effective date.

(ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 15 calendar days after the effective date of the relevant standard.

(5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(6) (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:

(A) A description of the controls to be installed to comply with the standard;

(B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(1) The date by which contracts for emission control systems or process changes for emission control will be awarded, or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process changes;

(2) The date by which on-site construction, installation of emission control equipment, or a process change is to be initiated;

(3) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

(4) The date by which final compliance is to be achieved;

(C) A description of interim emission control steps that will be taken during the extension period, including milestones to assure proper operation and maintenance of emission control and process equipment; and

(D) Whether the owner or operator is also requesting an extension of other applicable requirements (e.g., performance testing requirements).

(ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(8) *Approval of request for extension of compliance.* Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.

(9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.

(10) The extension will be in writing and will -

(i) Identify each affected source covered by the extension;

(ii) Specify the termination date of the extension;

(iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;

(iv) Specify other applicable requirements to which the compliance extension applies

(e.g., performance tests); and

(v) (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or

(B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.

(11) The owner or operator of an existing source that has been granted an extension of compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section.

(12) (i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is,

whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

(iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with -

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.

(iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraphs (i)(10)(iii) or (i)(10)(iv) of this section is not met.

(15) [Reserved]

(16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

(j) *Exemption from compliance with emission standards.* The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

§ 63.7 Performance testing requirements.

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this section does apply.

(a) *Applicability and performance test dates.*

(1) Unless otherwise specified, this section applies to the owner or operator of an affected source required to do performance testing, or another form of compliance demonstration, under a relevant standard.

(2) If required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source shall perform such tests as follows -

(i) Within 180 days after the effective date of a relevant standard for a new source that has an initial startup date before the effective date; or

(ii) Within 180 days after initial startup for a new source that has an initial startup date after the effective date of a relevant standard; or

(iii) Within 180 days after the compliance date specified in an applicable subpart of this part for an existing source subject to an emission standard established pursuant to section 112(d) of the Act, or within 180 days after startup of an existing source if the source begins operation after the effective date of the relevant emission standard; or

(iv) Within 180 days after the compliance date for an existing source subject to an emission standard established pursuant to section 112(f) of the Act; or

(v) Within 180 days after the termination date of the source's extension of compliance for an existing source that obtains an extension of compliance under § 63.6(i); or

(vi) Within 180 days after the compliance date for a new source, subject to an emission standard established pursuant to section 112(f) of the Act, for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of the relevant standard established pursuant to section 112(f) [see § 63.6(b)(4)]; or

(vii) [Reserved]; or (viii) [Reserved]; or

(ix) When an emission standard promulgated under this part is more stringent than the standard proposed (see § 63.6(b)(3)), the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to

demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.

(3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.

(b) Notification of performance test.

(1) The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test. Observation of the performance test by the Administrator is optional.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section, due to unforeseeable circumstances beyond his or her control, the owner or operator shall notify the Administrator within 5 days prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(c) Quality assurance program.

(1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.

(2) (i) *Submission of site-specific test plan.* Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.

(iii) The external QA program shall include, at a minimum, application of plans for a test method performance audit (PA) during the performance test. The PA's consist of blind audit samples provided by the Administrator and analyzed during the performance test in order to provide a measure of test data bias. The external QA program may also include systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.

(v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) Approval of site-specific test plan.

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.

(ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard, the owner or operator shall conduct the performance test within the time specified in this section using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator shall refrain from conducting the performance test until the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or until after the alternative method is approved (see paragraph (f) of this section). If the Administrator does not approve the site-specific test plan (if review is requested) or the use of the alternative method within 30 days before the test is scheduled to begin, the performance test dates specified in paragraph (a) of this section may be extended such that the owner or operator shall conduct the performance test within 60 calendar days after the Administrator approves the site-specific test plan or after use of the alternative method is approved. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alter-native.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) (i) *Performance test method audit program.* The owner or operator shall analyze performance audit (PA) samples during each performance test. The owner or operator shall request performance audit materials 45 days prior to the test date. Cylinder audit gases may be obtained by contacting the Cylinder Audit Coordinator, Quality Assurance Division (MD-77B), Atmospheric Research and Exposure Assessment Laboratory (AREAL), U.S. EPA, Research Triangle Park, North Carolina 27711. All other audit materials may be obtained by contacting the Source Test Audit Coordinator, Quality Assurance Division (MD-77B), AREAL, U.S. EPA, Research Triangle Park, North Carolina 27711.

(ii) The Administrator will have sole discretion to require any subsequent remedial actions of the owner or operator based on the PA results.

(iii) If the Administrator fails to provide required PA materials to an owner or operator of an affected source in time to analyze the PA samples during a performance test, the requirement to conduct a PA under this paragraph shall be waived for such source for that performance test. Waiver under this paragraph of the requirement to conduct a PA for a particular performance test does not constitute a waiver of the requirement to conduct a PA for future required performance tests.

(d) *Performance testing facilities.* If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

- (1) Sampling ports adequate for test methods applicable to such source. This includes:
 - (i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and
 - (ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;
- (2) Safe sampling platform(s);
- (3) Safe access to sampling platform(s);
- (4) Utilities for sampling and testing equipment; and
- (5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) *Conduct of performance tests.*

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under § 63.6(e). Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61, and 63 of this chapter unless the Administrator -

- (i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology; or
- (ii) Approves the use of an alternative test method, the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or
- (iii) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors; or
- (iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.

(3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply.

Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that

- (i) A sample is accidentally lost after the testing team leaves the site; or
 - (ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or
 - (iii) Extreme meteorological conditions occur; or
 - (iv) Other circumstances occur that are beyond the owner or operator's control.
- (4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) Use of an alternative test method -

(1) *General.* Until permission to use an alternative test method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator -

- (i) Notifies the Administrator of his or her intention to use an alternative test method not later than with the submittal of the site-specific test plan (if requested by the Administrator) or at least 60 days before the performance test is scheduled to begin if a site-specific test plan is not submitted;

- (ii) Uses Method 301 in appendix A of this part to validate the alternative test method;

and

- (iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

(3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate when the Administrator approves or disapproves the site-specific test plan required under paragraph (c) of this section. If the Administrator finds reasonable grounds to dispute the results obtained by the Method 301 validation process, the Administrator may require the use of a test method specified in a relevant standard.

(4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.

(5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under § 63.7(f).

(6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) Data analysis, recordkeeping, and reporting.

(1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the

performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator (see § 63.9(i)). The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.

(2) [Reserved]

(3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) Waiver of performance tests.

(1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) Request to waive a performance test.

(i) If a request is made for an extension of compliance under § 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.

(ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under § 63.6(I), § 63.9(h), and § 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

(iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

(4) Approval of request to waive performance test. The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she -

- (i) Approves or denies an extension of compliance under § 63.6(i)(8); or
- (ii) Approves or disapproves a site-specific test plan under § 63.7(c)(3); or
- (iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
- (iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

§ 63.8 Monitoring requirements.

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this section does apply.

(a) Applicability.

(1) (i) Unless otherwise specified in a relevant standard, this section applies to the owner or operator of an affected source required to do monitoring under that standard.

(ii) Relevant standards established under this part will specify monitoring systems, methods, or procedures, monitoring frequency, and other pertinent requirements for source(s) regulated by those standards. This section specifies general monitoring requirements such as those governing the conduct of monitoring and requests to use alternative monitoring methods. In addition, this section specifies detailed requirements that apply to affected sources required to use continuous monitoring systems (CMS) under a relevant standard.

(2) For the purposes of this part, all CMS required under relevant standards shall be subject to the provisions of this section upon promulgation of performance specifications for CMS as specified in the relevant standard or otherwise by the Administrator.

(3) [Reserved]

(4) Additional monitoring requirements for control devices used to comply with provisions in relevant standards of this part are specified in § 63.11.

(b) Conduct of monitoring.

(1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator -

(i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures; or

(ii) Approves the use of alternatives to any monitoring requirements or procedures.

(iii) Owners or operators with flares subject to § 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.

(2) (i) When the effluents from a single affected source, or from two or more affected sources, are combined before being released to the atmosphere, the owner or operator shall install an applicable CMS on each effluent.

(ii) If the relevant standard is a mass emission standard and the effluent from one affected source is released to the atmosphere through more than one point, the owner or operator shall install an applicable CMS at each emission point unless the installation of fewer systems is -

(A) Approved by the Administrator; or

(B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

(3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) Operation and maintenance of continuous monitoring systems.

(1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

(i) The owner or operator of an affected source shall ensure the immediate repair or replacement of CMS parts to correct "routine" or otherwise predictable CMS malfunctions as defined in the source's startup, shutdown, and malfunction plan required by § 63.6(e)(3). The owner or operator shall keep the necessary parts for routine repairs of the affected equipment readily available. If the plan is followed and the CMS repaired immediately, this action shall be reported in the semiannual startup, shutdown, and malfunction report required under § 63.10(d)(5)(i).

(ii) For those malfunctions or other events that affect the CMS and are not addressed by the startup, shutdown, and malfunction plan, the owner or operator shall report actions that are not consistent with the startup, shutdown, and malfunction plan within 24 hours after commencing actions inconsistent with the plan. The owner or operator shall send a followup report within 2 weeks after commencing actions inconsistent with the plan that either certifies that corrections have been made or includes a corrective action plan and schedule. The owner or operator shall provide proof that repair parts have been ordered or any other records that would indicate that the delay in making repairs is beyond his or her control.

(iii) The Administrator's determination of whether acceptable operation and maintenance procedures are being used will be based on information that may include, but is not limited to, review of operation and maintenance procedures, operation and maintenance records, manufacturing recommendations and specifications, and inspection of the CMS. Operation and maintenance procedures written by the CMS manufacturer and other guidance also can be used to maintain and operate each CMS.

(2) All CMS shall be installed such that representative measurements of emissions or process parameters from the affected source are obtained. In addition, CEMS shall be located according to procedures contained in the applicable performance specification(s).

(3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under § 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.

(6) The owner or operator of a CMS installed in accordance with the provisions of this part and the applicable CMS performance specification(s) shall check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (e)(3)(ii) of this section. The zero (low-level) and high-level calibration drifts shall be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system must allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases shall be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces shall be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity.

(7) (i) A CMS is out of control if -

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or

(B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or

(C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.

(ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

(8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in § 63.10(e)(3).

(d) *Quality control program.*

(1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

(2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

(i) Initial and any subsequent calibration of the CMS;

(ii) Determination and adjustment of the calibration drift of the CMS;

(iii) Preventive maintenance of the CMS, including spare parts inventory;

(iv) Data recording, calculations, and reporting;

- (v) Accuracy audit procedures, including sampling and analysis methods; and
- (vi) Program of corrective action for a malfunctioning CMS.

(3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) Performance evaluation of continuous monitoring systems -

(1) *General.* When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

(2) *Notification of performance evaluation.* The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under § 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

(3) (i) *Submission of site-specific performance evaluation test plan.* Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

(iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

(v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in § 63.7(c)(3), the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain

from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall -

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) *Conduct of performance evaluation and performance evaluation dates.* The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under § 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under § 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under § 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under § 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in § 63.7(a), or as otherwise specified in the relevant standard.

(5) *Reporting performance evaluation results.*

(i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation simultaneously with the results of the performance test required under § 63.7 or within 60 days of completion of the performance evaluation if no test is required, unless otherwise specified in a relevant standard. The Administrator may request that the owner or operator submit the raw data from a performance evaluation in the report of the performance evaluation results.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under § 63.7 is conducted.

(f) *Use of an alternative monitoring method -*

(1) *General.* Until permission to use an alternative monitoring method has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

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

- (i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;
- (ii) Alternative monitoring requirements when the affected source is infrequently operated;
- (iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;
- (iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements;
- (v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;
- (vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;
- (vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;
- (viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or
- (ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.

(3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.

(4) (i) Request to use alternative monitoring method. An owner or operator who wishes to use an alternative monitoring method shall submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section, below. The application may be submitted at any time provided that the monitoring method is not used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring method is to be used to demonstrate compliance with a relevant standard, the application shall be submitted not later than with the site-specific test plan required in § 63.7(c) (if requested) or with the site-specific performance evaluation plan (if requested) or at least 60 days before the performance evaluation is scheduled to begin.

(ii) The application shall contain a description of the proposed alternative monitoring system and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application shall include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.

(iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.

(5) Approval of request to use alternative monitoring method.

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with -

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.

(ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.

(iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by § 63.8(f).

(6) Alternative to the relative accuracy test. An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:

(i) *Criteria for approval of alternative procedures.* An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in § 63.7, or other tests performed following the criteria in § 63.7, demonstrate that the emission rate of the pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

(ii) *Petition to use alternative to relative accuracy test.* The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.

(iii) *Rescission of approval to use alternative to relative accuracy test.* The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that

emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

(g) Reduction of monitoring data.

(1) The owner or operator of each CMS shall reduce the monitoring data as specified in this paragraph. In addition, each relevant standard may contain additional requirements for reducing monitoring data. When additional requirements are specified in a relevant standard, the standard will identify any unnecessary or duplicated requirements in this paragraph that the owner or operator need not comply with.

(2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in § 63.2.

(3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).

(4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments shall not be included in any data average computed under this part.

§ 63.9 Notification requirements.

For 63.9(a) through (d): 40 CFR 63.787(a) extends the initial notification deadline to 180 days. 40 CFR 63.787(b) requires an implementation plan to be submitted with the initial notification.

(a) Applicability and general information.

(1) The requirements in this section apply to owners and operators of affected sources that are subject to the provisions of this part, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4) (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) *Initial notifications.*

(1) (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under § 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

(i) The name and address of the owner or operator;

(ii) The address (i.e., physical location) of the affected source;

(iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;

(iv) A brief description of the nature, size, design, and method of operation of the source, including its operating design capacity and an identification of each point of emission for each hazardous air pollutant, or if a definitive identification is not yet possible, a preliminary identification of each point of emission for each hazardous air pollutant; and

(v) A statement of whether the affected source is a major source or an area source.

(3) The owner or operator of a new or reconstructed affected source, or a source that has been reconstructed such that it is an affected source, that has an initial startup after the effective date of a relevant standard under this part and for which an application for approval of construction or reconstruction is not required under § 63.5(d), shall notify the Administrator in writing that the source is subject to the relevant standard no later than 120 days after initial startup. The notification shall provide all the information required in paragraphs (b)(2)(i) through (b)(2)(v) of this section, delivered or postmarked with the notification required in paragraph (b)(5).

(4) The owner or operator of a new or reconstructed major affected source that has an initial startup after the effective date of a relevant standard under this part and for which an application for approval of construction or reconstruction is required under § 63.5(d) shall provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new major affected source, reconstruct a major affected source, or reconstruct a major source such that the source becomes a major affected source with the application for approval of construction or reconstruction as specified in § 63.5(d)(1)(i);

(ii) A notification of the date when construction or reconstruction was commenced, submitted simultaneously with the application for approval of construction or reconstruction, if construction or reconstruction was commenced before the effective date of the relevant standard;

(iii) A notification of the date when construction or reconstruction was commenced, delivered or postmarked not later than 30 days after such date, if construction or reconstruction was commenced after the effective date of the relevant standard;

(iv) A notification of the anticipated date of startup of the source, delivered or postmarked not more than 60 days nor less than 30 days before such date; and

(v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) After the effective date of any relevant standard established by the Administrator under this part, whether or not an approved permit program is effective in the State in which an affected source is (or would be) located, an owner or operator who intends to construct a new affected source or reconstruct an affected source subject to such standard, or reconstruct a source such that it becomes an affected source subject to such standard, shall notify the Administrator, in writing, of the intended construction or reconstruction. The notification shall be submitted as soon as practicable before the construction or reconstruction is planned to commence (but no sooner than the effective date of the relevant standard) if the construction or reconstruction commences after the effective date of a relevant standard promulgated in this part. The notification shall be submitted as soon as practicable before startup but no later than 60 days after the effective date of a relevant standard promulgated in this part if the construction or reconstruction had commenced and initial startup had not occurred before the standard's effective date. The notification shall include all the information required for an application for approval of construction or reconstruction as specified in § 63.5(d). For major sources, the application for approval of construction or reconstruction may be used to fulfill the requirements of this paragraph.

(c) *Request for extension of compliance.* If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with § 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in § 63.6(i)(4) through § 63.6(i)(6).

(d) *Notification that source is subject to special compliance requirements.* An owner or operator of a new source that is subject to special compliance requirements as specified in § 63.6(b)(3) and § 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.

(e) *Notification of performance test.*

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this paragraph does apply.

The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under § 63.7(c), if requested by the Administrator, and to have an observer present during the test.

(f) *Notification of opacity and visible emission observations.*

Subpart II does not contain any opacity or visible emission standards.

(g) *Additional notification requirements for sources with continuous monitoring systems.*

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c) then these paragraphs do apply.

The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:

(1) A notification of the date the CMS performance evaluation under § 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under § 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under § 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;

(2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by § 63.7 in lieu of Method 9 or other opacity emissions test method data, as allowed by § 63.6(h)(7)(ii), if compliance with an opacity emission standard is required for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and

(3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by § 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) *Notification of compliance status.*

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c) then these paragraphs do apply.

(1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2) (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list -

(A) The methods that were used to determine compliance;

(B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) An analysis demonstrating whether the affected source is a major source or an area source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification shall be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in a relevant standard, in which case the letter shall be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) Adjustment to time periods or postmark deadlines for submittal and review of required communications.

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

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

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

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

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

(j) *Change in information already provided.* Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

§ 63.10 Recordkeeping and reporting requirements.

(a) *Applicability and general information.*

40 CFR 63.788(b)-(c) list additional recordkeeping and reporting requirements.

(1) The requirements of this section apply to owners or operators of affected sources who are subject to the provisions of this part, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(4) (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in § 63.13).

(ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in § 63.9(i).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common

schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in § 63.9(i).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements.*

40 CFR 63.788(b)-(c) list additional recordkeeping and reporting requirements.

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of -

- (i) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);
- (ii) The occurrence and duration of each malfunction of the air pollution control equipment;
- (iii) All maintenance performed on the air pollution control equipment;
- (iv) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3));
- (v) All information necessary to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see § 63.6(e)(3)) when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);
- (vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);
- (vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to re-report);

- (viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;
- (ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;
- (x) All CMS calibration checks;
- (xi) All adjustments and maintenance performed on CMS;
- (xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;
- (xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under § 63.8(f)(6); and
- (xiv) All documentation supporting initial notifications and notifications of compliance status under § 63.9.

(3) Recordkeeping requirement for applicability determinations. If an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under this part, the owner or operator shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) shall be sufficiently detailed to allow the Administrator to make a finding about the source's applicability status with regard to the relevant standard or other requirement. If relevant, the analysis shall be performed in accordance with requirements established in subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112, if any.

(c) Additional recordkeeping requirements for sources with continuous monitoring systems.

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this paragraph does apply.

In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of -

- (1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);
- (2)–(4) [Reserved]
- (5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;
- (6) The date and time identifying each period during which the CMS was out of control, as defined in § 63.8(c)(7);
- (7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;
- (8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant

standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;

- (9) [Reserved]
- (10) The nature and cause of any malfunction (if known);
- (11) The corrective action taken or preventive measures adopted;
- (12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;
- (13) The total process operating time during the reporting period; and
- (14) All procedures that are part of a quality control program developed and implemented for CMS under § 63.8(d).

(15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in § 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

(d) General reporting requirements.

(1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).

(2) *Reporting results of performance tests.* Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under § 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under § 63.9(h).

(3) *Reporting results of opacity or visible emission observations.* The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test methods) along with the results of the performance test required under § 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under § 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.

(4) *Progress reports.* The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.

(5) (i) *Periodic startup, shutdown, and malfunction reports.* If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan [see § 63.6(e)(3)], the owner or operator shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who

is certifying its accuracy, that shall be submitted to the Administrator semi-annually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

(ii) Immediate startup, shutdown, and malfunction reports. Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph are specified in § 63.9(i).

(e) Additional reporting requirements for sources with continuous monitoring systems -

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this paragraph does apply.

(1) *General.* When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.

(2) Reporting results of continuous monitoring system performance evaluations.

(i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under § 63.8(e), simultaneously with the results of the performance test required under § 63.7, unless otherwise specified in the relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under § 63.7 and described in § 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS

performance evaluation conducted under § 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under § 63.7 is conducted.

(3) *Excess emissions and continuous monitoring system performance report and summary report.*

(i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when -

(A) More frequent reporting is specifically required by a relevant standard;

(B) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(C) The CMS data are to be used directly for compliance determination and the source experienced excess emissions, in which case quarterly reports shall be submitted. Once a source reports excess emissions, the source shall follow a quarterly reporting format until a request to reduce reporting frequency under paragraph (e)(3)(ii) of this section is approved.

(ii) Request to reduce frequency of excess emissions and continuous monitoring system performance reports. Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;

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

(C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.

(iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the

owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.

(v) *Content and submittal dates for excess emissions and monitoring system performance reports.* All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in § 63.8(c)(7) and § 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

(vi) *Summary report.* As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report - Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:

- (A) The company name and address of the affected source;
- (B) An identification of each hazardous air pollutant monitored at the affected source;
- (C) The beginning and ending dates of the reporting period;
- (D) A brief description of the process units;
- (E) The emission and operating parameter limitations specified in the relevant standard(s);
- (F) The monitoring equipment manufacturer(s) and model number(s);
- (G) The date of the latest CMS certification or audit;
- (H) The total operating time of the affected source during the reporting period;
- (I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;
- (J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;
- (K) A description of any changes in CMS, processes, or controls since the last reporting period;
- (L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
- (M) The date of the report.

(vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting

period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.

(viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.

(4) Reporting continuous opacity monitoring system data produced during a performance test. The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under § 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.

(f) *Waiver of recordkeeping or reporting requirements.*

(1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of record-keeping or reporting is made, the application shall accompany the request for an extension of compliance under § 63.6(i), any required compliance progress report or compliance status report required under this part (such as under § 63.6(i) and § 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she -

(i) Approves or denies an extension of compliance; or
(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

§ 63.11 Control device requirements.

If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with 40 CFR 63.783(c), then this section does apply.

(a) *Applicability.* This section contains requirements for control devices used to comply with provisions in relevant standards. These requirements apply only to affected sources covered by relevant standards referring directly or indirectly to this section.

(b) *Flares.*

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

(2) Flares shall be steam-assisted, air-assisted, or non-assisted.

(3) Flares shall be operated at all times when emissions may be vented to them.

(4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in appendix A of part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22.

(5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(6) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flare is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

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

Where:

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

K = Constant = 1.740×10^{-7} (1/ppmv)(g-mole/scm)(MJ/kcal); where the standard temperature for (g-mole/scm) is 20 °C.

C_i = Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946-77b (incorporated by reference as specified in § 63.14).

H_i = Net heat of combustion of sample component i , kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 (incorporated by reference as specified in § 63.14) if published values are not available or cannot be calculated.

n = Number of sample components.

(7) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test

Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity V_{max} , as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, V_{max} , for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{max})=(H_T+28.8)/31.7$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

28.8 = Constant.

31.7 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

(8) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity V_{max} . The maximum permitted velocity, V_{max} , for air-assisted flares shall be determined by the following equation:

$$V_{max} = 8.706 + 0.7084(H_T)$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

8.706 = Constant.

0.7084 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

§ 63.12 State authority and delegations.

(a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from -

(1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;

(2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or

(3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.

(b) (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive

material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.

(2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

§ 63.13 [Reserved]

§ 63.14 Incorporations by reference.

(a) The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC, at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC, and at the EPA Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina.

(b) The materials listed below are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.

- (1) ASTM D1946-77, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for § 63.11(b)(6).
- (2) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for § 63.11(b)(6).
- (3) ASTM D2879-83, Standard Test Method for Vapor Pressure—Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for § 63.111 of subpart G of this part.
- (4) ASTM D 3695-88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for § 63.365(e)(1) of subpart O of this part.
- (5) ASTM D 1193-77, Standard Specification for Reagent Water, IBR approved for Method 306, section 4.1.1 and section 4.4.2, of appendix A to part 63.
- (6) ASTM D 1331-89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for Method 306B, section 2.2, section 3.1, and section 4.2, of appendix A to part 63.
- (7) ASTM E 260-91, Standard Practice for Packed Column Gas Chromatography, IBR approved for § 63.750(b)(2) of subpart GG of this part.
- (8) ASTM D523-89, Standard Test Method for Specular Gloss, IBR approved for § 63.782.

(9) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish, Lacquer, and Related Products, IBR approved for § 63.788 appendix A.

(10) ASTM D2369-93, Standard Test Method for Volatile Content of Coatings, IBR approved for § 63.788 appendix A.

(11) ASTM D3912-80, Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(12) ASTM D4017-90, Standard Test Method for Water and Paints and Paint Materials by Karl Fischer Method, IBR approved for § 63.788 appendix A.

(13) ASTM D4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(14) ASTM D4256-89 [reapproved 1994], Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for § 63.782.

(15) ASTM D3792-91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for § 63.788 appendix A.

(16) ASTM D3257-93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for § 63.786(b).

(17) ASTM E260-91, Standard Practice for Packed Column Gas Chromatography, IBR approved for § 63.786(b).

(18) ASTM E180-93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for § 63.786(b).

(c) – (d) [Reserved]

§ 63.15 Availability of information and confidentiality.

(a) *Availability of information.*

(1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.

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

(b) *Confidentiality.*

(1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.

(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

Subsection L. Common Conditions

This section addresses the all of the Regulated Emissions Units:

{Permitting note: For the Surface Coating of Ships, when more stringent, the requirements of specific conditions K.2. and K.3. supercede these common conditions.}

L.1. Compliance Test Notification. TECO shall notify the EPCHC, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for TECO.
[Rule 62-297.310(7)(a)9., F.A.C.]

L.2. Special Compliance Tests. When, after inspection, the Department or the Environmental Protection Commission of Hillsborough County has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the Tampa Electric Company to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emission unit and to provide a report on the results of said test to the requesting agency.
[Rule 62-297.310(7)(b), F.A.C.]

General Test Requirements

L.3. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.
[Rule 297.310(1), F.A.C.]

L.4. Operating Rate During Testing for Emission Units other than Combustion Turbines. Unless otherwise stated an emission unit's specific condition in this permit, testing of emissions shall be conducted with the emissions unit operation at 90 to 100 percent of the maximum operation rate allowed by specific condition in this permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2), F.A.C.]

L.5. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule.
[Rule 62-297.310(3), F.A.C.]

L.6. Applicable Test Procedures.

(a) Required Sampling Time.

1. Unless otherwise specified in the specific conditions of this permit, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (see attachment).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 297.310(4), F.A.C.]

L.7. Determination of Process Variables.

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales,

shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

L.8. Frequency of Compliance Tests. The following provisions apply to those emissions units that are subject to an emissions limiting standard for which compliance testing is required, unless otherwise provided in a specific emission unit condition of this permit.

(a) General Compliance Testing.

1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

a. Visible emissions, if there is an applicable standard;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

c. Each NESHAP pollutant, if there is an applicable emission standard.

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.

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

7. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.

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

9. The owner or operator shall notify the Department and the Environmental Protection Commission of Hillsborough County, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

(b) Special Compliance Tests. When the Department or Environmental Protection Commission of Hillsborough County, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department and the Environmental Protection Commission of Hillsborough County.

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

[Rule 62-297.310(7), F.A.C.]

L.9. Test Reports.

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

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

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the EPCHC and the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.

5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.

6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.

7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.

8. The date, starting time and duration of each sampling run.

9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.

10. The number of points sampled and configuration and location of the sampling plane.

11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.

12. The type, manufacturer and configuration of the sampling equipment used.

13. Data related to the required calibration of the test equipment.

14. Data on the identification, processing and weights of all filters used.

15. Data on the types and amounts of any chemical solutions used.

16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.

17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.

18. All measured and calculated data required to be determined by each applicable test procedure for each run.

19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the EPCHC or the Department, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

Section IV. This section is the Acid Rain Part.

Operated by: Tampa Electric Company

ORIS code: 0645

The emissions units listed below are regulated under Acid Rain:

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-001	Unit No. 1 Steam Generator [EPA ID #: BB01]
-002	Unit No. 2 Steam Generator [EPA ID #: BB02]
-003	Unit No. 3 Steam Generator [EPA ID #: BB03]
-004	Unit No. 4 Steam Generator [EPA ID #: BB04]

Subsection A. This subsection addresses Acid Rain, Phase II Sulfur Dioxide (SO₂).

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

DEP Form No. 62-210.900(1)(a), version 07/01/95, received June 14, 1996.
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO₂) allowance allocations and nitrogen oxide (NO_x) requirements for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID #	Year	2000	2001	2002
-001	BB01	SO ₂ allowances, under Table 2 of 40 CFR 73	12132*	12132*	12132*
-002	BB02	SO ₂ allowances, under Table 2 of 40 CFR 73	12196*	12196*	12196*
-003	BB03	SO ₂ allowances, under Table 2 of 40 CFR 73	11444*	11444*	11444*
-004	BB04	SO ₂ allowances, under Table 2 of 40 CFR 73	8780*	8780*	8780*

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

A.3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

c. Allowances shall be accounted for under the Federal Acid Rain Program.

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

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

[Rules 62-213.413 and 62-214.370(4), F.A.C.]

A.5. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400, F.A.C.

[40 CFR 70.6(a)(4)(i); and, Rule 62-213.440(1)(c)1., F.A.C.]

A.6. Where an applicable requirement of the Act is more stringent than applicable regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.

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

A.7. Comments, notes, and justifications:

a. The designated representative was changed to Patrick A. Ho, by letter dated June 27, 1997.

b. The designated representative was changed to Gregory M. Nelson, P.E., effective July 1, 1998.

Subsection B. This subsection addresses Acid Rain, Phase I/II Nitrogen Oxides (NO_x).

B.1. The owners and operators of this Phase II Acid Rain unit must comply with the standard requirements and special provisions set forth in the compliance plan listed below:

Phase II NO_x Compliance Plan dated 12/23/97.

[Chapter 62-213, F.A.C.]

B.2. Nitrogen oxides (NO_x) requirements for this Acid Rain unit are as follows:

E.U. ID No.	EPA ID #	NO _x Limit
-001	BB01	0.84 lb/mmBtu heat input (annual average)
-002	BB02	0.84 lb/mmBtu heat input (annual average)
-003	BB03	0.84 lb/mmBtu heat input (annual average) {Note: see following comments}
-004	BB04	0.45 lb/mmBtu heat input (annual average) {Note: see following comments}

Pursuant to 40 CFR 76, the Florida Department of Environmental Protection approves a NO_x standard emission limitation compliance plan for Units 1, 2, 3, and 4. The compliance plan is effective for calendar year 2000 through calendar year 2004. Under the compliance plan, each of the Units 1, 2, and 3 annual average NO_x emission rate for each year, determined in accordance with 40 CFR 75, shall not exceed the applicable emission limitation, under 40 CFR 76.6(a)(3), of 0.84 lb/mmBtu for wet bottom boilers. Under the compliance plan, the Unit 4 annual average NO_x emission rate for each year, determined in accordance with 40 CFR 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(1), of 0.45 lb/mmBtu for Phase I tangentially-fired boilers.

B.3. Comments, notes, and justifications:

- a. Unit #BB04 must also comply with the following NO_x limits while firing
 - i. Solid fuel: 0.60 lb/mmBtu heat input (30-day rolling average)
 - ii. Liquid fuel: 0.30 lb/million Btu heat input (30-day rolling average)
 - iii. Simultaneous combustion of solid and liquid fuel: $E_n = [0.30 x + 0.60 y]/100$
{Note: see **specific condition B.10.**}
- b. Unit #BB03 must also comply with the following NO_x limits:
 - i. Under nonintegrated conditions (i.e., no diversion of flue gas emissions): 0.70 lb (expressed as NO₂)/mmBtu heat input based upon a 30-day rolling average.
 - ii. Under integrated conditions: #BB03 shall meet the nitrogen oxide limitations that are applicable to #BB04.
{Note: see **specific condition A.9.**}
- c. The designated representative was changed to Patrick A. Ho, by letter dated June 27, 1997.

- d. The designated representative was changed to Gregory M. Nelson, P.E., effective July 1, 1998.

B.4. In addition to the described NO_x compliance plan, these units shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and the requirements covering excess emissions.

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

Tampa Electric Company
Big Bend Station

DRAFT Permit No.: 0570039-002-AV

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

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘exempt emissions units’.

E.U.

<u>ID No.</u>	<u>Brief Description of Emissions Units and/or Activities</u>
-xxx	Slag and bottom ash sources BH-001 through BH-004
	Gypsum handling and storage sources GH-001 through GH-017
	No. 2 Fuel Oil Storage Tanks > 550 gallons
	Vehicle Refueling Operations
	Turbine Vapor Extractor

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

Tampa Electric Company
Big Bend Station
Page 1 of 2

DRAFT Permit No.: 0570039-002-AV

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Full Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., are also exempt from the permitting requirements of Chapter 62-213, F.A.C., provided such emissions units and activities also meet the exemption criteria of Rule 62-213.430(6)(b), F.A.C. The below listed emissions units and/or activities are hereby exempt pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Internal combustion engines in boats, aircraft and vehicles used for transportation of passengers or freight.
2. Cold storage refrigeration equipment, except for any such equipment located at a Title V source using an ozone-depleting substance regulated under 40 CFR Part 82.
3. Vacuum pumps in laboratory operations.
4. Equipment used for steam cleaning.
5. Belt or drum sanders having a total sanding surface of five square feet or less and other equipment used exclusively on wood or plastics or their products having a density of 20 pounds per cubic foot or more.
6. Equipment used exclusively for space heating, other than boilers.
7. Laboratory equipment used exclusively for chemical or physical analyses.
8. Brazing, soldering or welding equipment.
9. One or more emergency generators located within a single facility provided:
 - a. None of the emergency generators is subject to the Federal Acid Rain Program; and
 - b. Total fuel consumption by all such emergency generators within the facility is limited to 32,000 gallons per year of diesel fuel, 4,000 gallons per year of gasoline, 4.4 million standard cubic feet per year of natural gas or propane, or an equivalent prorated amount if multiple fuels are used.
10. One or more heating units and general purpose internal combustion engines located within a single facility provided:
 - a. None of the heating units or general purpose internal combustion engines is subject to the Federal Acid Rain Program; and
 - b. Total fuel consumption by all such heating units and general purpose internal combustion engines within the facility is limited to 32,000 gallons per year of diesel fuel, 4,000 gallons per year of gasoline, 4.4 million standard cubic feet per year of natural gas or propane, or an equivalent prorated amount if multiple fuels are used.
11. Fire and safety equipment.

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

Tampa Electric Company
Big Bend Station
Page 2 of 2

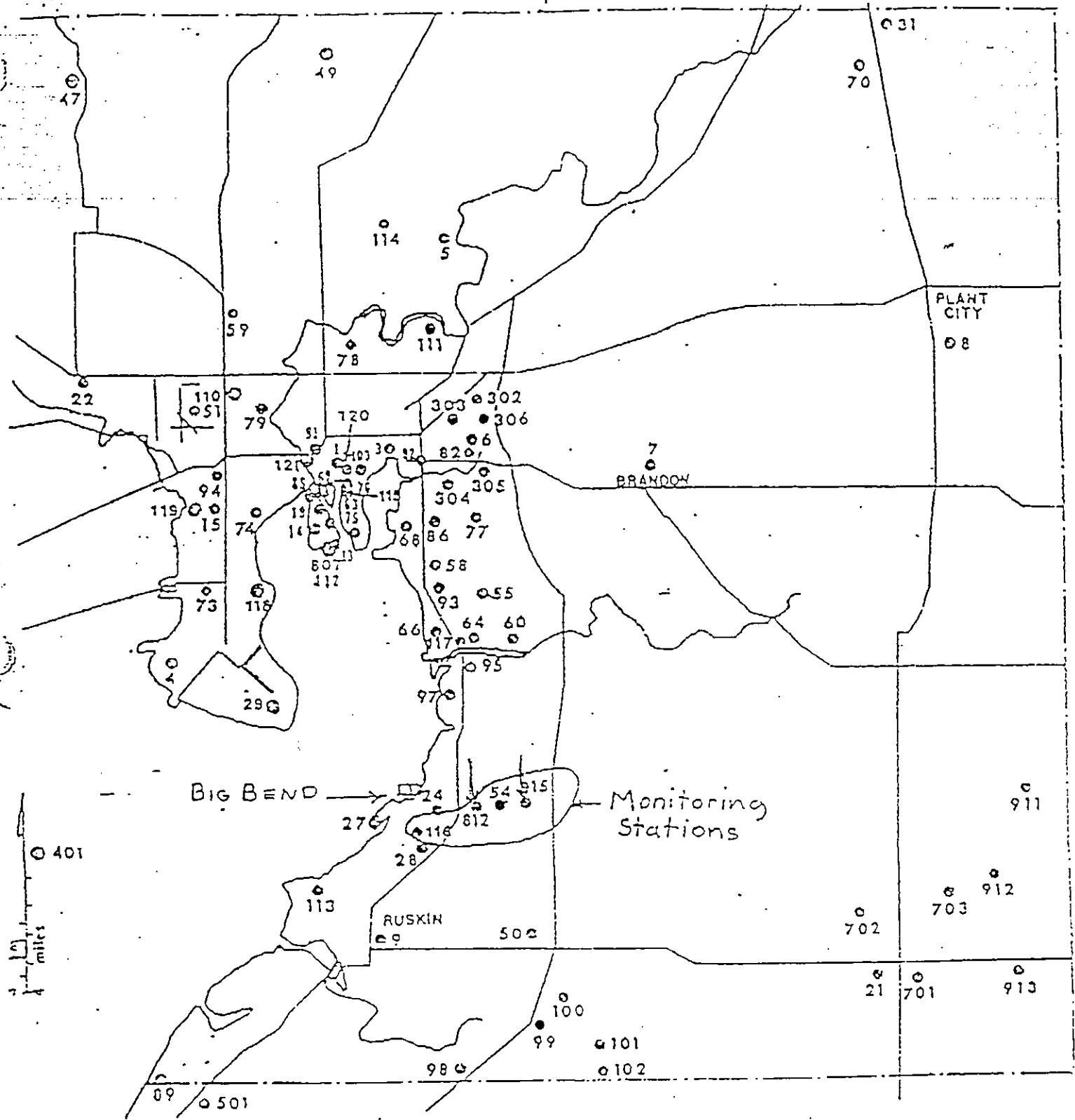
DRAFT Permit No.: 0570039-002-AV

13. Degreasing units using heavier-than-air vapors exclusively, except any such unit using or emitting any substance classified as a hazardous air pollutant.

Note: No exemption shall be granted to any emissions unit or activity if:

1. Such unit or activity would be subject to any unit-specific applicable requirement;
2. Such unit or activity, in combination with other units and activities proposed for exemption, would cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); or
3. Such unit or activity would emit or have the potential to emit:
 - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
 - b. 1,000 pounds per year or more of any hazardous air pollutant;
 - c. 2,500 pounds per year or more of total hazardous air pollutants; or
 - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C]



AIR SAMPLING STATIONS
 HILLSBOROUGH COUNTY, FLORIDA
 1979

- Figure 2 -

Phase II Permit Application

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

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Plant Name	Big Bend	State	FL	ORIS Code	645
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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
BB01	Yes	No		
BB02	Yes	No		
BB03	Yes	No		
BB04	Yes	No		
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

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.

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

Plant Name (from Step 1):

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

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. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain 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,

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. *Annual Compliance Certification*
Acid Rain Units in Inverters fallow 11/12

(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 prudency 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 Hugh W. Smith	
Signature <i>Hugh W. Smith</i>	Date 12/19/95

STEP 5 (optional)
Enter the source AIRS
and FINDS identification
numbers, if known

AIRS	0570039
FINDS	

Appendix H-1, Permit History/ID Number Changes

Tampa Electric Company
Big Bend

[DRAFT/PROPOSED/FINAL] Permit No.: 0570039-002-AV
Facility ID No.: 0570039

Permit History (for tracking purposes):

<u>E.U. ID No</u>	<u>Description</u>	<u>Permit No./Certification No./ASP</u>	<u>Issue/Effective Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-001	Unit 1 Coal-Fired Steam Generator	AC-523 (ESP upgrade)	12/18/72	09/15/74	-	
	"	AO29-219924	12/23/92	12/01/97	-	
		Phase I Acid Rain Permit	01/01/95	12/31/99	-	
-002	Unit 2 Coal-Fired Steam Generator	AO29-179912	11/19/90	11/21/95	08/14/96	
		Phase I Acid Rain Permit	01/01/95	12/31/99	-	
-003	Unit 3 Coal-Fired Steam Generator	AO29-179911	08/29/90	08/30/95	08/14/96	07/29/94, 05/12/95, 09/30/96
		Phase I Acid Rain Permit	01/01/95	12/31/99	-	
-004	Unit 4 Coal-Fired Steam Generator	PA79-12	08/17/81	-	-	PA79-12C 03/31/94
	"	"				PA79-12D 06/19/95
	"	"				PA79-12C&D 09/15/95
	"	PSD-FL-040	11/14/81	-	-	10/14/85, 07/11/88, 09/06/95
	"	ASP-Coal Sampling	03/24/86	-	-	
	"	Phase I Acid Rain Permit	01/01/95	12/31/99	-	
-005	Combustion Gas Turbine #2	AC-29-2210	08/27/73	06/27/74	-	
	"	AO29-174596	03/15/90	03/09/95	08/14/96	05/16/95
-006	Combustion Gas Turbine #3	AC-29-2211	08/27/73	06/27/74	-	
	"	AO29-174611	05/08/90	04/27/95	08/14/96	05/16/95
-007	Combustion Gas Turbine #1	AC-29-2209	11/29/73	06/27/74	-	
	"	AO29-160257	07/24/89	07/07/94	08/14/96	01/18/90
-008, 018	Fly Ash Silo #1 & Truck Loadout	AO29-160255	12/21/89	12/22/94	08/14/96	03/12/92
	"	AC29-194516 (modification)	08/28/91	02/29/92	-	
-009, 019	Fly Ash Silo #2 & Truck Loadout	AO29-161082	07/24/89	07/07/94	08/14/96	01/19/90, 02/07/90, 10/16/91
-010	Big Bend Coal Yard	PA79-12	08/17/81	-	-	PA79-12C 03/31/94
		"				PA79-12D 06/19/95
		"				PA79-12C&D 09/15/95
		PSD-FL-040	11/14/81	-	-	10/14/85, 07/11/88, 09/06/95
-011	Truck Unloading of Limestone	PA79-12	08/17/81	-	-	PA79-12C 03/31/94
		"				PA79-12D 06/19/95
		"				PA79-12C&D 09/15/95
		PSD-FL-040	11/14/81	-	-	10/14/85, 07/11/88, 09/06/95

<u>E.U. ID No</u>	<u>Description</u>	<u>Permit No./Certification No./ASP</u>	<u>Issue/Effective Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-012	Limestone Silo A w/2 baghouses	PA79-12 " "	08/17/81	- - -	- - -	PA79-12C 03/31/94 PA79-12D 06/19/95 PA79-12C&D 09/15/95
-013	Limestone Silo B w/2 baghouses	PSD-FL-040 PA79-12 " "	11/14/81 08/17/81	- - - -	- - - -	10/14/85, 07/11/88, 09/06/95 PA79-12C 03/31/94 PA79-12D 06/19/95 PA79-12C&D 09/15/95
-014	Flyash Silo for Unit #4	PSD-FL-040 PA79-12 " "	11/14/81 08/17/81	- - - -	- - - -	10/14/85, 07/11/88, 09/06/95 PA79-12C 03/31/94 PA79-12D 06/19/95 PA79-12C&D 09/15/95
-015,16,17	Units 1, 2, & 3 Coal Bunkers w/Rotoclones	PSD-FL-040 AO29-163788	11/14/81 10/05/89	- 06/30/94	- 08/14/96	10/14/85, 07/11/88, 09/06/95

ID Number Changes (for tracking purposes): From Facility ID No. 40111L290039 to Facility ID No. 0570039

DOCUMENT III.I.6

PROCEDURES FOR STARTUP AND SHUTDOWN

PROCEDURES FOR STARTUP AND SHUTDOWN UNITS 1 - 4

Procedures for startup and shutdown of Units 1 through 4 are as follows:

A. STARTUP

1. Boilers are purged to expel all combustible gases.
2. Ignitors are placed in service to establish an oil fire.
3. Once the air leaving the air preheater reaches 180° F, a centrally located fuel pulverizer is activated.
4. Fuel feeders and ignitors are rotated in and out of service to establish an even fire.
5. As soon as fuel fire is established, electrostatic precipitator rectifiers are added as needed to control PM emissions.
6. Following boiler stabilization at minimum load, the oil ignitors are removed and the electrostatic precipitator is placed in full service.
7. Excess emissions during startup are minimized by the following activities:
 - Opacity is continuously monitored;
 - Ignitor burner tips are checked on a regular basis to ensure the ignitors remain lit and have even oil flow;
 - An adequate supply of combustion air is maintained;
 - Combustion air is manually and continuously controlled to maintain even combustion; and
 - Precipitators are placed in service prior to load stabilization.

B. SHUTDOWN

1. After the decision for boiler shutdown is made, load and steam header pressure are reduced.
2. Ignitors are placed in service as permissives for fuel feed removal.
3. Steam turbine is "punched out" when all fuel feeders are out of service and load and steam header pressure are approximately 5 MW and 500 lbs, respectively.
4. Exhaust fans are used to expedite boiler cooling.

**PROCEDURES FOR STARTUP AND SHUTDOWN
UNITS 1 - 4 (continued)**

5. Excess emissions during shutdown are minimized by the following activities:
- Opacity is continuously monitored;
 - Precipitators are removed from service only if precipitator maintenance is required; and
 - Air flow, dampers, etc., are manually adjusted.

Unit 4 FGD System

A. STARTUP

Startup of the FGD system begins with starting up the makeup water system to provide water to the pump seals and the tower demister spray headers. The next system placed in service is the limestone reagent feed system, which supplies limestone slurry to the towers for sulfur dioxide (SO₂) removal. Once an oil fired is established in the boiler, the tower absorber and quencher pumps are placed in service. Prior to the burning of coal, two towers are placed in service to scrub the flue gas. The other tower(s) are placed in service as the load increases. The gypsum handling system is started when the gypsum slurry tanks level increases due the production of gypsum in the towers from the interaction of SO₂ and calcium carbonate (limestone).

B. SHUTDOWN

Shutdown of the FGD system is less complicated than startup and begins with the removal of unneeded tower(s) as load decreases. When the unit is off-line, all towers can be removed from service and the makeup water, limestone reagent feed system, and gypsum handling systems are shutdown.



DOCUMENT III.I.7

OPERATION AND MAINTENANCE PLAN

E.U.1., UNIT NO. 1—SOLID FUEL-FIRED STEAM GENERATOR
OPERATION AND MAINTENANCE FOR PARTICULATE CONTROL

A. Process System Performance Parameters:

1. Design fuel consumption rate at maximum continuous rating: 183.5 tons fuel/hour at 11,000 Btu/lb
2. Operating pressure: 2,400 psi
3. Operating temperature: 1,000 °F
4. Maximum design steam capacity: 3,000,000 lbs/hr

B. Particulate Control Equipment Data:

1. Control equipment designator: electrostatic precipitator
2. Electrostatic precipitator manufacturer: Joy Western
3. Design flow rate: 1,408,000 ACFM
4. Primary voltage: 400 volts
5. Primary current: 245 amps
6. Secondary voltage: 55 kilovolts
7. Secondary current: 1,250 milliamps
8. Design efficiency: 99.7 percent
9. Pressure drop: <1.0 inches H₂O (average)
10. Rapper frequency: 1/1.5 min. - 1/4.0 min. (average)
11. Rapper duration: impact
12. Gas temperature: 330± 55°F (average)

- C. The following observations, checks, and operations apply to this source and shall be conducted on the schedule specified:

Continuously Monitored and Recorded

Visible emissions (continuous opacity monitor [COM])

Steam pressure

Steam temperature

Steam flow

Daily Recorded and Inspected

Electrostatic Precipitator

Primary current

Secondary voltage

Secondary current

Monthly Recorded and Inspected

Fuel input (recorded)

Inspect insulator compartment heaters/blowers. Service as needed.

Observe operation of all rapper and transformer/rectifier controls. Service as needed.

- D. Records of inspections, maintenance, and performance parameters shall be retained for a minimum of 2 years and shall be made available to the Florida Department of Environmental Protection or the Environmental Protection Commission of Hillsborough County upon request.

E.U.2., UNIT NO. 2—SOLID FUEL-FIRED STEAM GENERATOR
OPERATION AND MAINTENANCE FOR PARTICULATE CONTROL

A. Process System Performance Parameters:

1. Design fuel consumption rate at maximum continuous rating: 182.1 tons fuel/hour at 11,000 Btu/lb
2. Operating pressure: 2,400 psi
3. Operating temperature: 1,000 °F
4. Maximum design steam capacity: 3,000,000 lbs/hr.

B. Particulate Control Equipment Data:

1. Control equipment designator: electrostatic precipitator
2. Electrostatic precipitator manufacturer: Joy Western
3. Design flow rate: 1,312,000 ACFM
4. Primary voltage: 400 volts
5. Primary current: 257 amps
6. Secondary voltage: 45 kilovolts
7. Secondary current: 1,600 milliamps
8. Design efficiency: 99.7 percent
9. Pressure drop: < 1.0 inches H₂O (average)
10. Rapper frequency: 1/1.5 min. - 1/4.0 min. (average)
11. Rapper duration: impact
12. Gas temperature: 330± 55°F (average)

- C. The following observations, checks, and operations apply to this source and shall be conducted on the schedule specified:

Continuously Monitored and Recorded

Visible emissions (COM)

Steam pressure

Steam temperature

Steam flow

Daily Recorded and Inspected

Electrostatic Precipitator

Primary current

Secondary voltage

Secondary current

Monthly Recorded or Inspection/Maintenance

Fuel input (recorded)

Inspect insulator compartment heaters/blowers. Service as needed.

Observe operation of all rapper and transformer/rectifier controls. Service as needed.

- D. Records of inspections, maintenance, and performance parameters shall be retained for a minimum of 2 years and shall be made available to the Florida Department of Environmental Protection or the Environmental Protection Commission of Hillsborough County upon request.

E.U.3., UNIT NO. 3—SOLID FUEL-FIRED STEAM GENERATOR
OPERATION AND MAINTENANCE FOR PARTICULATE CONTROL

A. Process System Performance Parameters:

1. Design fuel consumption rate at maximum continuous rating: 190.3 tons fuel/hour at 11,000 Btu/lb.
2. Operating pressure: 2,250 psi.
3. Operating temperature: 1,000 °F.
4. Maximum design steam capacity: 3,100,000 lbs/hr.

B. Particulate Control Equipment Data:

1. Control equipment designator: electrostatic precipitator
2. Electrostatic precipitator manufacturer: Research Cottrell
3. Design flow rate: 1,420,000 ACFM
4. Primary voltage: 400 volts
5. Primary current: 320 amps
6. Secondary voltage: 45 kilovolts
7. Secondary current: 2,000 milliamps
8. Design efficiency: 99.7 percent
9. Pressure drop: < 1.0 inches H₂O (average)
10. Rapper frequency: 1/1.5 min. - 1/4.0 min. (average)
11. Rapper duration: impact
12. Gas temperature: 330± 55°F (average)

- C. The following observations, checks, and operations apply to this source and shall be conducted on the schedule specified:

Continuously Monitored and Recorded

Visible emissions (COM)

Steam pressure

Steam temperature

Steam flow

Daily Recorded and Inspected

Electrostatic Precipitator

Primary current

Secondary voltage

Secondary current

Monthly Recorded or Inspection/Maintenance

Fuel input (recorded)

Inspect insulator compartment heaters/blowers. Service as needed.

Observe operation of all rapper and transformer/rectifier controls. Service as needed.

- D. Records of inspections, maintenance, and performance parameters shall be retained for a minimum of 2 years and shall be made available to the Florida Department of Environmental Protection or the Environmental Protection Commission of Hillsborough County upon request.

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

Abbreviations and Acronyms:

°F: Degrees Fahrenheit
BACT: Best Available Control Technology
CFR: Code of Federal Regulations
DEP: State of Florida, Department of Environmental Protection
DARM: Division of Air Resource Management
EPA: United States Environmental Protection Agency
F.A.C.: Florida Administrative Code
F.S.: Florida Statute
ISO: International Standards Organization
LAT: Latitude
LONG: Longitude
MMBtu: million British thermal units
MW: Megawatt
ORIS: Office of Regulatory Information Systems
SOA: Specific Operating Agreement
UTM: Universal Transverse Mercator

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(version dated 02/05/97) (continued)

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC = old Air Construction Permit numbering