

FINAL PERMIT DETERMINATION

COMMENTS

Objections were received from over 90 citizens. Additional comments were received from the Environmental Protection Commission of Hillsborough County (EPC). TEC submitted written responses addressing EPC's comments. The comments were not considered significant enough to reissue a DRAFT permit and require another public notice. EPC's comments, TEC's responses and the department's changes are shown below.

EPCHC Comment 1

Facility-wide Specific Condition No. 10 should specify when the Title V Revision Application is to be submitted. For example; 45 days after completion of compliance demonstration or 90 days prior to expiration of the construction permit.

TEC Response

TEC does not have an issue with this comment.

Permit Change

10. Application for Title V Permit Revision: An application for a revision to the Title V operating permit for this facility must be submitted to the Department's Bureau of Air Regulation **at least 90 days prior to the expiration date of the construction permit, but no later than 180 days after commencing the permitted firing of coal residual.** [Chapter 62-213, F.A.C.]

EPCHC Comment 2

Facility-wide Specific Condition No. 19 should specify when the Department, **or EPC**, may request special compliance tests.

TEC Response

TEC does not have an issue with this comment.

Permit Change

19. **Special Compliance Tests:** When the Department, **or EPC**, 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. [Rule 62-297.310(7)(b), F.A.C.]

EPCHC Comment 3

Facility-wide Specific Condition No. 22 should specify that records be made available to the Department, **or EPC**, upon request.

TEC Response

TEC does not have an issue with this comment.

PERMITTEE

Tampa Electric Company
Big Bend Station
PO Box 111
Tampa, Florida 33601-0111

Authorized Representative:

Gregory M. Nelson, P.E.
Manager--Environmental Planning

Permit No.	0570039-003-AC and 0570039-004-AC
Project	FGD System--Units 1 and 2
SIC Code:	4911
Expires:	August 25, 2000

PROJECT AND LOCATION

This permit authorizes Tampa Electric Company to construct a flue gas desulfurization (FGD) system to serve existing units 1 and 2, and allows the use of petcoke in a mixture with coal up to 20.0% petcoke/80.0% coal (by weight) in existing units 1 and 2 under the conditions of this permit.

This facility is located at Big Bend Station, 6944 US Highway 41 North, Apollo Beach, Hillsborough County. UTM coordinates are: Zone 17; 361.90 km E and 3075.00 km N.

STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to perform the construction in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

APPENDICES

The attached appendices are a part of this permit:

Appendix A NSPS General Provisions
Appendix GC General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

AIR CONSTRUCTION PERMIT 0570039-003-AC & 0570039-004-AC

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Fossil fuel fired steam boiler generating unit 1
002	Fossil fuel fired steam boiler generating unit 2
003	Fossil fuel fired steam boiler generating unit 3

[Note: These emissions units are subject to the requirements of the state rules as indicated in this permit. Emissions unit 003 is specifically subject only to the requirements of Section II and specific conditions 5, 6 and 7 of Section III of this permit.]

OPERATIONAL REQUIREMENTS

- Hours of Operation: These emissions units may operate continuously, i.e., 8,760 hours/year. [Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE)]
- Fuel: This permit authorizes the use of petroleum coke (petcoke) in a mixture with coal up to 20.0% petcoke (by weight). [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions-potential to emit (PTE), and applicant request]
- FGD Operation Required for Petcoke: Whenever each emissions unit is fired with petcoke in any amount up to the allowable percentage, its flue gases shall be directed to the FGD system. [Rule 62-4.070(3), F.A.C., and applicant request]

[Note: The owner or operator may operate each emissions unit without directing its emissions to the FGD system whenever petcoke is not being fired in the emissions unit.]

[Note: The excess emissions provisions of section II, condition 14 of this permit are also applicable to the FGD system operation.]

- Limit on Petcoke Bunkering: The owner or operator at any given time shall not bunker more than the amount of petcoke that may be fired in each emissions unit in one day. [Rule 62-4.070(3), F.A.C., and applicant request]

[Note: This condition is intended to limit possible excess emissions in the event of an unexpected breakdown of the FGD system that requires its shutdown while either emissions unit is firing petcoke.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

- Emission Limitations, SO₂: Emissions of sulfur dioxide from these emissions units are limited as shown in the following tables.

[Tables begin on the following page]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

Operating Scenario	Operating Mode, Emission Limits			Emission Limit Units	Averaging Period ^a
	Unit 1	Unit 2	Unit 3		
1	Scrubbed, 3310	Scrubbed, 3277	Unscrubbed, 14814	lb/hour	24 hours
2	Scrubbed, 3310	Unscrubbed, 9590	Unscrubbed, 9876	lb/hour	24 hours
3	Scrubbed, 3310	Scrubbed, 3277	Scrubbed, 3374	lb/hour	24 hours
4	Scrubbed, 3310	Unscrubbed, 11588	Scrubbed, 3374	lb/hour	24 hours
5	Unscrubbed, 11707	Scrubbed, 3277	Scrubbed, 3374	lb/hour	24 hours
6	Unscrubbed, 9689	Scrubbed, 3277	Unscrubbed, 9876	lb/hour	24 hours

Emission Limitations for Unit 1

Emission Limit	Units	Averaging Period
6.5 ^b	lb/mmBtu	2 hours

Emission Limitations for Unit 2

Emission Limit	Units	Averaging Period
6.5 ^b	lb/mmBtu	2 hours

Emission Limitations for Units 1, 2 and 3

Emission Limit	Units	Averaging Period
25 ^{b c}	tons/hour	24 hours
31.5 ^{b c}	tons/hour	3 hours

Notes for tables:

Emission limits are as proposed by the applicant in its application or modeling data except where noted. The "base case" operating scenario (units 1, 2 and 3 all operating in the unscrubbed mode) is not specifically addressed by this permit.

"Scrubbed" refers to operation while directing flue gas to the FGD system. "Unscrubbed" refers to operation while not directing flue gas to the FGD system.

a The 24-hour averaging period for these limits shall be calculated on a calendar day basis.

b Emission limit from Rule 62-296.405(1)(c)2.b., F.A.C.

c Total emissions from units 1, 2 & 3

[Rules 62-296.405(1)(c)2.b. and 62-4.070(3), F.A.C.]

[Note: These emissions limits are formulated to protect the 24-hour AAQS for sulfur dioxide.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

6. Continuous Emission Monitoring Systems: The owner or operator shall install, calibrate, maintain, and operate a continuous emission monitoring (CEM) system in the FGD system stack to measure and record the sulfur dioxide emissions from these emissions units, in a manner sufficient to demonstrate compliance with the emission limits of this permit. Compliance with the emission limits of this permit shall be based on 2-hour or 3-hour averages or 24-hour calendar day averages calculated by the CEM system expressed in units of pounds per million Btu heat input, pounds per hour or tons per hour, as applicable. [Rules 62-4.070(3) and 62-296.405(1)(f)1.b., F.A.C., and applicant request]

[Note: The averaging period for the 24 hour 25 tons/hour emission limit of Rule 62-296.405(1)(c)2.b., F.A.C., is not specified by rule, but is assumed in this permit to also be on a calendar day basis.]

7. CEM System Requirements: The CEM system shall be certified pursuant to 40 CFR Part 75 and shall be operated and maintained in accordance with the applicable requirements of 40 CFR Part 75, Subparts B and C. Missing data shall be substituted in a manner pursuant to 40 CFR Part 75, Subpart D. Record keeping and reporting shall be conducted pursuant to 40 CFR Part 75, Subparts F and G. Excess emissions pursuant to 40 CFR 60.334 shall be determined using the Part 75 CEM system. [Rules 62-4.070(3) and 62-296.405(1)(f), F.A.C.]

[Note: Compliance with these requirements will assure compliance with the requirements of Rule 62-296.405(1)(f), F.A.C.]

8. Petcoke Sulfur Content: The owner or operator shall measure the sulfur content of representative samples of all petcoke received using appropriate ASTM methods to demonstrate compliance with the sulfur content limit of this permit. [Rule 62-4.070(3), F.A.C.]

[Note: The sulfur content of petcoke is not limited by this permit. This condition and condition 11 of this section require records of petcoke sulfur content to ensure that the applicant has sufficient information available to alter the ratio of petcoke to coal, if necessary to ensure compliance with the emission limit for sulfur dioxide from the FGD system, when it fires petcoke with a higher than average sulfur content.]

9. Monitor Petcoke Usage: The owner or operator shall operate and maintain equipment to record and calculate the weight percentage of petcoke and coal bunkered and fired in each emissions unit, to verify compliance with the bunkering limit and the percentage limitation on petcoke usage of this permit. [Rule 62-4.070(3), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

10. Records of Operation: The owner or operator shall make and maintain a daily record of operation of each emissions unit showing the date, fuel(s) used, whether flue gas was directed to the FGD system, and the duration of all startups, shutdowns and malfunctions. Records of fuel bunkering and petcoke usage (weight percent of petcoke fired) shall also be made on at least a daily basis. Data that verifies compliance with the percentage limitation on petcoke usage shall be submitted with the annual operating report. [Rule 62-4.070(3), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

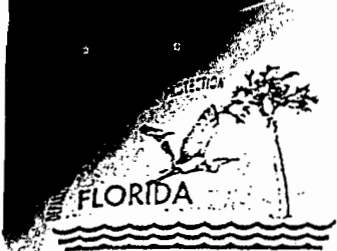
11. Records of Petcoke Sulfur Content: The owner or operator shall maintain records of petcoke sampling and analysis results performed as required by specific condition 8 of this section. [Rule 62-4.070(3), F.A.C.]

[See the note for condition 8 of this section.]

12. Quarterly Reporting Requirements: The owner or operator shall submit to the Department a written report of emissions in excess of emission limiting standards of this permit for each calendar quarter. The nature and cause of the excessive emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file for a period of five years. Copies of all submittals shall be submitted to the Air Management Division, Hillsborough County Environmental Protection Commission. [Rules 62-4.070(3) and 62-296.405(1)(g), F.A.C.]

[Note: Five year record keeping is required for Title V sources.]

Department of
Environmental Protection



Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 30, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Patrick Ho, P.E.
Manager of Environmental Planning
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

Dear Mr. Ho:

Re: Firing of Coal/Petcoke Blend in Big Bend Unit 3
Amendment of Permit AO29-179911
AIRS I.D. No. 0570039-001-AC

The Department hereby amends the subject Air Operation Permit allowing the firing of a blend of coal and petroleum coke. The existing Air Operation Permit, previously amended on May 12, 1995, is amended as follows:

DESCRIPTION

Change From:

For the operation of a 4115 MMBTU/hr coal fired steam generator designated as Unit No. 3 at the Big Bend Station. This "wet" bottom boiler was manufactured by Riley-Stoker and is an opposed-fired turbo boiler. The generator has a nameplate capacity of 445.5 MW. 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. Diversion of the flue gas stream will allow the emissions from this unit to be vented to the Unit 4 FGD system for emission reduction.

Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator manufactured by Research-Cottrell, Inc. Sulfur dioxide emissions will be controlled by diverting the flue gas emissions to the Unit No. 4 FGD system. Sulfur dioxide emissions that are generated and not diverted through the Unit No. 4 FGD system are uncontrolled.

Change To:

For the operation of a 4115 MMBTU/hr steam generator designated as Unit No. 3 at the Big Bend Station. This "wet" bottom boiler was manufactured by Riley-Stoker and is an opposed-fired turbo boiler. 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. Diversion of the flue gas stream will allow the emissions from this unit to be vented to the Unit 4 FGD system for emission reduction.

Particulate matter emissions generated during the operation of the unit are controlled by a dry electrostatic precipitator manufactured by Research-Cottrell, Inc. Sulfur dioxide emissions will be controlled by diverting the flue gas emissions to the Unit No. 4 FGD system. Sulfur dioxide emissions that are generated and not diverted through the Unit No. 4 FGD system are uncontrolled.

New Specific Condition 21:

Fuels fired in Unit No. 3 shall consist of 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). [Rule 62-4.070(3), F.A.C.]

New Specific Condition 22:

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 Environmental Protection Commission of Hillsborough County (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.]

New Specific Condition 23:

At all times while firing any blend of coal and petroleum coke, Unit No. 3 shall operate only in the integrated mode as described in Specific Condition No. 4 except during startups, shutdowns and/or malfunctions during all of which best operational practices shall be

Mr. Patrick Ho, P.E.
September 30, 1996
Page Three

employed including the cessation of petroleum coke bunkering. The permittee 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 copy of this amendment letter shall be attached to and shall become a part of Air Operation Permit A029-179911.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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Howard L. Rhodes, Director
Division of Air Resources
Management

PERMITTEE

Tampa Electric Company
Big Bend Station
PO Box 111
Tampa, Florida 33601-0111

Authorized Representative:

Gregory M. Nelson, P.E.
Manager--Environmental Planning

Permit No.	0570039-003-AC and 0570039-004-AC
Project	FGD System--Units 1 and 2
SIC Code:	4911
Expires:	August 25, 2000

PROJECT AND LOCATION

This permit authorizes Tampa Electric Company to construct a flue gas desulfurization (FGD) system to serve existing units 1 and 2, and allows the use of petcoke in a mixture with coal up to 20.0% petcoke/80.0% coal (by weight) in existing units 1 and 2 under the conditions of this permit.

This facility is located at Big Bend Station, 6944 US Highway 41 North, Apollo Beach, Hillsborough County. UTM coordinates are: Zone 17; 361.90 km E and 3075.00 km N.

STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to perform the construction in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

APPENDICES

The attached appendices are a part of this permit:

Appendix A NSPS General Provisions
Appendix GC General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

This facility consists of an electric power generating plant with four fossil fired steam generating units, units 1, 2, 3 and 4.

PROJECT DETAILS

This permitting action is to construct an FGD system and the related appurtenances including booster fans and a new 490 foot stack to serve existing units 1 and 2 , and to allow the use of petcoke in a mixture with coal up to 20% petcoke/80% coal (by weight) in existing units 1 and 2. The permit requires that whenever either unit is fired with petcoke in any amount up to the allowable ratio, its flue gases be directed to the FGD system. This permit allows the applicant to bypass the system otherwise at its option. (Existing emission controls include an electrostatic precipitator (ESP) for each unit, with flue gas from each ESP ducted into a common stack. The FGD system will receive flue gas from each ESP, with scrubbed flue gas discharged into a new common stack.) Included in this permitting action is the construction of new emission units associated with limestone handling. Emissions units addressed by this permit are:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Fossil fuel fired steam boiler generating unit rated at 4037 mmBtu/hr (mo. avg. basis), with an electrical generating capacity of 445 MW
002	Fossil fuel fired steam boiler generating unit rated at 3996 mmBtu/hr (mo. avg. basis), with an electrical generating capacity of 445 MW
003	Fossil fuel fired steam boiler generating unit rated at 4115 mmBtu/hr (mo. avg. basis), with an electrical generating capacity of 445 MW
020	Drops from limestone handling conveyors LE, LF and LG and silo C belt feeder, with baghouse
021	Silo C with one baghouse
022	Lime silo with one baghouse for the waste water treatment plant for the chloride bleed stream

This permit authorizes construction of new components of the limestone handling system to provide limestone for the proposed FGD system. New components are silo C and its related rotary unloader, belt feeder and wet ball mill, and reversible belt conveyors LF and LG. Conveyors LF and LG will replace an existing bifurcated chute which feeds from conveyor LE to silos A and B. Particulate emissions from drops from limestone handling conveyors LE, LF and LG and the silo C belt feeder are controlled by a baghouse: American Air Filter Fabripulse - Model B, size 12-72-1155. Particulate emissions from displaced air in silo C will be controlled by a baghouse: American Air Filter Fabripak, size 6-16-132. The new wet ball mill is a wet process with no expected particulate emissions.

This permit authorizes construction of a lime silo with one baghouse (Griffin Environmental 36-LS Filter Vent) to serve a new waste water treatment plant for the chloride bleed stream. This plant will serve the new and existing FGD systems. Particulate emissions from displaced air from periodically filling the lime silo will be controlled with the related baghouse.

SECTION I. FACILITY INFORMATION

This permit also authorizes construction of the new equipment associated with gypsum handling (dewatering). The new gypsum handling facilities are not subject to a unit-specific regulatory requirement (they are subject to the facility-wide specific conditions of this permit). The project includes new hydroclones for thickening the gypsum slurry from the FGD system, the replacement of two existing vacuum drum filters with two new ones, each with a capacity to dewater the gypsum product of units 1 through 4, and a new return slurry tank. This equipment is not expected to be a source of particulate emissions because these processes handle wet gypsum crystals. The existing gypsum handling equipment will also handle the additional dewatered gypsum from this FGD system with no changes.

This project will require imposition of emission limitations for SO₂ for unit 3 under certain operating scenarios.

REGULATORY CLASSIFICATION

This facility is classified as a Major or Title V Source of air pollution because emissions of at least one regulated air pollutant, such as particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), nitrogen oxides (NOx), carbon monoxide (CO), or volatile organic compounds (VOC) exceeds 100 tons per year (TPY).

This facility is within an industry included in the list of the 28 Major Facility Categories per Table 62-212.400-1, F.A.C. Because emissions are greater than 100 TPY for at least one criteria pollutant, the facility is also a Major Facility with respect to Rule 62-212.400, Prevention of Significant Deterioration (PSD).

This project is exempt from the requirements of Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD) as discussed in the Technical Evaluation and Preliminary Determination dated January 26, 1999.

This facility is a major source of hazardous air pollutants (HAPs) (based on the initial Title V permit application received June 14, 1996) and is also subject to the provisions of Title IV, Acid Rain, Clean Air Act as amended in 1990.

Emissions units 001 and 002 are subject to the requirements of the state rules as indicated in this permit. The new limestone handling emissions units (020 and 021) are subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants (40 CFR 60.670 - 60.676) and 40 CFR 60 Subpart A (effective July 1, 1998); and are subject to the requirements of the state rules as indicated in this permit.

PERMIT SCHEDULE

- July 6, 1998 Received application for construction/operation permit
- Nov. 11, 1998 Received final response to request for additional information
- Nov. 11, 1998 Permit application deemed complete
- Jan. 15, 1999 Received information from applicant regarding limestone handling controls.
- Jan. 25, 1999 Distributed Notice of Intent to Issue permit
- Jan. 27, 1999 Notice of Intent published in The Tampa Tribune

SECTION I. FACILITY INFORMATION

RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

- Application received at the Bureau of Air Regulation on July 6, 1998
- Department's Technical Evaluation and Preliminary Determination dated January 26, 1999
- Department's Intent to Issue and public notice information dated January 25, 1999
- Department's letters dated August 5, 1998 requesting additional information
- Applicant's letters received August 11, 1998 and August 21, 1998 (via fax)
- Applicant's aerial photograph of modeling receptor locations received August 19, 1998
- Applicant's revised application received November 11, 1998
- E-mail from James Hunter of TEC with revised information about control equipment for new limestone handling equipment received January 15, 1999
- Information about the lime silo baghouse provided by TEC via fax on February 24, 1999.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

The following specific conditions apply to all emissions units at this facility addressed by this permit.

ADMINISTRATIVE

1. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection at Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, phone number 850/488-0114. All documents related to reports, tests, minor modifications and notifications shall be submitted to the Department's Southwest District office at 3804 Coconut Palm Drive, Tampa, Florida 33619-8218, and phone number 813/744-6100. Copies of all submittals shall be submitted to Air Management Division, Hillsborough County Environmental Protection Commission, 1410 North 21 Street, Tampa, Florida 33605, and phone number 813/272-5530.
2. General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. New or Additional Conditions: Pursuant to Rule 62-4.080, F.A.C., for good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Expiration: This air construction permit shall expire on August 25, 2000. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit. [Rules 62-210.300(1), 62-4.070(4), 62-4.080, and 62-4.210, F.A.C.]
7. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit must be obtained prior to the beginning of construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

8. Title V Operation Permit Required: This permit authorizes construction and/or installation of the permitted emissions unit and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions unit. The owner or operator shall apply for and receive a Title V operation permit prior to expiration of this permit. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Department's Bureau of Air Regulation, and a copy sent to the Department's Southwest District office and the Hillsborough County Environmental Protection Commission. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

EMISSION LIMITING STANDARDS

9. 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% opacity). The test method 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)1, F.A.C.]
10. Unconfined Emissions of Particulate Matter: [Rule 62-296.320(4)(c), F.A.C.]
- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions include the following:
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - Confining abrasive blasting where possible.
 - Enclosure or covering of conveyor systems.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- (d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

11. General Pollutant Emission Limiting Standards: [Rule 62-296.320(1)(a)&(2), F.A.C.]

- (a) No person shall not 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.
- (b) No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Note: An objectionable odor is defined in Rule 62-210.200(198), F.A.C., as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.]

OPERATIONAL REQUIREMENTS

12. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department's district office and, if applicable, appropriate local program. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. [Rule 62-4.130, F.A.C.]

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

14. Excess Emissions: The following excess emissions provisions can not be used to vary any NSPS requirements (from any subpart of 40 CFR 60).

- (a) Excess emissions resulting from start-up, shutdown or malfunction of any emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]
- (b) 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 start-up, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

15. 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

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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 two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

16. Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. 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 62-297.310(2), F.A.C.]
17. 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.]
18. Test Procedures shall meet all applicable requirements of Rule 62-297.310(4), F.A.C. [Rule 62-297.310(4), F.A.C.]
19. Determination of Process Variables: [Rule 62-297.310(5), F.A.C.]
 - (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.
20. Required Stack Sampling Facilities: Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E. Sampling facilities shall also conform to the requirements of Rule 62-297.310(6), F.A.C. [Rule 62-297.310(6), F.A.C.]
21. Test Notification: The owner or operator shall notify the Department's district office and the Air Management Division, Hillsborough County Environmental Protection Commission, at least 15 days prior to the date on which each formal compliance test is to begin. Notification shall include the

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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. [Rule 62-297.310(7)(a)9., F.A.C.]

[Note: The federal requirements of 40 CFR 60.8 require 30 days notice of the initial test and any tests required under section 114 of the Clean Air Act, but the Department rules require 15 days notice for the annual compliance tests. Unless otherwise advised by the district office or, if applicable, appropriate local program, provide 15 days notice prior to conducting annual tests, after the initial test has been completed.]

22. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

23. Duration of Record Keeping: Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rules 62-4.160(14)(a)&(b) and 62-213.440(1)(b)2.b., F.A.C.]
24. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow 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 applicable information listed in Rule 62-297.310(8)(c), F.A.C. Copies of all submittals shall be submitted to the Air Management Division, Hillsborough County Environmental Protection Commission. [Rule 62-297.310(8), F.A.C.]
25. Excess Emissions Report: If excess emissions occur, the owner or operator shall notify the Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Pursuant to the New Source Performance Standards, excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A. [Rule 62-4.130, F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

26. Excess Emissions Report - Malfunctions: In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department and the Air Management Division, Hillsborough County Environmental Protection Commission in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department. [Rule 62-210.700(6), F.A.C.]
27. Annual Operating Report for Air Pollutant Emitting Facility: The Annual Operating Report for Air Pollutant Emitting Facility shall be completed each year and shall be submitted to the Department's Southwest District office and the Air Management Division, Hillsborough County Environmental Protection Commission by March 1 of the following year. [Rule 62-210.370(3), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Fossil fuel fired steam boiler generating unit 1
002	Fossil fuel fired steam boiler generating unit 2
003	Fossil fuel fired steam boiler generating unit 3

[Note: These emissions units are subject to the requirements of the state rules as indicated in this permit. Emissions unit 003 is specifically subject only to the requirements of Section II and specific conditions 5, 6 and 7 of Section III of this permit.]

OPERATIONAL REQUIREMENTS

- Hours of Operation:** These emissions units may operate continuously, i.e., 8,760 hours/year. [Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE)]
- Fuel:** This permit authorizes the use of petroleum coke (petcoke) in a mixture with coal up to 20.0% petcoke (by weight). [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions-potential to emit (PTE), and applicant request]
- FGD Operation Required for Petcoke:** Whenever each emissions unit is fired with petcoke in any amount up to the allowable percentage, its flue gases shall be directed to the FGD system. [Rule 62-4.070(3), F.A.C., and applicant request]

[Note: The owner or operator may operate each emissions unit without directing its emissions to the FGD system whenever petcoke is not being fired in the emissions unit.]

[Note: The excess emissions provisions of section II, condition 14 of this permit are also applicable to the FGD system operation.]

- Limit on Petcoke Bunkering:** The owner or operator at any given time shall not bunker more than the amount of petcoke that may be fired in each emissions unit in one day. [Rule 62-4.070(3), F.A.C., and applicant request]

[Note: This condition is intended to limit possible excess emissions in the event of an unexpected breakdown of the FGD system that requires its shutdown while either emissions unit is firing petcoke.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

- Emission Limitations, SO₂:** Emissions of sulfur dioxide from these emissions units are limited as shown in the following tables.

[Tables begin on the following page]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

Operating Scenario	Operating Mode, Emission Limits			Emission Limit Units	Averaging Period ^a
	Unit 1	Unit 2	Unit 3		
1	Scrubbed, 3310	Scrubbed, 3277	Unscrubbed, 14814	lb/hour	24 hours
2	Scrubbed, 3310	Unscrubbed, 9590	Unscrubbed, 9876	lb/hour	24 hours
3	Scrubbed, 3310	Scrubbed, 3277	Scrubbed, 3374	lb/hour	24 hours
4	Scrubbed, 3310	Unscrubbed, 11588	Scrubbed, 3374	lb/hour	24 hours
5	Unscrubbed, 11707	Scrubbed, 3277	Scrubbed, 3374	lb/hour	24 hours
6	Unscrubbed, 9689	Scrubbed, 3277	Unscrubbed, 9876	lb/hour	24 hours

Emission Limitations for Unit 1

Emission Limit	Units	Averaging Period
6.5 ^b	lb/mmBtu	2 hours

Emission Limitations for Unit 2

Emission Limit	Units	Averaging Period
6.5 ^b	lb/mmBtu	2 hours

Emission Limitations for Units 1, 2 and 3

Emission Limit	Units	Averaging Period
25 ^{b c}	tons/hour	24 hours
31.5 ^{b c}	tons/hour	3 hours

Notes for tables:

Emission limits are as proposed by the applicant in its application or modeling data except where noted. The "base case" operating scenario (units 1, 2 and 3 all operating in the unscrubbed mode) is not specifically addressed by this permit.

"Scrubbed" refers to operation while directing flue gas to the FGD system. "Unscrubbed" refers to operation while not directing flue gas to the FGD system.

a The 24-hour averaging period for these limits shall be calculated on a calendar day basis.

b Emission limit from Rule 62-296.405(1)(c)2.b., F.A.C.

c Total emissions from units 1, 2 & 3

[Rules 62-296.405(1)(c)2.b. and 62-4.070(3), F.A.C.]

[Note: These emissions limits are formulated to protect the 24-hour AAQS for sulfur dioxide.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

6. Continuous Emission Monitoring Systems: The owner or operator shall install, calibrate, maintain, and operate a continuous emission monitoring (CEM) system in the FGD system stack to measure and record the sulfur dioxide emissions from these emissions units, in a manner sufficient to demonstrate compliance with the emission limits of this permit. Compliance with the emission limits of this permit shall be based on 2-hour or 3-hour averages or 24-hour calendar day averages calculated by the CEM system expressed in units of pounds per million Btu heat input, pounds per hour or tons per hour, as applicable. [Rules 62-4.070(3) and 62-296.405(1)(f)1.b., F.A.C., and applicant request]

[Note: The averaging period for the 24 hour 25 tons/hour emission limit of Rule 62-296.405(1)(c)2.b., F.A.C., is not specified by rule, but is assumed in this permit to also be on a calendar day basis.]

7. CEM System Requirements: The CEM system shall be certified pursuant to 40 CFR Part 75 and shall be operated and maintained in accordance with the applicable requirements of 40 CFR Part 75, Subparts B and C. Missing data shall be substituted in a manner pursuant to 40 CFR Part 75, Subpart D. Record keeping and reporting shall be conducted pursuant to 40 CFR Part 75, Subparts F and G. Excess emissions pursuant to 40 CFR 60.334 shall be determined using the Part 75 CEM system. [Rules 62-4.070(3) and 62-296.405(1)(f), F.A.C.]

[Note: Compliance with these requirements will assure compliance with the requirements of Rule 62-296.405(1)(f), F.A.C.]

8. Petcoke Sulfur Content: The owner or operator shall measure the sulfur content of representative samples of all petcoke received using appropriate ASTM methods to demonstrate compliance with the sulfur content limit of this permit. [Rule 62-4.070(3), F.A.C.]

[Note: The sulfur content of petcoke is not limited by this permit. This condition and condition 11 of this section require records of petcoke sulfur content to ensure that the applicant has sufficient information available to alter the ratio of petcoke to coal, if necessary to ensure compliance with the emission limit for sulfur dioxide from the FGD system, when it fires petcoke with a higher than average sulfur content.]

9. Monitor Petcoke Usage: The owner or operator shall operate and maintain equipment to record and calculate the weight percentage of petcoke and coal bunkered and fired in each emissions unit, to verify compliance with the bunkering limit and the percentage limitation on petcoke usage of this permit. [Rule 62-4.070(3), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

10. Records of Operation: The owner or operator shall make and maintain a daily record of operation of each emissions unit showing the date, fuel(s) used, whether flue gas was directed to the FGD system, and the duration of all startups, shutdowns and malfunctions. Records of fuel bunkering and petcoke usage (weight percent of petcoke fired) shall also be made on at least a daily basis. Data that verifies compliance with the percentage limitation on petcoke usage shall be submitted with the annual operating report. [Rule 62-4.070(3), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

11. Records of Petcoke Sulfur Content: The owner or operator shall maintain records of petcoke sampling and analysis results performed as required by specific condition 8 of this section. [Rule 62-4.070(3), F.A.C.]

[See the note for condition 8 of this section.]

12. Quarterly Reporting Requirements: The owner or operator shall submit to the Department a written report of emissions in excess of emission limiting standards of this permit for each calendar quarter. The nature and cause of the excessive emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file for a period of five years. Copies of all submittals shall be submitted to the Air Management Division, Hillsborough County Environmental Protection Commission. [Rules 62-4.070(3) and 62-296.405(1)(g), F.A.C.]

[Note: Five year record keeping is required for Title V sources.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
020	Drops from limestone handling conveyors LE, LF and LG and silo C belt feeder with baghouse
021	Silo C with one baghouse

[Note: These emissions units are subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants (40 CFR 60.670 - 60.676) and 40 CFR 60 Subpart A (effective July 1, 1998); Rule 1-3.61, Rules of the Environmental Protection Commission (EPC) of Hillsborough County; Rule 62-296.700, F.A.C.; and are subject to the requirements of the state rules as indicated in this permit. The visible emission limit of specific condition 16 is more stringent than the limitations of 40 CFR 60.672(a)(2) and 60.672(f), and compliance with this limit will assure compliance with those requirements.]

OPERATIONAL REQUIREMENTS

13. Hours of Operation: These emissions units may operate continuously, i.e., 8,760 hours/year. [Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE)]
14. Enclosure of Equipment: All conveyors and conveyor transfer points shall be enclosed and exhaust from this equipment shall be directed to a baghouse to minimize particulate matter emissions. [62-4.070(3),F.A.C.]
15. Operating Procedures: Enclosures and baghouses for these emissions units shall be properly operated and maintained at all times in a condition to minimize particulate emissions. The owner and operator shall ensure that all facility staff responsible for these emissions units are trained in their operation and maintenance in accordance with the guidelines and procedures as established by the equipment manufacturers. [Rule 62-4.070(3), F.A.C.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

16. Particulate and Visible Emissions: No owner or operator shall cause or allow visible emissions from the baghouses controlling these emissions units in excess of 0.03 gr/dscf and 5% opacity. [Rules 62-4.070(3) and Rule 62-296.711(2)(b), F.A.C., Rule 1-3.61, Rules of the EPC, and request of applicant (VE limit)]

[Note: The visible emission limit of this condition is more stringent than the limitations of 40 CFR 60.672(a)(2) and 60.672(f), and compliance with this limit will assure compliance with those requirements.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

17. Visible Emissions Tests: Compliance with the visible emission limits of this permit shall be demonstrated by an annual compliance test using EPA Method 9. The duration of initial tests shall be three hours and the duration of subsequent annual tests shall be thirty minutes. [Rules 62-4.070(3) and 62-297.310(4)(a)2., F.A.C., and 40 CFR 60.11(b)]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

[Note: The three hour duration of initial tests complies with the requirements of the NSPS and the thirty minute duration of subsequent tests complies with state rules.]

18. Visible Emissions Tests in Lieu of Stack Tests, Emissions Unit 020: After passing the initial test required by specific condition 21 of this section, the owner or operator is permitted to comply with the visible emission limit of specific condition 16 and the testing requirement of specific condition 17 of this section in lieu of regularly demonstrating compliance with the limitations of 40 CFR 60.672(a)(1) and (2) and the particulate matter limitation of specific condition 16 of this section. If the Department has reason to believe that the particulate weight emission limit of 40 CFR 60.672(a)(1) or the particulate matter limitation of specific condition 16 of this section is not being met, it shall require compliance be demonstrated by the test method specified by 40 CFR 60.675. [Rules 62-4.070(3) and 62-297.620(4), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

19. Records of Maintenance: The owner or operator shall make and maintain records of maintenance on the enclosures and baghouses sufficient to demonstrate compliance with the operating procedures requirements of specific condition 15 of this section. [Rule 62-4.070(3), F.A.C.]

NSPS SUBPART OOO REQUIREMENTS

[Note: The numbering of the original rules in the following conditions has been preserved for ease of reference to the rules. The definitions of terms of this part shall have the meanings as defined in 40 CFR 60.671 Definitions. The term "Administrator" when used in 40 CFR 60 shall mean the Secretary or the Secretary's designee.]

20. Pursuant to 40 CFR 60.672 Standard for Particulate Matter:

[Note: The requirements of 40 CFR 60.672(a)(1) and (2) apply to emissions unit 020, and the requirements of 40 CFR 60.672(f) apply to emissions unit 021.]

- (a) No owner or operator shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:
- (1) Contain particulate matter in excess of 0.05 g/dscm; and
 - (2) Exhibit greater than 7 percent opacity.

[Note: The emission limit of specific condition 16 of this section is more stringent than the limitation of 40 CFR 60.672(a)(2).]

- (f) No owner or operator shall cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.

[Note: The emission limit of specific condition 16 of this section is more stringent than the limitation of 40 CFR 60.672(f). See the note for that condition.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

21. Pursuant to 40 CFR 60.675 Test Methods and Procedures:

- (a) In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of 40 CFR 60 or other methods and procedures as specified in this section, except as provided in 40 CFR 60.8(b).
- (b) The owner or operator shall determine compliance with the particulate matter standards in 40 CFR 60.672(a) as follows:
 - (1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

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

[Note: The owner or operator is required to demonstrate compliance with the particulate matter emission limitation of 40 CFR 60.672(a)(1) by performing and passing an initial particulate matter test in accordance with the requirements of this section, unless such requirement is waived by the US Environmental Protection Agency. No subsequent regular annual particulate matter testing is required. The owner or operator is permitted to comply with the visible emission limit of specific condition 16 of this section in lieu of regularly demonstrating compliance with the limitations of 40 CFR 60.672(a)(1) and (2). See also specific condition 18 of this section.]

- (c) (2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under 40 CFR 60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

[Note: The initial Method 9 test duration for emissions unit 021 is one hour pursuant to 40 CFR 60.675(c)(2), while the initial Method 9 test duration for emissions unit 020 is 3 hours pursuant to 40 CFR 60.11(b). Subsequent annual Method 9 tests shall be conducted for 30 minutes for emissions units 020 and 021.]

- (g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

22. Pursuant to 40 CFR 60.676 Reporting and Recordkeeping:

- (f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.672 of this subpart.
- (h) The subpart A requirement under 40 CFR 60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.
- (1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

AIR CONSTRUCTION PERMIT 0570039-003-AC & 0570039-004-AC

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions unit after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
022	Lime silo with one baghouse for the waste water treatment plant for the chloride bleed stream

[Note: This emissions unit is subject to the requirements of the state rules as indicated in this permit. This emissions unit is subject to Rule 1-3.61, Rules of the Environmental Protection Commission (EPC) of Hillsborough County, but it is exempt from the requirements of Rule 62-296.711, F.A.C., pursuant to Rule 62-296.700(2)(c), F.A.C., because it has an allowable emission rate of less than one ton per year.]

OPERATIONAL REQUIREMENTS

- 23. Hours of Operation: This emissions unit may operate continuously, i.e., 8,760 hours/year. [Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE)]
- 24. Operating Procedures: The baghouse for this emissions unit shall be properly operated and maintained at all times in a condition to minimize particulate emissions. The owner and operator shall ensure that all facility staff responsible for these emissions units are trained in their operation and maintenance in accordance with the guidelines and procedures as established by the equipment manufacturers. [Rule 62-4.070(3), F.A.C.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

- 25. Particulate and Visible Emissions: No owner or operator shall cause or allow visible emissions from the baghouse controlling this emissions unit in excess of 0.03 gr/dscf and 5% opacity. [Rules 62-4.070(3) and 62-296.700(2)(c), F.A.C.]

[Note: The particulate matter limitation will ensure that allowable emissions are less than one ton per year for this emissions unit.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

- 26. Visible Emissions Tests: Compliance with the visible emission limit of this permit shall be demonstrated by an annual compliance test using EPA Method 9. The duration of annual tests shall be thirty minutes. [Rules 62-4.070(3) and 62-297.310(4)(a)2., F.A.C.]
- 27. Visible Emissions Tests in Lieu of Stack Tests: The owner or operator is permitted to comply with the visible emission limit of specific condition 25 and the testing requirement of specific condition 26 of this section in lieu of regularly demonstrating compliance with the particulate matter limitation of specific condition 25 of this section. If the Department has reason to believe that the particulate matter limitation of specific condition 25 of this section is not being met, it shall require compliance be demonstrated by conducting a particulate matter test in accordance with EPA Method 5 specified at 40 CFR 60 Appendix A. [Rules 62-4.070(3) and 62-297.620(4), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS

- 28. Records of Maintenance: The owner or operator shall make and maintain records of maintenance on the baghouse sufficient to demonstrate compliance with the operating procedures requirements of specific condition 24 of this section. [Rule 62-4.070(3), F.A.C.]

Tampa Electric Company, Big Bend Station
Flue Gas Desulfurization System for Units 1 and 2

APPENDIX A. NSPS GENERAL PROVISIONS

[Note: The numbering of the original rules in the following conditions has been preserved for ease of reference to the rules. The term "Administrator" when used in 40 CFR 60 shall mean the Secretary or the Secretary's designee.]

1. Pursuant to 40 CFR 60.1 Applicability:

- (a) Except as provided in 40 CFR 60 subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (CAA) as amended November 15, 1990 (42 U.S.C. 7661).

[40 CFR 60.1]

2. Pursuant to 40 CFR 60.7 Notification And Record Keeping:

- (a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
 - (1) A notification of the date construction (or reconstruction as defined under 40 CFR 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
 - (2) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.
 - (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
 - (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

APPENDIX A. NSPS GENERAL PROVISIONS

- (6) A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
- (b) The owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (f) The owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least three years following the date of such measurements, maintenance, reports, and records.
- (g) If notification substantially similar to that in 40 CFR 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR 60.7(a).
- (h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[40 CFR 60.7]

3. Pursuant to 40 CFR 60.8 Performance Tests:

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
- (c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or

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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.

- (d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present.
- (e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows: (1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures. (2) Safe sampling platform(s). (3) Safe access to sampling platform(s). (4) Utilities for sampling and testing equipment.
- (f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.
[40 CFR 60.8] [See the note for specific condition 21 of Section II of this permit regarding the proper advance notification of compliance tests.]

4. Pursuant to 40 CFR 60.11 Compliance With Standards And Maintenance Requirements:

- (a) Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in 40 CFR 60 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). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard). [See specific condition 17, Section III, above for test duration requirements.]
- (c) 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.

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- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.
- (2) Except as provided in 40 CFR 60.11(e)(3), the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with 40 CFR 60.11(b), shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 40 CFR 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.
- (3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the

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

- (6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by 40 CFR 60.8, the opacity observation results and observer certification required by 40 CFR 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by 40 CFR 60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with 40 CFR 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, the shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.
- (7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.
- (8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.
- (f) Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of paragraphs (a) through (e) of 40 CFR 60.11.
- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in 40 CFR 60, nothing in 40 CFR 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11]

5. Pursuant to 40 CFR 60.12 Circumvention:

No owner or operator subject to the provisions of 40 CFR 60.12 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not

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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]

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6. Pursuant to 40 CFR 60.14 Modification:

- (a) Except as provided under 40 CFR 60.14(e) and 40 CFR 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.
- (b) Emission rate shall be expressed as kg/hr (lbs./hour) of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:
 - (1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors", EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrate that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.
 - (2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in 40 CFR 60.14(b)(1) does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in 40 CFR 60.14(b)(1). When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in 40 CFR 60 appendix C of 40 CFR 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.
- (c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.
- (d) [Reserved]
- (e) The following shall not, by themselves, be considered modifications under this part:
 - (1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of 40 CFR 60.14(c) and 40 CFR 60.15.
 - (2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
 - (3) An increase in the hours of operation.

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- (4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by 40 CFR 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.
- (5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.
- (6) The relocation or change in ownership of an existing facility.
- (f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
- (g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in 40 CFR 60.14(a), compliance with all applicable standards must be achieved.
- (h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

[40 CFR 60.14]

7. Pursuant to 40 CFR 60.15 Reconstruction:

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
- (b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:
 - (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and
 - (2) It is technologically and economically feasible to meet the applicable standards set forth in this part.
- (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.
- (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

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- (1) Name and address of the owner or operator.
- (2) The location of the existing facility.
- (3) A brief description of the existing facility and the components which are to be replaced.
- (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
- (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.
- (6) The estimated life of the existing facility after the replacements.
- (7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
- (e) The Administrator will determine, within 30 days of the receipt of the notice required by 40 CFR 60.15(d) and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.
- (f) The Administrator's determination under 40 CFR 60.15(e) shall be based on:
 - (1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;
 - (2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;
 - (3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and
 - (4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.
- (g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.
[40 CFR 60.15]

8. Pursuant to 40 CFR 60.17 Incorporations by Reference:

[Note: The remainder of this section has not been reproduced in this permit for brevity. See 40 CFR 60.17 for materials incorporated by reference.]

9. Pursuant to 40 CFR 60.19 General notification and reporting requirements:

- (a) For the purposes of 40 CFR 60, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) For the purposes of 40 CFR 60, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification

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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 delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

- (c) Notwithstanding time periods or postmark deadlines specified in 40 CFR 60 for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under 40 CFR 60 to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under 40 CFR 60, the owner or operator may change the dates by which periodic reports under 40 CFR 60 shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in 40 CFR 60. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f)(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of 40 CFR 60.
- (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in 40 CFR 60.
- (2) Notwithstanding time periods or postmark deadlines specified in 40 CFR 60 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.

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- (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.
[40 CFR 60.19]

When Applied? 3 mos ago

Where is it at? intent in a couple weeks

Public Hearings? unexplained

700 TPD
200 raw
500 herbicidal
enclosed conveyors

8/20



DAVID JONES

MCGRAW HILL
WASH DC

202.383.2193

1200 G ST. N.W.

SUITE 1100

Wash DC

20005-3802

EXPLAINED PROJECT

SOOT FALLOUT - STORE IN ENCLOSED FACILITY

700 TPD

Need public notice - petition filing?

DTV's good ST/CR residential

Joe Palenik

Clean Air Compliance Review

* Re Anne Miller Referral Ltr *

302 * 335 * 1880

Delaware