

Florida Department of Environmental Protection
Office of General Counsel

Memo

To: Trina Vielhauer, Jonathan Holtom, and OGC File

From: Ronni Moore, Assistant General Counsel

Date: December 3, 2009 *(RM)*

Re: Tampa Electric Company vs. DEP; DEP Permit No. 0570039-039-AV; OGC No. 09-3796

On October 16, 2009, the Department issued its notice of intent to issue a renewal Title V air operation permit, permit no. 0570039-039-AV, to the Tampa Electric Company (TECO) for its Big Bend Generating Station, located in Hillsborough County, Florida. TECO requested and was granted an extension of time to file a petition for hearing on the intended permit through November 30, 2009.

TECO neither requested a further extension of time nor filed a petition by close of business on November 30th. There being no further matters to consider, the Department's file in this matter is closed.

Sheplak, Scott

From: Moore, Ronni
Sent: Friday, December 04, 2009 9:38 AM
To: Sheplak, Scott
Subject: FW: Tampa Electric Company OGC #: 09-3796
Attachments: TECO MEMO CLOSING FILE 12-03-09.pdf

Ronda L. Moore
Assistant General Counsel

 Please consider the environment before printing this email.

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Phipps, Jessica R.
Sent: Thursday, December 03, 2009 10:14 AM
To: Vielhauer, Trina; Holtom, Jonathan
Cc: Gibson, Victoria; Moore, Ronni
Subject: Tampa Electric Company OGC #: 09-3796

Please find attached the Memo closing file regarding Tampa Electric Company.

Please let me know if you have difficulties opening the attachment.

Thank you,

Jessica Phipps
Department of Environmental Protection
Administrative Assistant
850-245-2243

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

Sheplak, Scott

- file -

From: Vielhauer, Trina
Sent: Wednesday, November 18, 2009 8:19 AM
To: Sheplak, Scott; Holtom, Jonathan
Cc: Koerner, Jeff; Holladay, Cleve
Subject: FW: Sierra Club's Comments on Intent to Renew Title V Permit for the Big Bend Station Permit No. 0570039-039-AV

Attachments: Comments on Draft Big Bend Title V Renewal.pdf

Jeff and Cleve,

Disregard this earlier email. I thought this was on Seminole but it is Big Bend.

From: Kristin Henry [mailto:Kristin.Henry@sierraclub.org]
Sent: Tuesday, November 17, 2009 11:10 PM
To: Vielhauer, Trina
Subject: Sierra Club's Comments on Intent to Renew Title V Permit for the Big Bend Station Permit No. 0570039-039-AV

Dear Trina,

Please accept the attached comments on behalf of Sierra Club regarding the Intent to Renew Title V Permit for the Big Bend Station Permit No. 0570039-039-AV.

If you have any questions regarding this submittal, please feel free to contact me.

Kristin Henry
Staff Attorney
Sierra Club
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San Francisco, CA 94105-3441
415.977.5716 phone
415.977.5793 fax
kristin.henry@sierraclub.org

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11/18/2009



November 17, 2009

Via Electronic Mail: trina.vielhauer@dep.state.fl.us

Trina Vielhauer
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road, MS #5505,
Tallahassee, FL 32399-2400

RE: Comments on Intent to Renew Title V Permit for the Big Bend Station
Permit No. 0570039-039-AV

Dear Ms. Vielhauer,

The Sierra Club respectfully submits the following comments on the draft Title V Operation Permit Renewal for the Big Bend Station ("Big Bend"), Permit No. 0570039-039-AV. For the reasons discussed below, the Florida Department of Environmental Protection ("FDEP") should revise certain terms and conditions before issuing the final Title V Permit Renewal for Big Bend.

I. The Permit Must Establish Compliance Demonstration Requirements that Ensure Continuous Compliance With Emission Limits.

The draft permit fails to include sufficient monitoring. *See* 40 C.F.R. § 70.6(a)(3)(i)(B). The permit must establish a method to ensure continuous compliance with all permit limits. At a minimum, a permit must include monitoring "sufficient to assure compliance with the terms and conditions of

the permit.” 42 U.S.C. § 7661c(c); 40 C.F.R. § 70.6(c)(1); F.A.C. 62-297.100; *Sierra Club v. EPA*, 536 F.3d 673, 675 (D.C. Cir. 2008) (“[w]here the applicable requirement does not require periodic testing,’ subsection 70.6(a)(3)(B) obliges the permitting authority to add to the permit ‘periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit.’”); Order Denying in Part and Granting in Part Petition for Objection to Permit, *In re Fort James Camas Mill*, Petition No. X-1999-1 (Dec. 22, 2000); Order Partially Granting and Partially Denying Petition for Objection to Permits, *In re PacifiCorp’s Jim Bridger and Naughton Electric Utility Steam Generating Plants*, Petition No. VIII-00-1 (Nov. 16, 2000).

Here, the “applicable requirement” for particulate matter from the boilers is an instantaneous emission limit of 0.03 pounds of particulate matter per million Btu heat input for units 1, 2, and 3 and 0.01 pounds of particulate matter per million Btu heat input for units 4. In addition, the permit establishes an annual emissions cap of 2,767 tons/year of particulate matter for the entire facility and the following emission limits for each unit:

Unit No.	Pounds/hour	Tons/year
1	121.1	530
2	119.9	525
3	123.5	541
4	43.3	189.7

In addition, the “applicable requirement” for opacity from boilers 1, 2, 3, and 4 (referred to as a “visible emission limit” in the draft permit) is 20%, except

for one six-minute period per hour during which opacity shall not exceed 27%.
Permit Condition III.A.11, III.B.14.

The permit, however, does not contain sufficient monitoring to assure that the Big Bend boilers are meeting the particulate matter limits each minute, hour, and day of operation. Rather, the monitoring in the Draft Permit for particulate matter proposes: (1) an annual stack test using EPA Method 17, 5, 5B or 5F, Permit III.A.42 & 48, III.B.42 & 48; Table 2; and (2) a requirement that the plant follow the Compliance Assurance Monitoring (“CAM”) Plan, Permit Condition III.A.33 and III.B.30. Although the owner or operator must comply with the CAM Plan, the CAM Plan does not require any monitoring of electrostatic precipitators (“ESP”) parameters and, if the owner or operator fails to adhere to the CAM Plan, it “does not necessarily indicate an exceedance of a specific emissions limitation.” Appendix CAM; Permit Condition III.A.33 and III.B.30. This is insufficient monitoring.

The permit is similarly deficient for opacity monitoring because it fails to ensure that the Big Bend boilers are meeting the opacity limits each minute, hour and day of operation. Rather, the monitoring in the draft permit for opacity is an annual 60-minute stack test using EPA Method 9. Permit Condition III.A.42, 46, & 47, III.B.42 & 47; see also FAC 62-296.405. The permit establishes compliance pursuant to this annual stack test despite the fact that each unit is equipped with continuous opacity monitors (“COMS”).

U.S. EPA has recently described the monitoring requirements under

Title V of the Clean Air Act, and the current state of the law, as follows:

In August 2008, the United States Court of Appeals for the District of Columbia Circuit emphasized that section 504(c) of the Act requires all title V permits to contain monitoring requirements to assure compliance with permit terms and conditions. *Sierra Club v. EPA*, 536 F.3d 673 (D.C. Cir. 2008); *see also* 40 C.F.R. §§ 70.6(a)(3)(i)(B) and 70.6(c)(1). This decision overturned EPA's interpretative rule, signed December 15, 2006, which had taken the position that permitting authorities were prohibited from adding monitoring requirements to title V permits where the applicable requirements contained some periodic monitoring, even if that periodic monitoring was not sufficient to assure compliance with permit terms and conditions. 71 Fed. Reg. 75422 (Dec. 15, 2006). The Court held that EPA's interpretative rule violated the statutory directive in section 504(c) of the Act that each permit must include monitoring requirements to assure compliance with the permit terms and conditions. *Sierra Club*, 536 F.3d at 678. If an applicable requirement contains a periodic monitoring requirement that is inadequate to assure compliance with a term or condition of the title V permit, the Court concluded, title V of the Act requires that "somebody must fix these inadequate monitoring requirements." *Id.* at 678. The Court overturned EPA's interpretative rule, but found that EPA's current regulation at 40 C.F.R. § 70.6(c)(1)—requiring that each permit contain monitoring requirements sufficient to assure compliance with permit terms and conditions—may, and must, be interpreted consistent with the Act. *Id.* at 680.

To summarize, EPA's part 70 monitoring rules (40 C.F.R. §§ 70.6(a)(3)(i)(A) and (B) and 70.6(c)(1)) are designed to satisfy the statutory requirement that "[e]ach permit issued under [title V] shall set forth . . . monitoring . . . requirements to assure compliance with the permit terms and conditions." CAA § 504(c). As a general matter, permitting authorities must take three steps to satisfy the monitoring requirements in EPA's part 70 regulations. First, under 40 C.F.R. § 70.6(a)(3)(i)(A), permitting authorities must ensure that monitoring requirements contained in applicable requirements are properly incorporated into the title V permit. Second, if the applicable requirement contains no periodic monitoring, permitting authorities must add "periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's

compliance with the permit.” 40 C.F.R. § 70.6(a)(3)(i)(B). Third, if there is some periodic monitoring in the applicable requirement, but that monitoring is not sufficient to assure compliance with permit terms and conditions, permitting authorities must supplement monitoring to assure such compliance. 40 C.F.R. § 70.6(c)(1). EPA notes that periodic monitoring that meets the requirements of 40 C.F.R. § 70.6(a)(3)(i)(B) will be sufficient to satisfy the requirements of 40 C.F.R. § 70.6(c)(1) (i.e., will be sufficient to assure compliance with permit terms and conditions). . . .

In all cases, the rationale for the selected monitoring requirements must be clear and documented in the permit record . 40 C.F.R. § 70.7(a)(5).

In re Premcor Refining Group, Inc., Title V Petition No. VI-2007-02, Order at 6-7 (EPA Adm’r May 28, 2009); *see also In the Matter of Midwest Generation, LLC, Waukegan Generation Station*, Order at 19 (September 22, 2005) (*citing* 69 Fed. Reg. at 3,202, 3,204 (Jan. 22, 2004) (“The ‘periodic monitoring rule,’ requires that ‘[w]here the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring), [each title V permit must contain] periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit. . . Such monitoring requirements shall assure use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement.”)); *Appalachian Power Co. v. EPA*, 208 F.3d 1015 (D.C. Cir. 2000); Carraway, Candace, U.S. EPA Office of Air Quality Planning and Standards, How Do I Review Each

Applicable Requirement for Adequate Periodic Monitoring? at p. 2 (June 2000).

Furthermore, where an underlying limit requires some monitoring which does not serve to assure that the facility is in compliance with the underlying limit at all times, the Clean Air Act requires that the permit include additional monitoring. *See Sierra Club v. EPA*, 536 F.3d at 675 (“By its terms, [the monitoring] mandate means that a monitoring requirement insufficient ‘to assure compliance’ with emission limits has no place in a permit unless and until it is supplemented by more rigorous standards.”)

This “monitoring” is deficient for two main reasons. First, FDEP has not explained the basis for the particulate matter and opacity monitoring in the Statement of Basis or elsewhere in the permit or related documents. Second, an adequate monitoring, or “compliance demonstration” provision, must ensure that sufficient data is collected and recorded to demonstrate compliance or non-compliance with the underlying limit. This incorporates both a quantitative element (emission rate) and a temporal element. The temporal element requires the monitoring to correspond to the averaging period for the emission limit.

Here, the applicable limits are the instantaneous particulate matter limits of 0.03 lb/MMBtu for boilers 1, 2, and 3 and 0.01 lb/MMBtu for Unit 4 and the 20% opacity limit, except for one six-minute period per hour during which opacity shall not exceed 27% for boilers 1, 2, 3 and 4. Therefore, FDEP

must require adequate monitoring sufficient to show that each boiler is emitting 0.03 lb/MMBtu (0.01 lb/MMBtu for Unit 4) or less particulate matter and has an opacity limit of 20% (with the 6-minute/hour exception of 27%) at all times. The monitoring in the Draft Permit, which happens once a year, does not do so. *See, e.g., Sierra Club v. EPA*, 536 F.3d at 675 (Court noted that annual testing is unlikely to assure compliance with a daily emission limit—confirming that the frequency of monitoring must bear a direct relationship to the averaging time used to determine compliance).

FDEP must ensure that there is sufficient continuous monitoring to ensure continuous compliance. To achieve this goal, FDEP can do one of two things for particulate matter. First, FDEP could require parametric monitoring scheme that is sufficiently explained and based on a direct connection with the emission rate. *See, e.g., Waukegan, supra*, p. 20; *In Re Port Hudson Operation Georgia Pacific*, Petition No. 6-03-01, at pages 37-40 (May 9, 2003); *In Re Doe Run Company Buick Mill and Mine*, Petition No. VII-1999-001, at pages 24-25 (July 31, 2002). Second, FDEP could use continuous emission monitors (“CEMS”), which Tampa Electric Company installed at all of the units pursuant to the consent decree. Since Big Bend already has CEMS, this second option is the most effective for FDEP.

With regard to CEMS, the U.S. Environmental Protection Agency recently proposed the following facts to a federal district court:

- Continuous emissions monitors (“CEMS”) have long been used for SO₂ and NO_x. Trial Tr., Vol. 5-1040:13-18 (Direct Exam of Richard McRanie) (Feb. 6, 2009).
- A number of coal-fired utilities have installed or are in the process of installing PM CEMS. Trial Tr., Vol. 5-1046:11-15 (Cross Exam of Richard McRanie) (Feb. 6, 2009).
- EPA has approved the use of PM CEMS to determine compliance with PM limits for coal-fired utilities, at the source’s option. Trial Tr., Vol. 5-1047:11-15 (Cross Exam of Richard McRanie) (Feb. 6, 2009). In approving a certification method for PM CEMS, EPA stated that “for rules that establish PM emission limits, we believe that PM CEMS are the appropriate technology for compliance monitoring.” 69 Fed. Reg. 1786, 1791 (Jan. 12, 2004).
- The averaging time is a key component in any emissions limit. Trial Tr., Vol. 5-1043:1-14 (Direct Exam of Richard McRanie) (Feb. 6, 2009). As Cinergy’s expert witness Richard McRanie described: “A longer averaging time enables you to squish the error out of measurement and arrive at the truth.” *Id.*
- Mr. McRanie testified that EPA recommends a 24-hour averaging time. Trial Tr., Vol. 5-1044:22-24 (Direct Exam of Richard McRanie) (Feb. 6, 2009).

- The method 5 stack test currently used to determine compliance at Beckjord units 1 and 2 is based on averaging three hours of data. Trial Tr., Vol. 5-1042:17-25 (Direct Exam of Richard McRanie) (Feb. 6, 2009). Cinergy's expert Richard McRanie testified that a year's worth of PM CEMS data would provide more information about the unit's PM emissions than three hours of stack test data obtained from an annual stack test. Trial Tr., Vol. 5-1046:7-10 (Cross Exam of Richard McRanie) (Feb. 6, 2009).
- Because the stack tests are only performed periodically, there is no certainty as to whether Cinergy is in compliance with its PM limit on the vast majority of days when no test is performed. Trial Tr., Vol. 5-1050:17-1051:4 (Cross Exam of Richard McRanie) (Feb. 6, 2009).

U.S. v. Cinergy Corp., Case No. 1:99-cv-1693-LJM-JMS, Plaintiffs' Proposed Findings of Fact 272-80, Dkt # 1592 (S.D. Ind. March 3, 2009). For the reasons found by EPA in its proposed findings of fact in the *U.S. v. Cinergy* trial, FDEP should require PM CEMS to measure particulate matter compliance. If FDEP does not require CEMS, at a minimum, it should revise the CAM Plan to require parametric monitoring that is sufficiently explained and based on a direct connection with the emission rate.

To ensure that there is sufficient continuous monitoring to ensure continuous compliance with opacity limits, FDEP should require compliance

based on COMS data rather than Method 9. Reliance on Method 9 as the sole method for demonstrating non-compliance with opacity fails to ensure continuous compliance with the underlying permit limit as required by 40 C.F.R. § 70.6(a)(3)(i)(B). Method 9 observations are inherently not representative of continuous compliance because a Method 9 test is done by an individual certified by the state, who has access to the premises, and only during daylight hours. *Sierra Club v. Public Service Comm. of Colorado*, 894 F.Supp. 1455, 1460 (D. Colo. 1995). Moreover, since a source will likely know when a Method 9 test is being conducted, it can take steps to achieve compliance which are not representative of normal operations. *Id.*

An entity which has notice when an observation is to occur will be motivated to meet the compliance standard at that time. But continue compliance, not contrived compliance is the goal here. In this regard the United States General Accounting Office in its Report to the Chairman, Subcommittee on Oversight and Investigations, Committee on Energy and Commerce, House of Representative, stated 'it is fair to assume that compliance data being reported by States do not indicate what is happening at the facility on a day-to-day basis, but rather whether the source has been determined to be in compliance at an announced inspection after it has had an opportunity to optimize the performance of its control equipment. Thus, it indicates whether the source is capable of being in compliance rather than whether it is in compliance in its day-to-day operations.'

Id. at 1459-60; *see also* Credible Evidence Revisions, 62 Fed. Reg. 8,313, 8,315 (Feb. 24, 1997).

COMS results are more accurate than Method 9 and FDEP should require the use of COMS Data instead of Method 9 to determine compliance. FDEP should revise the permit to state that any readout from the COMS

showing a violation of the visible emission limit demonstrates a violation of the opacity emission limit.

In addition, FAC 62-296.405, which states that “[e]missions units governed by this visible emission limit shall test for particulate emission compliance annually,” cannot provide FDEP with a justification for not requiring the use of COMS data for compliance. There is nothing in the Clean Air Act that requires the use of one method of proving violations. *PSC Colorado*, 894 F.Supp. at 1461. U.S. EPA’s Credible Evidence Rule did not change the existing law. Instead, it only clarified what was always true under the Clean Air Act: any evidence can demonstrate noncompliance. 62 Fed. Reg. at 8,316. (“Section 51.212(c) is revised to clarify that the inclusion in a state implementation plan (SIP) of enforceable test methods for SIP emission limits does not preclude enforcement based on other credible evidence or information”), at 8,319 (“Under today’s rule, the legal burdens regarding the establishment of violation or compliance in an enforcement action are not changed.”). The facts in *PSC Colorado* are analogous here: the Colorado SIP provided that compliance with visible emission limit “shall be measured by EPA Method 9.” *PSC Colorado*, 894 F.Supp. at 1459-1460. Nevertheless, the PSC Colorado court held that any evidence – especially continuous opacity monitors – could demonstrate non-compliance. *Id.* at 1459-61; *see also U.S. v. LTV Steel Co., Inc.*, 116 F.Supp.2d 624, 633 (W.D. Penn. 2000). FDEP should

thus modify the permit to require compliance in accordance with Method 9 or COMS data.

Finally, the monitoring for flyash handling and storage, limestone handling and storage, and coal bunkers with roto-clones is insufficient to meet the minimum requirements of 40 C.F.R. § 70.6(a)(3)(B) and 70.6(c). The “monitoring” for these emission points is unconnected to any meaningful assessment of compliance with the underlying limits.

FDEP waived the owner or operator obligation to monitor particulate matter emissions. Instead, the particulate matter compliance demonstration and monitoring requirements for these emission sources purport to rely on compliance demonstration and monitoring requirements for visible emissions (opacity). Permit Conditions III.D.3 & 13; III.F.7, 8, & 18, and III.G.3. There is no basis in the Draft Permit nor from the Statement of Basis to support the apparent conclusion that the monitoring visible emissions with a different compliance test (EPA Method 9 as opposed to EPA Method 5) assures compliance with the applicable particulate matter emission limits. FDEP should modify the permit to require direct monitoring of particulate matter from flyash handling and storage, limestone handling and storage, and coal bunkers with roto-clones to ensure continuous compliance with the applicable emission limits.

II. The Permit cannot issue because Tampa Electric Company did not quantify PM2.5 emissions in its Title V application.

The Permit cannot issue because the applicant failed to submit information for PM2.5 required under Title V. An applicant must include emissions related information for all pollutants “for which the source is major” and “all emissions of regulated air pollutants.” 40 C.F.R. 70.5(c)(3)(i) and (viii); 42 U.S.C. 7661b(c). Big Bend meets both of these requirements for PM2.5. The provision on its face includes particulate matter of less than or equal to 2.5 micrometers in diameter (“PM2.5”), as EPA has promulgated a NAAQS for PM2.5, 40 C.F.R. 50.7, and, therefore, PM2.5 is clearly a “regulated air pollutant.” Furthermore, Big Bend is a major source of PM2.5. Under Title V, a source is major for an air pollutant if it directly emits or has the potential to emit 100 tons per year or more of any “air pollutant.” 40 C.F.R. 70.2 (referencing Section 302 definitions); 42 U.S.C. 7602(j) (defining “major stationary source”). While Tampa Electric Company did not include an estimation of PM2.5 emissions in its application, it is highly likely to include at least 100 tons per year of PM2.5.

Tampa Electric Company may not meet its obligations to provide the required PM2.5 emissions information by submitting only PM10 or total particulate matter information. U.S. EPA also has explicitly rejected reporting PM10 in place of PM2.5 in the Title V context. *See* Clean Air Fine Particle Implementation Rule, 721.Fed. Reg. at 20,659 (rejecting PM10 surrogacy approach and stating that “sources will be required to include their

PM2.5 emissions in their Title V permit applications, in any corrections or supplements to these applications, and in applications submitted upon modification and renewal.”)

Due to Tampa Electric Company’s failure to include the required PM2.5 emissions information in its Title V application, FDEP must not issue the Title V renewal permit until this problem is remedied.

CONCLUSION

FDEP should revise certain terms and conditions in accordance with the above comments before issuing the final Title V Permit Renewal for Big Bend. Sierra Club respectfully requests a copy of FDEP’s response to comments on this draft permit, together with a copy of the final determination thereon. If you have any questions about these comments, please do not hesitate to contact me.

Respectfully submitted,

Kristin Henry
Kristin Henry
85 Second Street, 2nd Floor
San Francisco, CA 94115
(415) 977-5716
(415) 977-5793
kristin.henry@sierraclub.org

Sheplak, Scott*-file-*

From: Ward, Julie M. [jmward@tecoenergy.com]
Sent: Tuesday, July 07, 2009 4:24 PM
To: Sheplak, Scott
Subject: RE: Title V Permit Renewal for Big Bend Station - Emissions Unit Subsections - 1st pre-Draft Unit No. 4

Scott,

Shortly after this email you asked if the CO instrument for Unit 4 was dual range, I thought that it had, but after checking without CEMS coordinator, it is only single range.

Let me know if you need anything else.

Thank you

Julie Ward
 Ext: 34740
 Cell: (813) 476-3237

 Please consider the environmental impact before printing this e-mail

From: Sheplak, Scott [mailto:Scott.Sheplak@dep.state.fl.us]
Sent: Wednesday, July 01, 2009 4:26 PM
To: Ward, Julie M.
Subject: RE: Title V Permit Renewal for Big Bend Station - Emissions Unit Subsections - 1st pre-Draft Unit No. 4

Thanks. Any idea if under the Appendix CEMS an Operation Plan was submitted by TECO for the CO CEMS on Unit 4?

From: Ward, Julie M. [mailto:jmward@tecoenergy.com]
Sent: Wednesday, July 01, 2009 4:11 PM
To: Sheplak, Scott
Subject: RE: Title V Permit Renewal for Big Bend Station - Emissions Unit Subsections - 1st pre-Draft Unit No. 4

Scott,

Please see the file that I attached with my few changes.

I would like to call you sometime early next week to discuss the pre-draft so far. Please let me know when a good time is for you.

Thank you and have a great holiday.

7/8/2009

Sheplak, Scott

From: Sheplak, Scott -file-
Sent: Friday, May 15, 2009 2:41 PM
To: 'Ward, Julie M.'; 'Nguyen, Andrew T.'
Cc: 'Burrows, Byron T.'; 'Ellwein, Joshua D.'; 'Tom Davis'; Holtom, Jonathan
Subject: RE: Title V Permit Renewal for Big Bend Station - Emissions Unit Subsections
Attachments: Guidance Memorandum DARM-PER-44.pdf; Appendix ICE.doc

Tracking:	Recipient	Delivery	Read
	'Ward, Julie M.'		
	'Nguyen, Andrew T.'		
	'Burrows, Byron T.'		
	'Ellwein, Joshua D.'		
	'Tom Davis'		
	Holtom, Jonathan	Delivered: 5/15/2009 2:41 PM	Read: 5/15/2009 4:09 PM

Please ignore my previous e-mail (below) for the time being.

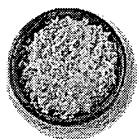
All engines ('new' and 'existing') could be regulated under several recent U.S. EPA federal regulations. Jon Holtom has brought to my attention an approach to the permitting of engines under the Department's new guidance - Guidance Memorandum, DARM-PER-44, dated September 3, 2008 (copy attached). It seems that the permitting of internal combustion engines (ICE) may be simplified by simply referencing the engines within an "Appendix ICE" (copy attached). I will look for an example permit with an Appendix ICE. So far, the ones I found only include 40 CFR 63 Subpart ZZZZ.

Follow up items:

2. In addition to the information on the engines already stated below, I need the year built for each engine also.
3. The application identified the engines being only regulated under 40 CFR 63 Subpart ZZZZ. Please take a look at the applicability of the other engine subparts which may apply if you have not done so already. Please address the following federal regulations:
 - o 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
 - o 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
 - o 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

From: Sheplak, Scott
Sent: Friday, May 15, 2009 1:20 PM
To: 'Ward, Julie M.'; 'Nguyen, Andrew T.'
Cc: 'Burrows, Byron T.'; 'Ellwein, Joshua D.'; 'Tom Davis'; Holtom, Jonathan
Subject: Title V Permit Renewal for Big Bend Station - Emissions Unit Subsections

Step # 3.



Fyi, here is another piece ... incorporation of the new "RICE MACT" - new Subsection P.

I have included with this e-mail one attachment. This attachment includes a new emissions unit subsection to be added into the Title V permit for the emergency generators that are regulated under the new 40 CFR 63 Subpart ZZZZ also known as the "RICE MACT." This new subsection, Subsection P., is in the re-formatted version for an individual emissions unit subsection of a Title V permit. Other individual emissions unit subsections will look somewhat like this one.

Follow up item:

To complete this subsection of the Title V permit, I need the highlighted information in the attachment. Please provide the details highlighted describing the engines so that I can complete this subsection.

If you should have any questions, feel free to call me.

Sincerely,

Scott M. Sheplak
DEP - Title V Section
Mail Station #5505
2600 Blair Stone Road
Tallahassee, FL 32399

Telephone 850/921-9532

APPENDIX ICE
REQUIREMENTS FOR INTERNAL COMBUSTION ENGINES

This Title V facility contains stationary internal combustion engines that have been exempted from the requirement to obtain an air construction permit because they qualify for one of the categorical exemptions listed in Rule 62-210.300(3)(a), Florida Administrative Code (F.A.C.). However, they are included in this permit as regulated emissions units because they are subject to one or more of the following federal rules:

- 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
- 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
- 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The below listed engines are subject to the specified federal rules.

<u>E.U. ID</u> <u>No.</u>	<u>Brief Description of Engine</u>	<u>Year</u> <u>Built</u>	<u>Displacement or</u> <u>Horsepower</u>	<u>Rule</u> <u>Applicability</u>
-xxx				IIII
-xxx				JJJJ
-xxx				ZZZZ
-xxx				IIII & ZZZZ
-xxx				JJJJ & ZZZZ
-xxx				Etc.
-xxx				

The engines listed above are currently demonstrating compliance with the emissions limitations of the applicable federal rule through the retention of a manufacturer's certification statement. So long as that certification is able to be retained, no additional compliance demonstration is required. At such time that the manufacturer's certification is no longer valid (i.e. due to operation or maintenance practices that are inconsistent with the manufacturer's recommendations), the permittee shall begin demonstrating compliance with the standards listed in the applicable federal rule (included in the appendices as an enforceable part of this permit) in a manner that is prescribed by that rule.

Sheplak, Scott*- file -*

From: Ward, Julie M. [jmw@tecoenergy.com]
Sent: Tuesday, September 15, 2009 11:32 AM
To: Sheplak, Scott
Cc: Burrows, Byron T.
Subject: Big Bend Appendix O&M for ESP's
Attachments: BOP Attachment ESP O&M.pdf


Scott,

I have attached a version of the Appendix O&M for the Title V Renewal.

Please let me know if you have any questions.

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Attachment ESP O&M

Tampa Electric's Big Bend Station is staffed with various craft personnel who operate and maintain routine work activities on the ESP's. These practices were developed from both the manufacturer's recommendation and learned from actual operation and industry good engineering practices.

Operating Practices

As indicated the activities below are expected to occur on a daily or weekly basis.

Summary of Operating Practices

Daily Activities

1.	Check TR set power levels once per day.	Daily
2.	Check function of ash removal system.	Daily
3.	Check Hopper Level Indication.	Daily
4.	Verify proper MIGI rapper operating control fault indicator.	Daily
5.	Inspect/service motors	Daily
6.	Inspect feed gates	Daily
7.	Daily ESP controls check	Daily

Maintenance Practices

Maintenance practices include inspection during outages, repair of all malfunctioning equipment and non-routine data gathering and record keeping. Regular inspections form the foundation of this maintenance program.

Summary of Maintenance Practices

Monthly Requirements

1.	Check insulator compartment fans.	Monthly
2.	Change air filters in sir purge systems.	Monthly
3.	Verify operation of rapping system.	Monthly
4.	Inspect/repair ash removal system	Monthly
5.	Inspect, clean & calibrate pressure transducers	Monthly
6.	Service transformer-rectifiers/linear reactors	Monthly