

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT**

In the Matter of an
Application for Permit by:

Tampa Electric Company
6499 U.S. Highway 41 North
Apollo Beach, FL 33572-9200

Air Permit No. 0570039-006-AC
New Inlet Air Foggers for CT-2 and CT-3
TECO Bog Bend Plant
Hillsborough County, Florida

Authorized Representative:

Mr. Gregory M. Nelson, P.E.
Manager – Environmental Planning

Enclosed is Final Permit No. 0570039-006-AC. This permit authorizes the Tampa Electric Company to add inlet air fogging systems to existing combustion turbines CT-2 and CT-3 at the Big Bend Plant. As noted in the Final Determination (attached), the Department made minor changes to the Final Permit at the request of the applicant. This permit is issued pursuant to Chapter 403, Florida Statutes.

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

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 2-24-00 to the person(s) listed:

Mr. Mr. Gregory M. Nelson, TECO*
Mr. Todd Shannon, TECO
Mr. Tom Davis, ECT
Mr. Jerry Kissel, SWD

Jerry Campbell, EPCHC
Mr. Gregg Worley, EPA Region 4
Mr. John Bunyak, NPS

Clerk Stamp

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



(Clerk)

2-24-00

(Date)

FINAL DETERMINATION
TECO Big Bend Plant
Inlet Air Foggers for Combustion Turbines CT-2 and CT-3

PERMIT PROCESSING SCHEDULE

12/07/99 Department received permit application.
12/31/99 Department received comments from the Environmental Protection Commission of Hillsborough County.
01/06/00 Department received additional information from the applicant.
01/20/00 Department received additional information from the applicant; application complete.
02/11/00 Department received proof that the Public Notice was published in the Tampa Tribune on February 5, 2000.

COMMENTS/REQUESTS FROM THE APPLICANT

Page B-1, Appendix B – Summary of the PSD Applicability Determination. Request: The applicant requested changing the text describing an increase in power production from “2 to 5 MW” to “2 to 8 MW”, consistent with other language in the Technical Evaluation and Preliminary Determination. Response: The Department revised the text.

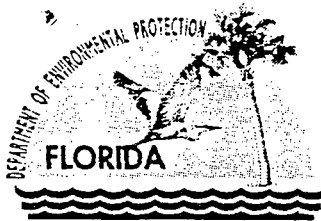
Original Air Construction Permit for CT-3: Request: On February 19, 2000, the applicant notified the Department that the original air construction permit for combustion turbine CT-3 contained a 10 hour per day limit similar to CT-2. The applicant would mail a copy for the Department’s files. Response: The Department conducted the initial review assuming this to be true. No changes were necessary.

OTHER COMMENTS

No other comments were received.

CONCLUSION

The final action of the Department is to issue the permit with the changes described above.



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

PERMITTEE:

Tampa Electric Company
6499 U.S. Highway 41 North
Apollo Beach, FL 33572-9200

ARMS Permit No.	057-0039-006-AC
Facility ID No.	057-0039
SIC No.	4911
Expires:	December 31, 2000

Authorized Representative:

Mr. Gregory M. Nelson, P.E.
Manager – Environmental Planning

PROJECT

This permit is issued pursuant to the preconstruction review requirements of Chapter 62-212, F.A.C. The facility is an existing electric power generating plant and major source of air pollution with respect to Rule 62-212.400, F.A.C., the Prevention of Significant Deterioration (PSD) of Air Quality program. The proposed project will increase actual emissions of two existing combustion turbines. However, restrictions in this permit limit the net emissions increases to less than the significant emission rates in Table 62-212.400-2, F.A.C. Therefore, PSD does not apply and a determination of Best Available Control Technology was not required.

LOCATION

The existing combustion turbines, CT-2 and CT-3, are located at the Big Bend Station on Big Bend Road in North Ruskin, Hillsborough County, Florida. The map coordinates are UTM Zone 17, 361.9 km East, and 3075.0 km North (Latitude: 27° 47' 36" North and Longitude: 82° 24' 11" West).

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to install the proposed equipment 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. This permit does not alter any requirements from previously issued air permits for the subject emissions units.

APPENDICES

The following Appendices are attached as part of this permit.

- Appendix A - Terminology
- Appendix B - Summary of the PSD Applicability Determination
- Appendix GC - Construction Permit General Conditions

Howard L. Rhodes, Director
Division of Air Resources Management

"More Protection, Less Process"

Printed on recycled paper.

SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

This facility consists of: four steam boilers with four steam turbines; three simple-cycle combustion turbines; solid fuels, fly ash, limestone, gypsum, slag, and bottom ash storage and handling facilities; a ship surface coating operation; several miscellaneous unregulated and/or insignificant activities.

PROJECT

The proposed project will add inlet air fogging equipment to the following existing emissions units.

ARMS ID No.	EMISSION UNIT DESCRIPTION
005	Combustion Turbine No. 2 (CT-2)
006	Combustion Turbine No. 3 (CT-3)

REGULATORY CLASSIFICATION

Power Plant Siting (PPS): The facility's fossil fuel-fired steam generators are subject to a PPS certification.

Title III – HAP: The facility is a major source of hazardous air pollutants.

Title IV - Acid Rain: The facility has emissions units subject to Phase I and II of the Acid Rain Program.

Title V – Major Source: Facility is classified as a "major" source of air pollution with respect to Title V of the Clean Air Act because emissions of at least one regulated criteria air pollutant exceeds 100 tons per year.

PSD Major Source: The facility is a fossil fuel steam generating plant, one of the industries listed in Table 212-400-1, F.A.C. Because facility emissions of at least one criteria pollutant are greater than 100 tons per year, the facility is "major facility" with respect to the Prevention of Significant Deterioration (PSD) of Air Quality. Pursuant to Rule 62-212.400, F.A.C., each modification to a PSD major source requires a PSD applicability determination. The Department determined that PSD did not apply to the project as permitted.

NSPS: The existing simple cycle combustion turbines were constructed prior to the applicability deadline for 40 CFR 60, Subpart GG, the New Source Performance Standards (NSPS) for stationary gas turbines. This modification does not trigger a modification with respect to NSPS.

RELEVANT DOCUMENTS

- 12/07/99 Department received permit application.
- 12/31/99 Department received comments from the Environmental Protection Commission of Hillsborough County.
- 01/06/00 Department received additional information from the applicant.
- 01/20/00 Department received additional information from the applicant; application complete.
- 02/11/00 Department received proof that the Public Notice was published in the Tampa Tribune on February 5, 2000.

SECTION II. ADMINISTRATIVE REQUIREMENTS

GENERAL AND ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: 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 (DEP), at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and phone number 850/488-0114. Copies of these documents shall be submitted to each Compliance Authority.
2. Compliance Authorities: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Department's Southwest District Office at 3804 Coconut Palm Drive in Tampa, Florida 33619-8318. Copies shall also be submitted to the Air Quality Division of the Hillsborough Environmental Protection Commission at 1900 – 9th Avenue, Tampa, Florida 33605.
3. Terminology: The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. *Appendix A* lists frequently used abbreviations and explains the format used to cite rules and regulations in this permit.
4. PSD Applicability Determination: *Appendix B* summarizes the Department's determination of PSD applicability for this project.
5. General Conditions: The owner and operator are subject to, and shall operate under, the attached General Conditions listed in *Appendix GC* of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
6. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of this project shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). 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.]
7. Permit Expiration: For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least sixty (60) days prior to the expiration of this permit. [Rules 62-4.070(4), 62-4.080, and 62-210.300(1), F.A.C.]
8. New or Additional Conditions: 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.]
9. 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 shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
10. Title V Permit: This permit authorizes construction of the proposed project and initial operation to determine compliance with Department rules. Upon completion of construction of this project, a Title V operation permit revision is required for regular operation of the new equipment. The permittee shall apply for and receive a revised 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 with copies to the Compliance Authorities. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

EUs 005/006 – EXISTING COMBUSTION TURBINES (CT-2/CT-3)

The proposed project will add inlet air fogging equipment to the following existing emissions units.

ARMS ID No.	EMISSION UNIT DESCRIPTION
005	Combustion Turbine No. 2 (CT-2) is a self-contained Westinghouse combustion turbine with electrical generator set. The unit is a predesigned integrated simple-cycle, single-shaft, three-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. The generator nameplate capacity is 78 MW. Unit No. 2 began commercial operation in 1974. The unit includes high-pressure water spray foggers to provide evaporative cooling of the compressor inlet air.
006	Combustion Turbine No. 3 (CT-3) is a self-contained Westinghouse combustion turbine with electrical generator set. The unit is a predesigned integrated simple-cycle, single-shaft, multi-bearing machine with the load connected at the exhaust end of the unit. The turbine is fired on No. 2 distillate fuel oil and operated for intermittent peaking and emergency services only. The generator nameplate capacity is 78 MW. Unit No. 3 began commercial operation in 1974. The unit includes high-pressure water spray foggers to provide evaporative cooling of the compressor inlet air.

Permitting Note: Although the inlet fogging equipment does not directly emit pollutants, this equipment alters the compressor inlet air conditions for the combustion turbines. Fogging decreases the inlet air temperature allowing a higher mass flow rate and slight increase in power production of approximately 2 to 8 MW. The increased power production is realized by increasing the fuel consumption of the combustion turbine, which results in increased actual emissions. Therefore, installation of this equipment requires a construction permit.

ADMINISTRATIVE REQUIREMENTS

1. Previous Permit Conditions: Other than revising the allowable hours of operation, issuance of this permit does not alter any requirements from previously issued air construction or Title V operation permits.

INSTALLATION OF EQUIPMENT

2. Inlet Air Foggers: The permittee is authorized to install a high pressure, direct water spray fogging system to provide evaporative cooling of the compressor inlet air. [Applicant Request]

PERFORMANCE RESTRICTIONS

3. Gas Turbine Operation: Operation of each gas turbine shall not exceed 3650 hours of operation during any consecutive 12 months. [Design; Rule 62-210.200, F.A.C. (Definitions - PTE)]
4. Inlet Fogger Operation: Combined operation of the inlet air foggers for both gas turbines shall not exceed 1365 total hours during any consecutive 12 months. [Design; Rule 62-212.400, F.A.C. (BACT); Rule 62-210.200, F.A.C. (Definitions - PTE)]
5. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of this permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include pertinent information as to the cause of the problem, the steps being taken to correct the problem and prevent future recurrence, and the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

EUs 005/006 – EXISTING COMBUSTION TURBINES (CT-2/CT-3)

EMISSIONS CONTROLS

6. Circumvention: The permittee shall not circumvent any air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
7. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by covering, enclosing, applying water or chemicals to the affected areas, or any other combination of dust-suppressing techniques, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

EXCESS EMISSIONS

8. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited. [Rule 62-210.700, F.A.C.]

EMISSIONS PERFORMANCE TESTING

9. Special Compliance Tests: The existing combustion turbines remain subject to all performance testing provisions specified in any previously issued air construction and Title V operation permits. No additional testing requirements are specified as the result of this project. However, 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 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.]

COMPLIANCE DEMONSTRATIONS

10. Records: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to DEP representatives upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]
11. Monthly Operations Summary: By the fifth calendar day of each month, the permittee shall record the following information in a written log for the previous month of operation and for the previous 12 months of operation: the number of operational hours for each gas turbine; the number of hours of inlet air fogging for each gas turbine; and the total combined number of hours of inlet air fogging for both gas turbines. The Monthly Operations Summary shall be maintained on site in a legible format available for inspection at the Department's request. [Rule 62-4.160(15), F.A.C.]

REPORTS

12. Excess Emissions Reporting: If excess emissions occur due to malfunction, the permittee shall notify the Compliance Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
13. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION IV.

APPENDIX A - TERMINOLOGY

ABBREVIATIONS AND ACRONYMS

°F	- Degrees Fahrenheit
DEP	- State of Florida, Department of Environmental Protection
DARM	- Division of Air Resource Management
EPA	- United States Environmental Protection Agency
F.A.C.	- Florida Administrative Code
F.S.	- Florida Statute
SOA	- Specific Operating Agreement
UTM	- Universal Transverse Mercator
CT	- Combustion Turbine
DB	- Duct Burner
HRSG	- Heat Recovery Steam Generator
DLN	- Dry Low-NOx Combustion Technology
SCR	- Selective Catalytic Reduction
OC	- Oxidation Catalyst Technology for CO Control

RULE CITATIONS

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, permit numbers, and identification numbers.

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213.205, F.A.C.]

Where: 62 - refers to Title 62 of the Florida Administrative Code (F.A.C.)
62-213 - refers to Chapter 62-213, F.A.C.
62-213.205 - refers to Rule 62-213.205, F.A.C.

Facility Identification (ID) Number:

Example: Facility ID No. 099-0001

Where: 099 - 3 digit number indicates that the facility is located in Palm Beach County
0221 - 4 digit number assigned by state database identifies specific facility

New Permit Numbers:

Example: Permit No. 099-2222-001-AC or 099-2222-001-AV

Where: AC - identifies permit as an Air Construction Permit
AV - identifies permit as a Title V Major Source Air Operation Permit
099 - 3 digit number indicates that the facility is located in Palm Beach County
2222 - 4 digit number identifies a specific facility
001 - 3 digit sequential number identifies a specific permit project

Old Permit Numbers:

Example: Permit No. AC50-123456 or AO50-123456

Where: AC - identifies permit as an Air Construction Permit
AO - identifies permit as an Air Operation Permit
123456 - 6 digit sequential number identifies a specific permit project

SECTION IV.

APPENDIX B - SUMMARY OF THE PSD APPLICABILITY DETERMINATION

Project Description: The applicant requested a permit to authorize the installation of direct water spray foggers for existing combustion turbines (CT-2 and CT-3) at TECO's Big Bend Station, which would provide an increased power output of approximately 2 to 8 MW depending on the initial ambient conditions. With inlet air fogging, a series of high-pressure spray nozzles add a fine mist to the combustion turbine inlet air. The fine water droplets evaporate absorbing heat from the air molecules during the liquid-to-vapor phase change. The inlet air is cooled and made denser allowing for slightly higher throughput and increased power generation. The maximum heat input continues to be defined by the coldest day, because evaporative cooling provides little or no benefit on such days. Therefore, this project does not increase permitted capacity, but attempts to shift operation on warm days up the power output performance curve, but within the original design range of these units. Inlet foggers are routinely included in new gas turbine projects and have not affected the Department's BACT determinations. The applicant also requested a revision of the hours limit for CT-2 from 10 hours per day to 3650 hours per year. There appears to be no similar restriction on the hours of operation for CT-3. *{Note: Applicant later produced original permit for CT-3 with similar restriction on hours of operation.}*

The facility is a PSD major source of air pollution and the proposed project could potentially result in significant increases in pollutant emissions of CO, NO_x, PM/PM₁₀, SO₂, and/or VOC. This is based on increased fuel consumption as a result of installing foggers, past actual emissions, future potential emissions, and maximum emissions rates. Therefore, the project is subject to review for the Prevention of Significant Deterioration (PSD) of Air Quality. The applicant has requested a limit on operation of the foggers to avoid triggering the significant emissions rates specified in Table 62-212.400-2, F.A.C. and a corresponding determination of the Best Available Control Technology (BACT).

Summary of the PSD Applicability Review: Installation of an air fogging system will alter the conditions of the inlet air to the combustion turbine. This change in the method of operation will result in higher fuel consumption rates and corresponding air pollutant emissions during periods of fogging. The Department believes that it is reasonable to evaluate the increase in emissions directly resulting from the use of air foggers, consistent with previous determinations for similar fogger projects. However, critical to this analysis is the assumption that the fogger project will not increase the availability or utilization of the existing combustion turbine over that of recent years. After a review of the operating histories, the Department established a limit for inlet air fogging of 1365 hours per year that would avoid triggering PSD for the proposed project. The Department believes the permit limit provides a realistic operating scenario for the use of fogging equipment and prevents the project from triggering PSD. Also, the applicant agreed to limit the operation of each gas turbine to no more than 3650 hours during any consecutive 12 months. The Department believes that this restriction firmly establishes each gas turbine as a peaking unit, and the revised operational limit, in and of itself, is not likely to increase future actual operation. The Department concludes that this project is a minor modification and PSD does not apply. See the Technical Evaluation and Preliminary Determination for complete details of this determination.

NSPS Applicability: The existing simple cycle combustion turbines were constructed prior to the applicability deadline for 40 CFR 60, Subpart GG, the New Source Performance Standards (NSPS) for stationary gas turbines. The Department concludes that because the project will not increase the maximum hourly power generation of these units, there will be no increase in hourly emissions. Therefore, this project does not trigger a modification with respect to NSPS.

Air Quality Impact Analysis: Because this project is permitted to avoid PSD, no air quality impact analysis was conducted. The Department concluded that, because the proposed air inlet foggers should not result in an increase in the maximum hourly emission rates, there would be no change in the maximum emissions rates or corresponding predicted ambient impacts. Also, inlet air fogging would have a negligible impact on the combustion turbine exhaust temperature. Therefore, issuance of this permit would not adversely affect the results of any previous modeling scenarios.

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727; or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- Have access to and copy and records that must be kept under the conditions of the permit;
 - Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- A description of and cause of non-compliance; and
 - The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology (not applicable to project);
 - (b) Determination of Prevention of Significant Deterioration (not applicable to project); and
 - (c) Compliance with New Source Performance Standards (not applicable to project).
- G.14 The permittee shall comply with the following:
- (a) 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.
 - (b) 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 or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.