



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

## NOTICE OF FINAL PERMIT

In the Matter of an  
Application for Permit by:

Mr. Rex Taylor  
City Manager, Utilities Director  
City of Vero Beach Municipal Utilities  
100 17<sup>th</sup> Street – P.O. Box 1389  
Vero Beach, Florida 32961-1389

Title V Permit Renewal No. **0610029-006-AV**  
City of Vero Beach Municipal Utilities

Enclosed is FINAL Title V Permit Renewal Number **0610029-006-AV** for the City of Vero Beach Municipal Utilities, located at 100 17<sup>th</sup> Street, Vero Beach, Indian River County, issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office, 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

Trina Vielhauer, 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 12/24/02 to the person(s) listed or as otherwise noted:

\*Rex Taylor, City of Vero Beach  
James F. Stevens, City of Vero Beach  
Kennard F. Kosky, P.E., Golder Associates, Inc.  
U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

Clerk Stamp

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

Barbara J. Giddy 12/24/02  
(Clerk) (Date)

Electronic copies provided:  
Len Kozlov, P.E., Central District Office (E-mail Memorandum)

12/24/02 cc: Scott Sheplak  
Reading Bill

**FINAL PERMIT DETERMINATION**

**I. Comment(s).**

*No comments* were received from U.S. EPA, Region 4, concerning the PROPOSED Title V Permit Renewal that was posted on the Department's web site on November 7, 2002.

**II. Conclusion.**

The permitting authority hereby issues the FINAL Permit Renewal No. 0610029-006-AV with one change. The EPA address referenced in facility-wide condition number 10. was updated.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Rex Taylor  
 City Manager, Utilities Director  
 City of Vero Beach Municipal Utilities  
 100 17th Street - P.O. Box 1389  
 Vero Beach, Florida 32961-1389

2. Article Number  
 (Transfer from service label)

7000 0600 0021 65242489

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *George Young*  Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

12-27-02

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0021 6524 2489

Article Sent To:

Mr. Rex Taylor

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
 Here

Name (Please Print Clearly) (to be completed by mailer)

Mr. Rex Taylor  
 Street, Apt. No., or PO Box No.  
 100 17th Street - P.O. Box 1389  
 City, State, ZIP+4  
 Vero Beach, Florida 32961-1389

PS Form 3800, July 1999

See Reverse for Instructions

**STATEMENT OF BASIS**

City of Vero Beach  
City of Vero Beach Municipal Utilities  
**Facility ID No.:** 0610029  
Indian River County

Title V Air Operation Permit Renewal  
**FINAL Permit No.:** 0610029-006-AV

The initial Title V Air Operation Permit, No. 0610029-002-AV, was effective on January 1, 1998. This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213 and 62-214. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility is an electric power generating plant located adjacent to a wastewater treatment facility and consists of:

- Fossil Fuel Steam Generating Unit 1 (Emissions Unit 001), rated at 13 MW;
- Fossil Fuel Steam Generating Unit 2 (Emissions Unit 002), rated at 17 MW;
- Fossil Fuel Steam Generating Unit 3 (Emissions Unit 003), rated at 34 MW;
- Fossil Fuel Steam Generating Unit 4 (Emissions Unit 004), rated at 56 MW; and,
- Combined Cycle Gas Turbine Unit 5 (Emissions Unit 005), rated at 38 MW.

<b>E.U. ID No.</b>	<b>Brief Description</b>
001	Fossil Fuel Steam Generator, Unit 1, rated at 13 MW, 202 mmBtu/hr for natural gas and 140 mmBtu/hr for fuel oil, capable of burning any combination of natural gas and numbers 2, 4 and 6 fuel oil, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 002.

{Permitting Notes: The emissions unit is regulated under Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 1 began commercial operation in 1961.}

<b>E.U. ID No.</b>	<b>Brief Description</b>
002	Fossil Fuel Steam Generator, Unit 2, rated at 17 MW, 248 mmBtu/hr for natural gas and 243 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 001.

{Permitting Notes: The emissions unit is regulated under Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 2 began commercial operation in 1964.}

003	Fossil Fuel Steam Generator, Unit 3, rated at 34 MW, 417 mmBtu/hr for natural gas and 410 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
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{Permitting Notes: The emissions unit is regulated under Acid Rain, Phase II and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 3 began commercial operation in 1971.}

004	Fossil Fuel Steam Generator, Unit 4, rated at 56 MW, 685 mmBtu/hr, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
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{Permitting Notes: The emissions unit is regulated under Acid Rain, Phase II, and Rule 62-210.300, F.A.C., Permits Required and is subject to 40 CFR 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971. The affected facility to which this subpart applies is fossil fuel steam generator, Unit 4, emissions unit 004. Fossil fuel fired steam generator Unit 4 began commercial operation in 1976.}

005	Combined Cycle Gas Turbine, Unit 5, rated at 38 MW, 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas, capable of burning any combination of, number 2 fuel oil, and natural gas, with emissions exhausted through a 125 ft. stack.
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{Permitting Notes: This emissions unit is regulated under Acid Rain, Phase II and Rule 62-210.300, F.A.C., Permits Required and is subject to 40 CFR 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines. The affected facility to which this subpart applies is the combined cycle gas turbine, Unit 5. This unit underwent a BACT Determination dated June 28, 1991. BACT Limits were incorporated into the subsequent PSD permits including 0610029-004-AC (PSD-FL-152C). Exhaust is vented through the heat recovery steam generator that is not equipped with duct burners and then through a 125 ft. stack. Emissions are controlled by dry low-NOx burners when firing natural gas, and by water injection when firing fuel oil. This unit is subject to CAM when using water injection. An evaporative cooling system was installed at the compressor inlet of Unit 5 in accordance with Permit No. 0610029-004-AC (PSD-FL-152C). The system cools the inlet air to the turbine, which increases turbine output and decreases heat rate. The system may be operated at any time that Unit 5 is in operation. The turbine exhaust may also be vented through a bypass stack for simple cycle operation. The turbine began commercial operation in 1992.}

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

Unit 5 is subject to CAM when using water injection.

Based on the Title V permit application received July 1, 2002, this facility is a major source of hazardous air pollutants (HAPs).

City of Vero Beach  
City of Vero Beach Municipal Utilities  
**Facility ID No.:** 0610029  
Indian River County

Title V Air Operation Permit Renewal  
**FINAL Permit No.:** 0610029-006-AV

Permitting Authority:

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

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

Telephone: 850/488-0144  
Fax: 850/922-6979

Compliance Authority:

Department of Environmental Protection  
Central District Office  
Air Section  
3319 Maguire Boulevard, Suite 232  
Orlando, FL 32803-3767  
Phone: 407/894-7555  
Fax: 407/897-5963

Title V Air Operation Permit Renewal  
**FINAL Permit No.: 0610029-006-AV**

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# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

**Permittee:**

City of Vero Beach  
PO Box 1389  
Vero Beach, FL 32961-1389

**FINAL Permit No.:** 0610029-006-AV  
**Facility ID No.:** 0610029  
**SIC Nos.:** 49, 4931  
**Project:** Title V Air Operation Permit Renewal

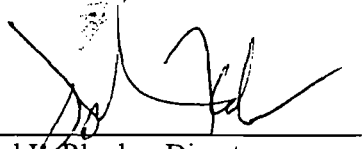
This Title V air operation permit renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the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

**Referenced attachments made a part of this permit:**

Appendix U-1, List of Unregulated Emissions Units and/or Activities  
Appendix I-1, List of Insignificant Emissions Units and/or Activities  
Appendix TV-4, Title V Conditions (version dated 02/12/02)  
Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)  
Appendix M, Custom Fuel Monitoring Schedule for Natural Gas  
Table 297.310-1, Calibration Schedule (version dated 10/07/96)  
Figure 1 - Summary Report-Gaseous And Opacity Excess Emission And Monitoring System  
Performance Report (version dated 7/96)  
Phase II Acid Rain Application/Compliance Plan received September 3, 2002  
Alternate Sampling Procedure: ASP Number 97-B-01  
BACT Determination dated June 28, 1991  
Approval of Custom Fuel Monitoring Schedule Dated 10/28/97  
Appendix CAM

**Effective Date:** January 1, 2003  
**Renewal Application Due Date:** July 5, 2007  
**Expiration Date:** December 31, 2007

JOSEPH KAHW  
FOR

  
Howard L. Rhodes, Director  
Division of Air Resource  
Management

HLR/sms

**Section I. Facility Information.**

**Subsection A. Facility Description.**

This facility is an electric power generating plant located adjacent to a wastewater treatment facility and consists of:

Fossil Fuel Steam Generating Unit 1 (Emissions Unit 001), rated at 13 MW;

Fossil Fuel Steam Generating Unit 2 (Emissions Unit 002), rated at 17 MW;

Fossil Fuel Steam Generating Unit 3 (Emissions Unit 003), rated at 34 MW;

Fossil Fuel Steam Generating Unit 4 (Emissions Unit 004), rated at 56 MW;

Combined Cycle Gas Turbine Unit 5 (Emissions Unit 005), rated at 38 MW.

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

Based on the Title V permit application received July 1, 2002, this facility is a major source of hazardous air pollutants (HAPs).

**Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).**

<b>E.U. ID No.</b>	<b>Brief Description</b>
001	Fossil Fuel Steam Generator, Unit 1, rated at 13 MW, 202 mmBtu/hr for natural gas and 140 mmBtu/hr for fuel oil, capable of burning any combination of natural gas and numbers 2, 4 and 6 fuel oil, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 002.
002	Fossil Fuel Steam Generator, Unit 2, rated at 17 MW, 248 mmBtu/hr for natural gas and 243 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 001.
003	Fossil Fuel Steam Generator, Unit 3, rated at 34 MW, 417 mmBtu/hr for natural gas and 410 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
004	Fossil Fuel Steam Generator, Unit 4, rated at 56 MW, 685 mmBtu/hr, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
005	Combined Cycle Gas Turbine, Unit 5, rated at 38 MW, 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas, capable of burning any combination of, number 2 fuel oil, and natural gas, with emissions exhausted through a 125 ft. stack.

<b>Unregulated Emissions Units and/or Activities, See Appendix U-1</b>	
006	Fuel oil, gasoline and lube oil storage tanks.
007	Waste water treatment plant.

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

**Subsection C. Relevant Documents.**

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

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

- Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
- Appendix H-1, Permit History/ID Number Changes
- Table 1-1, Summary of Air Pollutant Standards and Terms
- Table 2-1, Summary of Compliance Requirements
- Statement of Basis

These documents are on file with the permitting authority:

- Title V Permit Renewal Application received July 1, 2002
- Additional Information Request dated August 14, 2002
- Additional Information Response received September 3, 2002

City of Vero Beach  
City of Vero Beach Municipal Utilities

**FINAL Permit No.:** 0610029-006-AV  
**Facility ID No.:** 0610029

Documents on file with USEPA

The Responsible Official has certified that the Risk Management Plan was submitted to the RMP Reporting Center.

**Section II. Facility-wide Conditions.**

**The following conditions apply facility-wide:**

1. APPENDIX TV-4, TITLE V CONDITIONS, is a part of this permit.  
{Permitting Notes: APPENDIX TV-4, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not Federally Enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.** The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. **General Particulate Emission Limiting Standards. General Visible Emissions Standard.** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rule 62-296.320(4)(b)1. & 4, F.A.C.]
4. **Prevention of Accidental Releases (Section 112(r) of CAA).**
  - a. As required by Section 112(r)(7)(B)(iii) of the CAA and 40 CFR 68, the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.
  - b. As required under Section 252.941(1)(c), F.S., the owner or operator shall report to the appropriate representative of the Department of Community Affairs (DCA), as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the CAA.
  - c. The owner or operator shall submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S., and Rule 9G-21, F.A.C.

Any required written reports, notifications, certifications, and data required to be sent to the DCA, should be sent to:

Department of Community Affairs  
Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
Telephone: 850/413-9921, Fax: 850/488-1739

Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

RMP Reporting Center  
Post Office Box 3346  
Merrifield, VA 22116-3346  
Telephone: 703/816-4434

Any required reports to be sent to the National Response Center, should be sent to:

National Response Center  
EPA Office of Solid Waste and Emergency Response  
USEPA (5305 W)  
401 M Street, SW  
Washington, D.C. 20460  
Telephone: 1/800/424-8802

Send the required annual registration fee using approved forms made payable to:

Cashier  
Department of Community Affairs  
State Emergency Response Commission  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2149

[Part IV, Chapter 252, F.S.; and, Rule 9G-21, F.A.C.]

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

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

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

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

**7. Not Federally Enforceable. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

- a. Tightly cover or close all VOC or OS containers when they are not in use.
- b. Tightly cover all open tanks which contain VOC or OS when they are not in use.
- c. Maintain all pipes, valves, fittings, etc., which handle VOC or OS in good operating condition.
- d. Immediately confine and clean up VOC or OS spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1)(a), F.A.C.]

**8. Not Federally Enforceable.** Reasonable precautions to prevent emissions of unconfined particulate matter at this facility may include:

- a. Maintenance of paved areas as needed.
- b. Regular mowing of grass and care of vegetation.
- c. Limiting access to plant property by unnecessary vehicles.
- d. Care in handling and use of bagged chemical products.

[Rule 62-296.320(4)(c)2., F.A.C.; Items a, b, c, and d proposed by applicant in the renewal Title V permit application received July 1, 2002]

{Permitting note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4., F.A.C. (see Condition No. 57. of APPENDIX TV-4, TITLE V CONDITIONS).}

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

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Central District office:

Department of Environmental Protection, Central District Office  
Air Section  
3319 Maguire Boulevard, Suite 232  
Orlando, FL 32803-3767  
Phone: 407/894-7555  
Fax: 407/897-5963

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

United States Environmental Protection Agency  
Region 4  
Air, Pesticides & Toxics Management Division  
Air and EPCRA Enforcement Branch, Air Enforcement Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone: 404/562-9155, Fax: 404/562-9164

11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.

[Rules 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-4, TITLE V CONDITIONS).}

12. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.

[Rule 62-213.420(4), F.A.C.]

City of Vero Beach  
City of Vero Beach Municipal Utilities

**FINAL Permit No.:** 0610029-006-AV  
**Facility ID No.:** 0610029

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**Section III. Emissions Units and Conditions.**

**Subsection A. This section addresses the following emissions unit.**

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1, rated at 13 MW, 202 mmBtu/hr for natural gas and 140 mmBtu/hr for fuel oil, capable of burning any combination of natural gas and numbers 2, 4 and 6 fuel oil, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 002.

{Permitting Notes: The emissions unit is regulated under Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 1 began commercial operation in 1961.}

**The following specific conditions apply to the emissions unit listed above:**

**Essential Potential to Emit (PTE) Parameters**

**A.1. Permitted Capacity.** The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
001	202	Natural Gas
	140	Fuel Oil

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.406, F.A.C.]

**A.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **F.14.**

[Rule 62-297.310(2), F.A.C.]

**A.3. Methods of Operation. Fuels.** The only fuels allowed to be burned are any combination of natural gas and numbers 2, 4 and 6 fuel oil.

[Rule 62-213.410, F.A.C.]

**Emission Limitations and Standards**

{Permitting note: Unless otherwise specified, the averaging time for conditions **A.4.** - **A.5.** are based on the specified averaging time of the applicable test method.}

**A.4. Visible Emissions.** Visible emissions shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent.

[Rule 62-296.406(1), F.A.C.]

**A.5. Visible emissions - Soot Blowing and Load Change.** Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.]

**A.6. Particulate Matter.** Particulate matter emissions shall be controlled by the firing of natural gas and/or fuel oil with a sulfur content as limited by specific condition **A.7** of this permit.  
[Rule 62-296.406(2), F.A.C., BACT Determination 2/14/91]

**A.7. Sulfur Dioxide - Sulfur Content.** The fuel oil sulfur content shall not exceed 1.5 percent, by weight.  
[Rule 62-296.406(3), F.A.C., BACT Determination 2/14/91]

### **Test Methods and Procedures**

**A.8. Sulfur Dioxide - Sulfur Content.** The permittee shall demonstrate compliance with the liquid fuel sulfur limit by the vendor providing a fuel analysis upon each fuel delivery.  
[Rules 62-213.440 and 62-296.406(3), F.A.C.]

**A.9.** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 or latest editions.  
[Rules 62-213.440, 62-296.406(3) and 62-297.440, F.A.C.]

### **Monitoring of Operations**

**A.10. Annual Tests Required - VE.** Except as provided in specific conditions **F.6** through **F.8** of this permit, emission testing for visible emissions shall be performed annually, no later than August 1st of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service. Testing shall be conducted while burning number 6 fuel oil.  
[Rules 62-4.070(3) and 62-213.440, F.A.C.]

### **Common Conditions**

**A.11.** This emissions unit is also subject to conditions **F.1** through **F.18** contained in **Subsection F. Common Conditions.**

**Subsection B. This section addresses the following emissions unit.**

E.U. ID No.	Brief Description
002	Fossil Fuel Steam Generator, Unit 2, rated at 17 MW, 248 mmBtu/hr for natural gas and 243 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack shared with Emissions Unit 001.

{Permitting Notes: The emissions unit is regulated under Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 2 began commercial operation in 1964.}

**The following specific conditions apply to the emissions unit listed above:**

**Essential Potential to Emit (PTE) Parameters**

**B.1. Permitted Capacity.** The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
002	248	Natural Gas
	243	Fuel Oil

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.406, F.A.C.]

**B.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **F.14**.  
 [Rule 62-297.310(2), F.A.C.]

**B.3. Methods of Operation. Fuels.** The only fuels allowed to be burned are any combination of natural gas and numbers 2, 4 and 6 fuel oil. Propane may be used as an ignitor fuel.  
 [Rule 62-213.410, F.A.C.]

**Emission Limitations and Standards**

{Permitting note: Unless otherwise specified, the averaging time for conditions **B.4. - B.5.** are based on the specified averaging time of the applicable test method.}

**B.4. Visible Emissions.** Visible emissions shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent.  
 [Rule 62-296.406(1), F.A.C.]

**B.5. Visible emissions - Soot Blowing and Load Change.** Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.]

**B.6. Particulate Matter.** Particulate matter emissions shall be controlled by the firing of natural gas and/or fuel oil with a sulfur content as limited by specific condition **B.7** of this permit. [Rules 62-4.070(3) and 62-296.406(2), F.A.C., BACT for this source will be the same as that of the BACT Determination of 2/14/91 for EU 001]

**B.7. Sulfur Dioxide - Sulfur Content.** The fuel oil sulfur content shall not exceed 1.5 percent, by weight. [Rules 62-4.070(3) and 62-296.406(3), F.A.C., BACT for this source will be the same as that of the BACT Determination of 2/14/91 for EU 001]

#### **Test Methods and Procedures**

**B.8. Sulfur Dioxide - Sulfur Content.** The permittee shall demonstrate compliance with the liquid fuel sulfur limit by the vendor providing a fuel analysis upon each fuel delivery. [Rules 62-213.440 and 62-296.406(3), F.A.C.]

**B.9.** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 or latest editions. [Rules 62-213.440, 62-296.406(3) and 62-297.440, F.A.C.]

#### **Monitoring of Operations**

**B.10. Annual Tests Required - VE.** Except as provided in specific conditions **F.6** through **F.8** of this permit, emission testing for visible emissions shall be performed annually, no later than August 1st of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service. Testing shall be conducted while burning number 6 fuel oil. [Rules 62-4.070(3) and 62-213.440, F.A.C.]

#### **Common Conditions**

**B.11.** This emissions unit is also subject to conditions **F.1** through **F.18** contained in **Subsection F. Common Conditions.**

**Subsection C. This section addresses the following emissions unit.**

003	Fossil Fuel Steam Generator, Unit 3, rated at 34 MW, 417 mmBtu/hr for natural gas and 410 mmBtu/hr for fuel oil, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
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{Permitting Notes: The emissions unit is regulated under Acid Rain, Phase II and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 3 began commercial operation in 1971.}

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

**Essential Potential to Emit (PTE) Parameters**

**C.1. Permitted Capacity.** The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
003	417	Natural Gas
	410	Fuel Oil

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

**C.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **F.14**.  
[Rule 62-297.310(2), F.A.C.]

**C.3. Methods of Operation. Fuels.** The only fuels allowed to be burned are any combination of natural gas and numbers 2, 4 and 6 fuel oil. Propane may be used as an ignitor fuel.  
[Rule 62-213.410, F.A.C.]

**Emission Limitations and Standards**

{Permitting note: Unless otherwise specified, the averaging time for conditions **C.4. - C.5.** are based on the specified averaging time of the applicable test method.}

**C.4. Visible Emissions.** Visible emissions shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent. Emissions units governed by this visible emissions limit shall compliance test for particulate matter emissions annually and as otherwise required by Chapter 62-297, F.A.C.  
[Rule 62-296.405(1)(a), F.A.C.]

**C.5. Visible Emissions - Soot Blowing and Load Change.** Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition.  
[Rule 62-210.700(3), F.A.C., Note: Unit 3 has an operational continuous opacity monitor.]

**C.6. Particulate Matter.** Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.  
[Rule 62-296.405(1)(b), F.A.C.]

**C.7. Particulate Matter - Soot Blowing and Load Change.** Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.  
[Rule 62-210.700(3), F.A.C.]

**C.8. Sulfur Dioxide.** When burning liquid fuel, sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured and determined in accordance with the fuel sampling and analysis requirements of 40 CFR 75, Appendix D. Any calculations used to demonstrate compliance shall be based solely on the Btu value and the percent sulfur of the liquid fuel being burned.  
[Rules 62-213.440 and 62-296.405(1)(c)1.j., F.A.C.]

### **Test Methods and Procedures**

**C.9. Particulate Matter.** The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.  
[Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

**C.10. Sulfur Dioxide.** **The permittee elected to demonstrate compliance with the sulfur dioxide limitation using fuel sampling and analysis in accordance with the fuel sampling and analysis requirements of 40 CFR 75, Appendix D.** This protocol is allowed because the emissions unit does not have an operating flue gas desulfurization device. See specific conditions C.11 and C.12.  
[Rule 62-296.405(1)(f)1.b., F.A.C.]

**C.11. Sulfur Dioxide.** The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure**

**authorized by permit, the permittee elected to demonstrate compliance using fuel sampling and analysis. See specific condition C.12.**

[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.]

**C.12.** Compliance with the sulfur dioxide emission limitation shall be determined using fuel sampling and analysis in accordance with the fuel sampling and analysis requirements of 40 CFR 75, Appendix D.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

### **Monitoring of Operations**

**C.13. Annual Tests Required - PM and VE.** Except as provided in specific conditions **F.6** through **F.8** of this permit, emission testing for particulate matter emissions and visible emissions shall be performed annually, no later than August 1st of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service. Testing shall be conducted while burning number 6 fuel oil.

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

### **Record Keeping and Reporting Requirements**

**C.14. Excess Emissions for Sulfur Dioxide - Report.** The owner or operator shall submit to the Central District Air Section a written report of emissions in excess of emission limiting standards for sulfur dioxide as set forth in this permit, for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations.

[Rules 62-213.440 and 62-296.405(1)(g), F.A.C., and 0610029-004-AC (PSD-FL-152C)]

### **Common Conditions**

**C.15.** This emissions unit is also subject to conditions **F.1** through **F.18** contained in **Subsection F. Common Conditions.**

**Subsection D. This section addresses the following emissions unit.**

004	Fossil Fuel Steam Generator, Unit 4, rated at 56 MW, 685 mmBtu/hr, capable of burning any combination of natural gas, numbers 2, 4 and 6 fuel oil, and propane as an ignitor fuel, with emissions exhausted through a 200 ft. stack.
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{Permitting Notes: The emissions unit is regulated under Acid Rain, Phase II, and Rule 62-210.300, F.A.C., Permits Required and is subject to 40 CFR 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971. The affected facility to which this subpart applies is fossil fuel steam generator, Unit 4, emissions unit 004. Fossil fuel fired steam generator Unit 4 began commercial operation in 1976.}

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

**Essential Potential to Emit (PTE) Parameters**

**D.1. Permitted Capacity.** The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
004	685	Natural Gas
	685	Fuel Oil

[Rules 62-4.160(2), 62-210.200(PTE)]

**D.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **F.14.**  
[Rule 62-297.310(2), F.A.C.]

**D.3. Methods of Operation. Fuels.** The only fuels allowed to be burned are any combination of natural gas and numbers 2, 4 and 6 fuel oil. Propane may be used as an ignitor fuel.  
[Rule 62-213.410, F.A.C., AO 31-229058, and applicant request in Title V application received June 14, 1996]

**Emission Limitations and Standards**

{Permitting note: Unless otherwise specified, the averaging time for conditions **D.4. - D.6.** are based on the specified averaging time of the applicable test method.}

**D.4. Pursuant to 40 CFR 60.42 Standard For Particulate Matter.**

(a) No owner or operator shall cause to be discharged into the atmosphere from any affected facility any gases which:

- (1) Contain particulate matter in excess of 43 nanograms per joule heat input (0.10 lb per million Btu) derived from fossil fuel.
- (2) Exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity.

[40 CFR 60.42(a)(1) & (2)]

**D.5. Pursuant to 40 CFR 60.43 Standard For Sulfur Dioxide.**

(a) No owner or operator shall cause to be discharged into the atmosphere from any affected facility any gases which contain sulfur dioxide in excess of:



- (1) 340 nanograms per joule heat input (0.80 lb per million Btu) derived from liquid fossil fuel.  
(c) Compliance shall be based on the total heat input from all fossil fuels burned, including gaseous fuels.  
[40 CFR 60.43(a) & (c)]

**D.6. Pursuant to 40 CFR 60.44 Standard For Nitrogen Oxides.**

(a) On and after the date on which the performance test required to be conducted by 40 CFR 60.8 is completed, no owner or operator subject to the provisions of 40 CFR 60, Subpart D, shall cause to be discharged into the atmosphere from any affected facility any gases which contain nitrogen oxides, expressed as NO<sub>2</sub> in excess of:

- (1) 86 nanograms per joule heat input (0.20 lb per million Btu) derived from gaseous fossil fuel.  
(2) 129 nanograms per joule heat input (0.30 lb per million Btu) derived from liquid fossil fuel  
(b) When different fossil fuels are burned simultaneously in any combination, the applicable standard (in ng/J) is determined by proration using the following formula:

$$PS_{NO_x} = (86x + 130y) / (x + y)$$

where:

PS<sub>NO<sub>x</sub></sub> = is the prorated standard for nitrogen oxides when burning different fuels simultaneously, in nanograms per joule heat input derived from all fossil fuels fired;

x = is the percentage of total heat input derived from gaseous fossil fuel; and,

y = is the percentage of total heat input derived from liquid fossil fuel.

[40 CFR 60.44(a) & (b)]

**Test Methods and Procedures**

**D.7. Sulfur Dioxide. Pursuant to 40 CFR 60.45(b)(2), the owner or operator elected to use fuel sampling and analysis in lieu of installing a continuous monitoring system for SO<sub>2</sub>.**

This protocol is allowed because the emissions unit does not have an operating flue gas desulfurization device. Compliance with the sulfur dioxide emission limitation shall be determined in accordance with the fuel sampling and analysis requirements of 40 CFR 75, Appendix D.

[Rule 62-213.440, F.A.C., and 40 CFR 60.45(b)(2)]

**D.8. Pursuant to 40 CFR 60.46 Test methods and Procedures.**

(a) When conducting emissions tests, 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 40 CFR 60.46, except as provided in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in 40 CFR 60.46(d).

(b) The owner or operator shall determine compliance with the particulate matter, SO<sub>2</sub>, and NO<sub>x</sub> standards in 40 CFR 60.42, 60.43, and 60.44 as follows:

- (1) The emission rate (E) of particulate matter, SO<sub>2</sub>, or NO<sub>x</sub> shall be computed for each run using the following equation:

$$E = C F_d (20.9) / (20.9 - \% O_2)$$

E = emission rate of pollutant, ng/J (1b/million Btu).

C = concentration of pollutant, ng/dscm (1b/dscf).

% O<sub>2</sub> = oxygen concentration, percent dry basis.

F<sub>d</sub> = factor as determined from Method 19.

(2) Method 5 shall be used to determine the particulate matter concentration (C) at affected facilities without wet flue-gas-desulfurization (FGD) systems and Method 5B shall be used to determine the particulate matter concentration (C) after FGD systems.

(i) The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). The probe and filter holder heating systems in the sampling train may be set to provide a gas temperature no greater than 160 ± 14 °C (320 ± 25 °F).

(ii) The emission rate correction factor, integrated or grab sampling and analysis procedure of Method 3B shall be used to determine the O<sub>2</sub> concentration (%O<sub>2</sub>). The O<sub>2</sub> sample shall be obtained simultaneously with, and at the same traverse points as, the particulate sample. If the grab sampling procedure is used, the O<sub>2</sub> concentration for the run shall be the arithmetic mean of all the individual O<sub>2</sub> sample concentrations at each traverse point.

(iii) If the particulate run has more than 12 traverse points, the O<sub>2</sub> traverse points may be reduced to 12 provided that Method 1 is used to locate the 12 O<sub>2</sub> traverse points.

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

(4) Method 6 shall be used to determine the SO<sub>2</sub> concentration.

(i) The sampling site shall be the same as that selected for the particulate sample. The sampling location in the duct shall be at the centroid of the cross section or at a point no closer to the walls than 1 m (3.28 ft). The sampling time and sample volume for each sample run shall be at least 20 minutes and 0.020 dscm (0.71 dscf). Two samples shall be taken during a 1-hour period, with each sample taken within a 30-minute interval.

(ii) The emission rate correction factor, integrated sampling and analysis procedure of Method 3B shall be used to determine the O<sub>2</sub> concentration (%O<sub>2</sub>). The O<sub>2</sub> sample shall be taken simultaneously with, and at the same point as, the SO<sub>2</sub> sample. The SO<sub>2</sub> emission rate shall be computed for each pair of SO<sub>2</sub> and O<sub>2</sub> samples. The SO<sub>2</sub> emission rate (E) for each run shall be the arithmetic mean of the results of the two pairs of samples.

(5) Method 7 shall be used to determine the NO<sub>x</sub> concentration.

(i) The sampling site and location shall be the same as for the SO<sub>2</sub> sample. Each run shall consist of four grab samples, with each sample taken at about 15-minute intervals.

(ii) For each NO<sub>x</sub> sample, the emission rate correction factor, grab sampling and analysis procedure of Method 3B shall be used to determine the O<sub>2</sub> concentration (%O<sub>2</sub>). The sample shall be taken simultaneously with, and at the same point as, the NO<sub>x</sub> sample.

(iii) The NO<sub>x</sub> emission rate shall be computed for each pair of NO<sub>x</sub> and O<sub>2</sub> samples. The NO<sub>x</sub> emission rate (E) for each run shall be the arithmetic mean of the results of the four pairs of samples.

(c) When combinations of fossil fuels are fired, the owner or operator (in order to compute the prorated standard as shown in 40 CFR 60.43(b) and 60.44(b)) shall determine the percentage (x or y) of the total heat input derived from each type of fuel as follows:

(1) The heat input rate of each fuel shall be determined by multiplying the gross calorific value of each fuel fired by the rate of each fuel burned.

(2) ASTM Methods D 240-76 (liquid fuels), or D 1826-77 (gaseous fuels) (incorporated by reference-see 40 CFR 60.17) shall be used to determine the gross calorific values of the fuels.

(3) Suitable methods shall be used to determine the rate of each fuel burned during each test period, and a material balance over the steam generating system shall be used to confirm the rate.

(d) The owner or operator may use the following as alternatives to the reference methods and procedures in 40 CFR 60.46 or in other sections as specified:

(1) The emission rate (E) of particulate matter, SO<sub>2</sub> and NO<sub>x</sub> may be determined by using the F<sub>c</sub> factor, provided that the following procedure is used:

(i) The emission rate (E) shall be computed using the following equation:

$$E = C F_c (100 / \%CO_2)$$

where:

E = emission rate of pollutant, ng/J (lb/million Btu).

C = concentration of pollutant, ng/dscm (lb/dscf).

%CO<sub>2</sub> = carbon dioxide concentration, percent dry basis.

F<sub>c</sub> = factor as determined in appropriate sections of Method 19.

(ii) If and only if the average F<sub>c</sub> factor in Method 19 is used to calculate E and either E is from 0.97 to 1.00 of the emission standard or the relative accuracy of a continuous emission monitoring system is from 17 to 20 percent, then three runs of Method 3B shall be used to determine the O<sub>2</sub> and CO<sub>2</sub> concentration according to the procedures in 40 CFR 60.46(b) (2)(ii), (4)(ii), or (5)(ii). Then if F<sub>o</sub> (average of three runs), as calculated from the equation in Method 3B, is more than ± 3 percent than the average F<sub>o</sub> value, as determined from the average values of F<sub>d</sub> and F<sub>c</sub> in Method 19, i.e., F<sub>oa</sub> = 0.209 (F<sub>da</sub> / F<sub>ca</sub>), then the following procedure shall be followed:

(A) When F<sub>o</sub> is less than 0.97 F<sub>oa</sub>, then E shall be increased by that proportion under 0.97 F<sub>oa</sub>, e.g., if F<sub>o</sub> is 0.95 F<sub>oa</sub>, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the emission standard.

(B) When F<sub>o</sub> is less than 0.97 F<sub>oa</sub> and when the average difference ( $\bar{d}$ ) between the continuous monitor minus the reference methods is negative, then E shall be increased by that proportion under 0.97 F<sub>oa</sub>, e.g., if F<sub>o</sub> is 0.95 F<sub>oa</sub>, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

(C) When F<sub>o</sub> is greater than 1.03 F<sub>oa</sub> and when  $\bar{d}$  is positive, then E shall be decreased by that proportion over 1.03 F<sub>oa</sub>, e.g., if F<sub>o</sub> is 1.05 F<sub>oa</sub>, E shall be decreased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

(2) For Method 5 or 5B, Method 17 may be used at facilities with or without wet FGD systems if the stack gas temperature at the sampling location does not exceed an average temperature of 160 °C (320 °F). The procedures of sections 2.1 and 2.3 of Method 5B may be used with Method 17 only if it is used after wet FGD systems. Method 17 shall not be used after wet FGD systems if the effluent gas is saturated or laden with water droplets.

(3) Particulate matter and SO<sub>2</sub> may be determined simultaneously with the Method 5 train provided that the following changes are made:

(i) The filter and impinger apparatus in sections 2.1.5 and 2.1.6 of Method 8 is used in place of the condenser (section 2.1.7) of Method 5.

(ii) All applicable procedures in Method 8 for the determination of SO<sub>2</sub> (including moisture) are used:

(4) For Method 6, Method 6C may be used. Method 6A may also be used whenever Methods 6 and 3B data are specified to determine the SO<sub>2</sub> emission rate, under the conditions in 40 CFR 60.46(d)(1).

(5) For Method 7, Method 7A, 7C, 7D, or 7E may be used. If Method 7C, 7D, or 7E is used, the sampling time for each run shall be at least 1 hour and the integrated sampling approach shall be used to determine the O<sub>2</sub> concentration (%O<sub>2</sub>) for the emission rate correction factor.

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

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

[40 CFR 60.46(a), (b), (c) & (d)]

**Monitoring of Operations**

**D.9. Annual Tests Required - PM, VE, SO<sub>2</sub> and NO<sub>x</sub>.** Except as provided in specific conditions **F.6** through **F.8** of this permit, emission testing for particulate matter emissions, visible emissions, sulfur dioxide and nitrogen oxides shall be performed annually, no later than August 1st of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service. [Rules 62-4.070(3) and 62-213.440, F.A.C.]

**D.10. Pursuant to 40 CFR 60.45 Emission and Fuel Monitoring.**

**CMS for Opacity and NO<sub>x</sub> are Required, No CMS for SO<sub>2</sub> Required.**

(a) Each owner or operator shall install, calibrate, maintain, and operate continuous monitoring systems for measuring the opacity of emissions, sulfur dioxide emissions, nitrogen oxides emissions, and either oxygen or carbon dioxide except as provided in 40 CFR 60.45(b).

(b) Certain of the continuous monitoring system requirements under 40 CFR 60.45(a) do not apply to owners or operators under the following conditions:

(2) For a fossil fuel-fired steam generator that does not use a flue gas desulfurization device, a continuous monitoring system for measuring sulfur dioxide emissions is not required if the owner or operator monitors sulfur dioxide emissions by fuel sampling and analysis under 40 CFR 60.45(d).

The owner or operator may comply with the applicable emission and fuel monitoring requirements of 40 CFR 60 by complying with the applicable emission and fuel monitoring requirements of 40 CFR 75.

[40 CFR 60.45(a) & (b); Request of applicant in comments on Draft permit received August 18, 1997]

**Excess Emission Reports.**

(g) Excess emission reports shall be submitted to the Department for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. Each excess emission report shall include the information required in 40 CFR 60.7(c). Periods of excess emissions that shall be reported are defined as follows:

(1) Opacity. Excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20 percent opacity, except that one six-minute average per hour of up to 27 percent opacity need not be reported.

(3) Nitrogen oxides. Excess emissions for affected facilities using a continuous monitoring system for measuring nitrogen oxides are defined as any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standards under 40 CFR 60.44.

[40 CFR 60.45(g)]

**Other NSPS Subpart D Conditions**

**D.11. Pursuant to 40 CFR 60.41 Definitions.** As used in 40 CFR 60 Subpart D, all terms not defined in 40 CFR 60.41 shall have the meaning given them in the Act, and in Subpart A of 40 CFR 60.

**Common Conditions**

**D.12.** This emissions unit is also subject to conditions **F.1** and **F.4** through **F.18** contained in **Subsection F. Common Conditions.**

**D.13.** These emissions units are also subject to conditions **G.1** through **G.6** contained in **Subsection G. NSPS Common Conditions.**

**Subsection E. This section addresses the following emissions unit.**

005	Combined Cycle Gas Turbine, Unit 5, rated at 38 MW, 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas, capable of burning any combination of, number 2 fuel oil, and natural gas, with emissions exhausted through a 125 ft. stack.
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{Permitting Notes: This emissions unit is regulated under Acid Rain, Phase II and Rule 62-210.300, F.A.C., Permits Required and is subject to 40 CFR 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines. The affected facility to which this subpart applies is the combined cycle gas turbine, Unit 5. This unit underwent a BACT Determination dated June 28, 1991. BACT Limits were incorporated into the subsequent PSD permits including 0610029-004-AC (PSD-FL-152C). Exhaust is vented through the heat recovery steam generator that is not equipped with duct burners and then through a 125 ft. stack. Emissions are controlled by dry low-NOx burners when firing natural gas, and by water injection when firing fuel oil. This unit is subject to CAM when using water injection. An evaporative cooling system was installed at the compressor inlet of Unit 5 in accordance with Permit No. 0610029-004-AC (PSD-FL-152C). The system cools the inlet air to the turbine, which increases turbine output and decreases heat rate. The system may be operated at any time that Unit 5 is in operation. The turbine exhaust may also be vented through a bypass stack for simple cycle operation. The turbine began commercial operation in 1992.}

**The following specific conditions apply to the emissions unit listed above:**

**Essential Potential to Emit (PTE) Parameters**

**E.1. Permitted Capacity.** The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
005	414*	Natural Gas
	455*	No. 2 Fuel Oil

\* Based on 101.3 kilopascals pressure, 288 Kelvin and 60% relative humidity (ISO standard day conditions), and lower heating value of the fuel fired.  
 [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., and 0610029-004-AC (PSD-FL-152C)]

**E.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **E.10**.  
 [Rule 62-297.310(2), F.A.C.]

**E.3. Methods of Operation - Fuels.** Any combination of only natural gas and number 2 fuel oil shall be fired in the combustion turbine. See specific conditions **E.4** and **E.6** of this permit. {Note: The limitations of specific conditions **E.4** and **E.6** are more stringent than the NSPS sulfur dioxide limitation and thus assure compliance with 40 CFR 60.333 and 60.334.}  
 [Rule 62-213.410, F.A.C.]

**E.4. Fuel Oil Consumption Limits.** The permitted fuel oil utilization rates for this emissions unit are:

- a. Maximum annual consumption of number 2 fuel oil shall not exceed 10,000,000 gal./yr.
- b. Maximum annual firing using number 2 fuel oil shall not exceed 33% of the annual capacity factor.

[Rules 62-4.070(3) and 62-213.440, F.A.C., and 0610029-004-AC (PSD-FL-152C)]

**Emission Limitations and Standards**

{Permitting note: Unless otherwise specified, the averaging time for conditions **E.5.** - **E.7.** are based on the specified averaging time of the applicable test method.}

**E.5. Visible Emissions** Visible emissions shall not exceed 10% opacity.  
 [0610029-004-AC (PSD-FL-152C)]

**E.6. Sulfur Dioxide - Sulfur Content.** The No. 2 fuel oil sulfur content shall not exceed 0.25 percent, by weight. See specific conditions **E.11 and E.12** of this permit. The natural gas sulfur content shall not exceed 10 grains per hundred cubic feet (standard conditions). See specific condition **E.15** of this permit.

{Note: The limitations of specific conditions **E.4** and **E.6** are more stringent than the NSPS sulfur dioxide limitation and thus assure compliance with 40 CFR 60.333 and 60.334. The sulfur limitation on natural gas has been added to assure compliance with 40 CFR 60.333.}  
 [Rules 62-4.070(3) and 62-213.440, F.A.C., and 0610029-004-AC (PSD-FL-152C)]

**E.7.** The maximum allowable emissions from Unit 5 shall not exceed the emission limitations listed below.

Pollutant	Emission Limits			Basis
	Gas	Number 2 Fuel Oil	Tons/Year <sup>a, b</sup>	
NOx <sup>c</sup>	25 ppmvd at 15% oxygen on a dry basis	42 ppmvd at 15% oxygen on a dry basis	243.7	BACT
SO <sub>2</sub>	Natural gas as fuel	0.25% S by weight	178.2	BACT
PM <sub>10</sub>	0.006 lb/mmBtu	0.025 lb/mmBtu	23.7	BACT
VOC	0.0112 lb/mmBtu	0.0113 lb/mmBtu	21.0	PSD-FL-152C
CO	0.0224 lb/mmBtu	0.0226 lb/mmBtu	42.1	PSD-FL-152C

- a Tons per year based on 67% capacity factor for natural gas firing, 33% capacity factor number 2 fuel oil firing.
- b Based on 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas.
- c NOx emission limit during co-firing of natural gas and number 2 fuel oil shall be determined by the following:

$$\text{NOx Limit} = \frac{(\text{Lg} \times \text{Qg}) + (\text{Lo} \times \text{Qo})}{\text{Qg} + \text{Qo}}$$

where:

- Lg = Emission limit for natural gas
- Qg = Heat input of natural gas
- Lo = Emission limit for fuel oil
- Qo = Heat input of fuel oil

{Note: The limitations of specific condition **E.7** are more stringent than the NSPS nitrogen oxides limitation and thus ensure compliance with 40 CFR 60.332 and 60.334.}  
 [0610029-004-AC (PSD-FL-152C) and requested by applicant in the initial Title V permit application received June 14, 1996]

### **Test Methods and Procedures**

**E.8. Annual Compliance Tests.** Except as provided in specific conditions F.6 and F.8 of this permit, emission testing for visible emissions and nitrogen oxides shall be performed annually, no later than August 1st of each year, in accordance with specific condition **E.10**, with the fuel(s) used for more than 400 hours in the preceding 12-month period. Tests shall be conducted using the following EPA reference methods in accordance with 40 CFR 60, Appendix A:

- a. Method 9 for VE;
- b. Method 20 for NOx.

If the unit is not operating because of scheduled maintenance outages and emergency repairs, it will be tested within thirty days of returning to service.

[Rules 62-4.070(3) and 62-213.440, F.A.C., and 0610029-004-AC (PSD-FL-152C)]

**E.9. Testing for PM, CO, VOC.** Except as provided in specific condition **F.6** of this permit, emission testing for emissions of particulate matter and carbon monoxide shall be performed in the year prior to renewal of this permit, in accordance with specific condition **E.10**, while burning fuel oil. Emission testing for emissions of VOC shall be performed only if the CO test does not demonstrate compliance with the emissions limitation of specific condition **E.7** of this permit. Particulate matter tests shall be conducted using EPA test methods 5 or 17. Carbon monoxide tests shall be conducted using EPA test method 10. VOC tests, if required, shall be conducted using EPA test method 25A.

[Rules 62-4.070(3) and 62-213.440, F.A.C., and 0610029-004-AC (PSD-FL-152C)]

**E.10. Additional Test Requirements.** Test results shall be the average of three valid runs. Testing of emissions shall be conducted with the emissions unit operating at permitted capacity, which is defined as 95-100 percent of the maximum heat input rate allowed by this permit, achievable for the average ambient air temperature during the test. If it is impracticable to test at permitted capacity, the emissions unit may be tested at less than permitted capacity. In such cases, subsequent operation is limited by adjusting downward the entire heat input vs. inlet temperature curve by the increment equal to the difference between the maximum permitted heat input value and 105 percent of the value reached during the test. Once the emissions 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. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report.

[0610029-004-AC (PSD-FL-152C)]

**E.11. Sulfur Dioxide - Sulfur Content.** The permittee shall demonstrate compliance with the liquid fuel sulfur limit by fuel sampling and analysis. See specific conditions **E.6** and **E.12**. The permittee shall demonstrate compliance with the gaseous fuel sulfur limit via record keeping. See specific condition **E.15**.

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



**E.12. Fuel Sampling & Analysis - Sulfur.** Compliance with the liquid fuel sulfur limit shall be determined using fuel sampling and analysis in accordance with the fuel sampling and analysis requirements of 40 CFR 75, Appendix D.  
[Rule 62-213.440, F.A.C., and , and 0610029-004-AC (PSD-FL-152C)]

### **Monitoring of Operations**

**E.13. Continuous Monitoring Required.** A continuous monitoring system shall be maintained to record fuel consumption. A continuous monitoring system shall be maintained to record emissions of nitrogen oxides in accordance with the requirements of 40 CFR 75.  
[0610029-004-AC (PSD-FL-152C) and requested by applicant in the initial Title V permit application received June 14, 1996]

**E.14.1. Excess Emissions by CEMS.** The CEMS for NO<sub>x</sub> shall be used to determine periods of excess emissions. Excess emissions are defined for this emissions unit as any 60-minute period during which the average emissions exceed the emission limits of specific condition **E.7** of this permit. Periods of startup, shutdown, malfunction shall be monitored, recorded and reported with excess emissions following the format and requirements of 40 CFR 60.7.  
{Note: The requirements of specific condition **E.14** are more stringent than the NSPS monitoring provisions and thus assure compliance with 40 CFR 60.334 and 60.335.}  
[Rules 62-4.070(3) and 62-213.440, F.A.C.]

### **Compliance Assurance Monitoring (CAM) Requirements**

**E.14.2.** The control device for this emissions unit is subject to the Compliance Assurance Monitoring (CAM) requirements contained in the attached Appendix CAM, which is a part of this permit. Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation, however, it is an indication that special compliance testing (in accordance with Rule 62-297.310(7)(b), F.A.C.) may be required upon request by the Department.  
[40 CFR 64; and, Rules 62-204.800 and 62-213.440(4)(b)4., F.A.C.]

### **Record Keeping and Reporting Requirements**

**E.15. Natural Gas Sulfur Content Records Required.** The owner or operator shall monitor the sulfur content of natural gas received in accordance with the custom fuel monitoring schedule in Appendix M of this permit.  
[Rules 62-4.070(3) and 62-213.440, F.A.C.]

**E.16. Additional Reports Required.** The owner or operator shall report the following with the Air Operating Report (AOR): sulfur content, by weight, and lower heating value of the fuel oil fired in the previous year, sulfur content of natural gas recorded in the previous year, annual fuel consumption of number 2 fuel oil and natural gas, and hours of operation per fuel usage (single fired and co-fired).  
[Rule 62-210.370(3), F.A.C., and, 0610029-004-AC (PSD-FL-152C)]

### **Other Conditions**

**E.17.** This emissions unit is also subject to conditions **F.1** through **F.18**, **except for F.2, F.3, F.7 and F.8**, contained in **Subsection F. Common Conditions**.

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**E.18.** This emissions unit is also subject to condition **G.1** through **G.6** contained in **Subsection G. NSPS Common Conditions.**

**Subsection F. Common Conditions.**

<b>E.U. ID No.</b>	<b>Brief Description</b>
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4
005	Combined Cycle Gas Turbine, Unit 5

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

**Essential Potential to Emit (PTE) Parameters**

**F.1. Hours of Operation.** These emissions units may operate continuously, i.e., 8,760 hours/year.  
[Rule 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

{Permitting Notes: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**Excess Emissions**

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS or NESHAP provision.}

**F.2. (This condition is not applicable to emissions units 004 and 005.)** Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and 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.]

**F.3. (This condition is not applicable to emissions units 004 and 005.)** Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.  
[Rule 62-210.700(2), F.A.C.]

**F.4.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.  
[Rule 62-210.700(4), F.A.C.]

**Monitoring of Operations**

**F.5. Determination of Process Variables.**

(a) **Required Equipment.** The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine

process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

**F.6. Frequency of Compliance Tests.** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- a. Did not operate; or
- b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

- a. Visible emissions, if there is an applicable standard;
- b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

(b) 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 may 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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C.; SIP approved]

**F.7. (This condition is not applicable to emissions unit 005.) When PM Tests Not Required.**

Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

**F.8. (This condition is not applicable to emissions unit 005.) When VE Tests Not Required.**

By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

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

**Test Methods and Procedures**

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

**F.9. Visible Emissions - Boiler 4, Turbine.** The test method for visible emissions for emissions units 004 (Unit 4) and 005 (Turbine, Unit 5) shall be EPA Method 9, adopted and incorporated by reference in Rule 62-204.800, F.A.C., and referenced in Chapter 62-297, F.A.C.

[Rules 62-204.800 and 62-297.401, F.A.C.]

**F.10. Visible Emissions - Boilers, Units 1, 2 and 3.** The test method for visible emissions for emissions units 001 (Unit 1), 002 (Unit 2) and 003 (Unit 3) shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition F.11.

[Rules 62-296.405(1)(e)1. and 62-297.401, F.A.C.]

**F.11. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
  - a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
  - b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value. [Rule 62-297.401, F.A.C.]

**F.12. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

**F.13. 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 separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**F.14. Operating Rate During Testing.** Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this

case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

**F.15. Applicable Test Procedures.**

**(a) Required Sampling Time.**

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

**(b) Minimum Sample Volume.** Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

**(c) Required Flow Rate Range.** For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

**(d) Calibration of Sampling Equipment.** Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.

**(e) Allowed Modification to EPA Method 5.** When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

[Rule 62-297.310(4), F.A.C.]

**F.16. Required Stack Sampling Facilities.** When a mass emissions stack test is required, the owner or operator shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

[Rule 62-297.310(6), F.A.C.]

**Record Keeping and Reporting Requirements**

**F.17. Malfunctions - Notification.** In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Central District Air Section 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 Central District Air Section.

[Rule 62-210.700(6), F.A.C.]

**F.18. Test Reports.**

**(a)** The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Central District Air Section on the results of each such test.

(b) The required test report shall be filed with the Central District Air Section as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Central District Air Section to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]



**Subsection G. NSPS Common Conditions.**

<b>E.U. ID No.</b>	<b>Brief Description</b>
004	Fossil Fuel Steam Generator, Unit 4
005	Combined Cycle Gas Turbine, Unit 5

{Permitting Notes: The emissions units above are subject to the following conditions from 40 CFR 60 Subpart A, General Provisions. The affected facilities to which this subpart applies are fossil fuel steam generator, Unit 4 and the combined cycle gas turbine, Unit 5. To the extent allowed by law, the Administrator shall mean the Department.}

**The following conditions apply to the NSPS emissions units listed above:**

**G.1. 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:

(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.

(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.

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

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

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

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

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

*[See Attached Figure 1-Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance]*

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

(i) For one full year (e.g., four quarterly or twelve monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under 40 CFR 60 continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all record keeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

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

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

(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 five years following the date of such measurements, maintenance, reports, and records.  
[40 CFR 60.7 and Rule 62-213.440(1)(b)2.b., F.A.C.]

**G.2. Pursuant to 40 CFR 60.8 Performance Tests.**

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart, except as otherwise authorized by an approved alternative method.

(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 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.

(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]

**G.3. 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) **(This paragraph is only applicable to emissions unit 004.)** 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).

(c) **(This paragraph is only applicable to emissions unit 004.)** 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.

(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)(5) **(This paragraph is only applicable to emissions unit 004.)** The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.

[40 CFR 60.11]

#### **G.4. Pursuant to 40 CFR 60.12 Circumvention.**

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

[40 CFR 60.12]

#### **G.5. Pursuant to 40 CFR 60.13 Monitoring Requirements.**

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

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he/she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40 CFR 60. The

owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

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

(2) Except as provided in 40 CFR 60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)(1) Owners and operators of all continuous emission monitoring systems installed in accordance with the provisions of 40 CFR 60 shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

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

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

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

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

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

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

multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorder during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

[40 CFR 60.13]

**Section IV. This section is the Acid Rain Part.**

**Operated by:** City of Vero Beach  
**ORIS code:** 0693

**Subsection A. This subsection addresses Acid Rain, Phase II.**

The emissions units listed below are regulated under Acid Rain, Phase II.

<b>E.U. ID No.</b>	<b>Brief Description</b>
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4
005	Combined Cycle Gas Turbine, Unit 5

**A.1.** The Phase II permit application(s) submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain unit(s) must comply with the standard requirements and special provisions set forth in the application(s) listed below:

- a. DEP Form No. 62-210.900(1)(a), dated August 30, 2002.  
 [Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

**A.2.** Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit are as follows:

<b>E.U. ID No.</b>	<b>EPA ID</b>	<b>Year</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
003	3	<b>SO<sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73</b>	315*	315*	315*	315*	315*
004	4	<b>SO<sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73</b>	107*	107*	107*	107*	107*
005	**5	<b>SO<sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73</b>	317*	317*	317*	317*	317*

\* The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

**A.3. Emission Allowances.** Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

1. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.
2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.
3. Allowances shall be accounted for under the Federal Acid Rain Program.  
[Rule 62-213.440(1)(c), F.A.C.]

**A.4. Fast-Track Revisions of Acid Rain Parts.** Those Acid Rain sources making a change described at Rule 62-214.370(4), F.A.C., may request such change as provided in Rule 62-213.413, F.A.C.  
[Rules 62-213.413 and 62-214.370(4), F.A.C.]

**A.5.** No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400, F.A.C.  
[Rule 62-213.440(1)(c)1., F.A.C.]

**A.6.** Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.  
[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, Definitions - Applicable Requirements, F.A.C.]



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

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Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

**E.U. ID**

**No.**

**Brief Description of Emissions Units and/or Activity**

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- |     |   |
|-----|---|
| 006 | Fuel oil and lube oil storage tanks. Tanks are:<br>Tank 1 (1,560,000 gal. capacity) fuel oil;<br>Tank 2 (3,108,000 gal. capacity) fuel oil;<br>Diesel tank for Unit 5 startup generator;<br>Lube oil tanks and vents, one each for Units 1 - 5. |
| 007 | Waste water treatment plant, including headworks, liquid treatment processes and storage tanks.   |

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

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

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**Brief Description of Emissions Units and/or Activities**

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1. Startup generator diesel engine associated with Unit 5.
2. Vapor extractor rooftop vents, one each for Units 1-4.
3. Cooling tower.
4. Diesel fuel tank for vehicles and gasoline fuel tank for vehicles (500 gal. capacity each).
5. 750 kW diesel generator used 4 hrs/month at wastewater treatment plant.

## APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-4, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

### Chapter 62-4, F.A.C.

1. **Not federally enforceable.** General Prohibition. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable.** Procedures to Obtain Permits and Other Authorizations: Applications.

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except, when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.

[Rule 62-4.050, F.A.C.]

3. Standards for Issuing or Denying Permits. Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

4. Modification of Permit Conditions.

(1) For good cause 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. For the purpose of this section, good cause shall include, but not be limited to, any of the following: (also, see Condition No. 38.)

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.

(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to 180 days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090, F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the his agent:

(a) Submitted false or inaccurate information in his application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

(4) No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

[Rule 62-4.100, F.A.C.]

APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)

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7. **Not federally enforceable. Financial Responsibility.** The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

8. **Transfer of Permits.**

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. **Plant Operation-Problems.** If the permittee is 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. 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. (also, see Condition No. 10.).

[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". [also, see Conditions Nos. 9. and 12.(8)].

[40 CFR 70.6(a)(3)(iii)(B)]

11. **Not federally enforceable. Review.** Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:
- (1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. 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.
  - (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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
  - (3) As provided in Subsections 403.087(7) and 403.722(5), F.S., the issuance of this permit does not convey any 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
  - (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.
  - (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 F.S. and Department rules, unless specifically authorized by an order from the Department.
  - (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and 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.
  - (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 reasonable times, access to the premises where the permitted activity is located or conducted to:
    - (a) Have access to and copy any records that must be kept under conditions of the permit;
    - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
    - (c) 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.
  - (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: **(also, see Condition No. 10.)**
    - (a) A description of and cause of noncompliance; and,
    - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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.
  - (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 source arising under the F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
  - (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
  - (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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.
  - (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
  - (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 for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

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(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;
6. the results of such analyses.

(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 the 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.  
[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  1. plant description and operations,
  2. types and quantities of all waste material to be generated whether liquid, gaseous or solid,
  3. proposed waste control facilities,
  4. the treatment objectives,
  5. the design criteria on which the control facilities are based, and,
  6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

(c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. **Not federally enforceable.** Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit the appropriate fee and certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapters 28-106 and 62-110, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rules 62-110.106 and 62-210.350, F.A.C.

[Rules 62-110.106, 62-210.350 and 62-213.430(1)(b), F.A.C.]

APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.  
[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.  
[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits.

(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.

1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:

- a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;
- b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and
- c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(10)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(10)(d)2., Rule 62-212.400, or Rule 62-212.500, F.A.C., as appropriate.

2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.

3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.



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(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification, or subsequent to the creation of or change to a bubble, and demonstration of compliance with the conditions of the construction permit for any new or modified facility or emissions unit, any air emissions bubble, or as otherwise provided in Chapter 62-210, F.A.C., or Chapter 62-213, F.A.C., the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit or general permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-213, F.A.C., and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.
  - a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.
  - b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:
    - (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,
    - (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,
    - (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.
  - c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.
  - d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.
4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable.** Notification of Startup. The owner or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

(a) The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

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(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. Emissions Unit Reclassification.

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

21. Transfer of Air Permits.

(a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.

(b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C.

[Rule 62-210.300(7), F.A.C.]

22. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.

(c) Except as otherwise provided at Rules 62-210.350(2) and (5), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.

(2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment - Area Preconstruction Review.

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and,

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3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and, notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
  2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and,
  2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
- (c) The notice shall identify:
1. The facility;
  2. The name and address of the office at which processing of the permit occurs;
  3. The activity or activities involved in the permit action;
  4. The emissions change involved in any permit revision;
  5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;

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6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,
8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
  - (a) Typographical errors noted in the permit;
  - (b) Name, address or phone number change from that in the permit;
  - (c) A change requiring more frequent monitoring or reporting by the permittee;
  - (d) A change in ownership or operational control of a facility, subject to the following provisions:
    1. The Department determines that no other change in the permit is necessary;
    2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
    3. The new permittee has notified the Department of the effective date of sale or legal transfer.
  - (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
  - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and,
  - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.
- (5) The Department shall incorporate requirements resulting from issuance of a new or revised construction permit into an existing Title V source permit, if the construction permit or permit revision incorporates requirements of federally enforceable preconstruction review, and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

24. Reports.

- (3) Annual Operating Report for Air Pollutant Emitting Facility.
  - (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
  - (c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

[Rule 62-210.370(3), F.A.C.]

25. 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.]

**APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)**

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26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Forms 62-210.900(1),(3),(4) and (5), F.A.C., including instructions, are available from the Department as hard-copy documents or executable files on computer diskettes. Copies of forms (hard-copy or diskette) may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Notwithstanding the requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate, if an air permit application is submitted using the Department's electronic application form, only one copy of the diskette and signature pages is required to be submitted.

(1) Application for Air Permit - Title V Source, Form and Instructions (Effective 02/11/1999).

(a) Acid Rain Part (Phase II), Form and Instructions (Effective 04/16/2001).

1. Repowering Extension Plan, Form and Instructions (Effective 07/01/1995).

2. New Unit Exemption, Form and Instructions (Effective 04/16/2001).

3. Retired Unit Exemption, Form and Instructions (Effective 04/16/2001).

4. Phase II NOx Compliance Plan, Form and Instructions (Effective 01/06/1998).

5. Phase II NOx Averaging Plan, Form (Effective 01/06/1998).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 02/11/1999).

(7) Application for Transfer of Air Permit - Title V and Non-Title V Source, (Effective 04/16/2001).

[Rule 62-210.900, F.A.C.]

Chapter 62-213, F.A.C.

27. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

[Rules 62-213.205 and 62-213.900(1), F.A.C.]

28. Annual Emissions Fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

[Rule 62-213.205(1)(g), F.A.C.]

29. Annual Emissions Fee. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

[Rule 62-213.205(1)(i), F.A.C.]

30. Annual Emissions Fee. A completed DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by the responsible official with the annual emissions fee.

[Rule 62-213.205(1)(j), F.A.C.]

31. Air Operation Permit Fees. No permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

32. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of this chapter shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

(a) Constitutes a modification;

(b) Violates any applicable requirement;

(c) Exceeds the allowable emissions of any air pollutant from any unit within the source;

(d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;

(e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapters 62-212 or 62-296, F.A.C.;

(f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;

(g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;

**APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)**

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- (h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;
- (i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1),(2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;
- (j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;
- (k) Is a request for industrial-utility unit exemption pursuant to Rule 62-214.340, F.A.C.

[Rules 62-213.400(1) & (2), F.A.C.]

33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:

- (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
  - (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;
    - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
    - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and,
    - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;
  - (3) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
    - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
    - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - (4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.
- [Rule 62-213.410, F.A.C.]

34. Immediate Implementation Pending Revision Process.

- (1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision in accordance with this section, provided the change:
  - (a) Does not violate any applicable requirement;
  - (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
  - (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
  - (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.
- (2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

**APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)**

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rules 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

**35. Permit Applications.**

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.

(a) Timely Application.

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) Complete Application.

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested

APPENDIX TV-4, TITLE V CONDITIONS (version dated 02/12/02) (continued)

and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. (also, see Condition No. 50.) [Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C. [Rule 62-213.420(3), F.A.C.]

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. (also, see Condition No. 4.)

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.



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(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if all of the following criteria are met:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s);
3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Permits for sources subject to the Federal Acid Rain Program shall be issued for terms of five years, provided that the initial Acid Rain Part may be issued for a term less than five years where necessary to coordinate the term of such part with the term of a Title V permit to be issued to the source. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five years.

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

41. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

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

42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

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

43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(1)(b)3.c., F.A.C.]

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46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

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

47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

48. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.

[Rule 62-213.440(1)(d)4., F.A.C.]

49. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.

[Rule 62-213.440(1)(d)5., F.A.C.]

50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. (also, see **Condition No. 36.**)

[Rule 62-213.440(1)(d)6., F.A.C.]

51. Statement of Compliance. (a)2. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C. Such statements shall be submitted (postmarked) to the Department and EPA:

a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and

b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

3. The statement of compliance status shall include all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C.

(b) The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

52. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)

(7) Statement of Compliance Form. (Effective 01/03/2001)

[Rule 62-213.900, F.A.C.: Forms (1) and (7)]

Chapter 62-256, F.A.C.

54. **Not federally enforceable. Open Burning.** This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source. [Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

55. **Refrigerant Requirements.** Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

- (1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

Chapter 62-296, F.A.C.

56. **Industrial, Commercial, and Municipal Open Burning Prohibited.** Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or,
- (b) An emergency exists which requires immediate action to protect human health and safety; or,
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

57. **Unconfined Emissions of Particulate Matter.**

(4)(c)1. 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.

3. Reasonable precautions include the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.

- d. 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.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, 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.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-4.doc]

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

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Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. 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.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.
2. The ports shall be capable of being sealed when not in use.
3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

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

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1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

**(f) Electrical Power.**

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

**(g) Sampling Equipment Support.**

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

### **Appendix M, Custom Fuel Monitoring Schedule for Natural Gas**

Pursuant to 40 CFR 60.334(b)(2), a custom fuel monitoring schedule shall be followed for the natural gas fired at this facility and shall be as follows:

1. Monitoring of fuel nitrogen content shall not be required when natural gas is the only fuel being fired in the turbines.
2. Sulfur Monitoring
  - a. Analysis for fuel sulfur content of the natural gas fired at this facility shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternate method. The reference methods are ASTM D1072-80, ASTM D3031-81, ASTM D3246-81 and ASTM D4084-82, as referenced in 40 CFR 60.335(b)(2).
  - b. This custom fuel monitoring schedule became effective on January 1, 1998. Sulfur monitoring of natural gas fired at the facility was conducted twice monthly for six months. This monitoring showed little variability in the fuel sulfur content and indicated consistent compliance with the sulfur limits of 40 CFR 60.333. Sulfur monitoring was then conducted once per quarter for six quarters.
  - c. The monitoring required in item 2.b. above was completed. Sulfur content showed little variability and, calculated as sulfur dioxide, represented consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333, and the fuel sulfur limits of this permit. **Sample analysis shall be continued to be conducted twice per year. This monitoring shall be conducted during the first and third quarters of each calendar year.**
  - d. Should any sulfur analysis, as required in items 2.b. or 2.c. above indicate noncompliance with the sulfur limits of 40 CFR 60.333 or this permit, the owner or operator shall notify the Department of such excess emissions and the custom schedule shall be re-examined by the Environmental Protection Agency (EPA). Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.
3. If there is a change in fuel supply, the owner or operator shall notify the Department and EPA of such change for re-examination of this custom schedule. A substantial change in fuel quality shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.
4. Records of sample analysis and fuel supply pertinent to this custom fuel monitoring schedule for natural gas shall be retained for a period of five years, and shall be available at the facility for inspection by personnel of the Department or EPA.

TABLE 297.310-1  
CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	$\pm 0.2\%$
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	$\pm 0.1\%$ scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	$\pm 0.001$ " mean of at least three readings Max. deviation between readings $.004$ " 2%
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%



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

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

Pollutant (Circle One):    SO<sub>2</sub>    NO<sub>x</sub>    TRS    H<sub>2</sub>S    CO    Opacity

Reporting period dates: From \_\_\_\_\_ to \_\_\_\_\_

Company: \_\_\_\_\_

Emission Limitation: \_\_\_\_\_

Address: \_\_\_\_\_

Monitor Manufacturer: \_\_\_\_\_

Model No.: \_\_\_\_\_

Date of Latest CMS Certification or Audit: \_\_\_\_\_

Process Unit(s) Description: \_\_\_\_\_

Total source operating time in reporting period<sup>1</sup>: \_\_\_\_\_

Emission data summary <sup>1</sup>	CMS performance summary <sup>1</sup>
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown .....	a. Monitor equipment malfunctions .....
b. Control equipment problems .....	b. Non-Monitor equipment malfunctions .....
c. Process problems .....	c. Quality assurance calibration .....
d. Other known causes .....	d. Other known causes .....
e. Unknown causes .....	e. Unknown causes .....
2. Total duration of excess emissions .....	2. Total CMS Downtime .....
3. Total duration of excess emissions x (100) / [Total source operating time] .....	3. [Total CMS Downtime] x (100) / [Total source operating time] .....
%	%

<sup>1</sup> For opacity, record all times in minutes. For gases, record all times in hours.  
<sup>2</sup> For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 CFR 60.7(c) shall be submitted.

*Note: On a separate page, describe any changes since last quarter in CMS, process or controls.*

I certify that the information contained in this report is true, accurate, and complete.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

# Phase II Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is:  New  Revised  Renewal

**STEP 1**

Identify the source by plant name, State, and ORIS code from NADB

Plant Name <b>City of Vero Beach</b>	State <b>FL</b>	ORIS Code <b>693</b>
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**STEP 2** Enter the unit ID# for each affected unit and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

Compliance Plan				
a	b	c	d	e
Unit ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
<b>3</b>	Yes	<b>NO</b>		
<b>4</b>	Yes	<b>NO</b>		
<b>5</b>	Yes	<b>NO</b>	<b>12/92</b>	<b>1/96</b>
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

**STEP 3**

Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that is being repowered, the Repowering Extension Plan form is included.

**STEP 4**

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

Plant Name (from Step 1)

**Standard Requirements**Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the Department; and
  - (ii) Have an Acid Rain Part.

Monitoring Requirements.

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

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain part application, the Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the Department:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8 or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.

(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

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

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name **Mr. Rex Taylor, City Manager / Utilities Director**

Signature

*Rx Taylor*

Date

8/30/02

# Acid Rain Program

## Instructions for

### Phase II Acid Rain Part Application

(40 CFR 72.30 - 72.31 and Rule 62-214.320, F.A.C.)

*The Acid Rain Program regulations require the designated representative to submit an Acid Rain part application for Phase II for each source with an Acid Rain unit. A complete Phase II part application is binding on the owners and operators of the Acid Rain source and is enforceable in the absence of an Acid Rain part until the permitting authority either issues an Acid Rain part to the source or disapproves the application.*

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the title V permitting authority.

**STEP 1** Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 426-1234 (for ORIS codes), or (202) 426-1269 (for facility codes).

**STEP 2** For column "a," identify each Acid Rain unit at the Acid Rain source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation, with unit identification numbers listed in NADB (for units that commenced operation prior to 1993), and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements. NADB is the National Allowance Data Base for the Acid Rain Program, and can be downloaded from the Acid Rain Program Website at "www.epa.gov/acidrain/" or obtained on diskette by calling the Acid Rain Hotline. This data file is in dBase format for use on an IBM-compatible PC and requires 2 megabytes of hard drive memory.

For column "c," enter "yes" only if a repowering technology petition has been approved for the unit by U.S. EPA, an initial repowering extension plan was approved by the title V permitting authority and activated by the designated representative, and a repowering extension plan renewing the original repowering extension plan has been included with the current acid rain part application for that unit.

For columns "d" and "e," enter the commence operation date(s) and monitor certification deadline(s) for new units in accordance with 40 CFR 75.4. If the commence operation date or monitor certification date changes after the Phase II part is issued, the designated representative must submit a request for an administrative correction under Rule 62-214.370(6), F.A.C.

## Submission Deadlines

For new units, an initial Phase II part application must be submitted to the title V permitting authority at least 24 months before the date the unit commences operation. Phase II acid rain renewal applications must be submitted at least 6 months in advance of the expiration of the acid rain portion of a title V permit, or such longer time as provided for under the title V permitting authority's operating permits regulation.

## Submission Instructions

Submit this form and 1 copy to the appropriate title V air permitting authority. If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.

02/15/01

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of: )  
)  
Florida Electric Power Coordinating Group, Inc., ) ASP No. 97-B-01  
)  
Petitioner. )

ORDER ON REQUEST  
FOR  
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), the Florida Electric Coordinating Group, Incorporated, (FCG) petitioned for approval to: (1) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test; and, (2) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test during the year prior to renewal of an operation permit. This Order is intended to clarify particulate testing requirements for those fossil fuel steam generators which primarily burn gaseous fuels including, but not necessarily limited to natural gas.

Having considered the provisions of Rule 62-296.405(1), F.A.C., Rule 62-297.310(7), F.A.C., and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. The Florida Electric Power Coordinating Group, Incorporated, petitioned the Department to exempt those fossil fuel steam generators which have a heat input of more than 250 million Btu per hour and burn solid and/or liquid fuel less than 400 hours during the year from the requirement to conduct an annual particulate matter compliance test. [Exhibit 1]

2. Rule 62-296.405(1)(a), F.A.C., applies to those fossil fuel steam generators that are not subject to the federal standards of performance for new stationary sources (NSPS) in 40 CFR 60 and which have a heat input of more than 250 million Btu per hour.

3. Rule 62-296.405(1)(a), F.A.C., limits visible emissions from affected fossil fuel steam generators to, "20 percent opacity except for either one six-minute period per hour during which

not exceed 40 percent. The option selected shall be specified in the emissions unit's construction and operation permits. Emissions units governed by this visible emission limit shall test for particulate emission compliance annually and as otherwise required by Rule 62-297, F.A.C."

4. Rule 62-296.405(1)(a), F.A.C., further states, "Emissions units electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The results of such tests shall be submitted to the Department. Upon demonstration that the particulate standard has been regularly complied with, the Secretary, upon petition by the applicant, shall reduce the frequency of particulate testing to no less than once annually.

5. Rule 297.310(7)(a)1., F.A.C., states, "The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit."

6. Rule 297.310(7)(a)3., F.A.C., states, "The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision.

7. Rule 297.310(7)(a)3., F.A.C., further states, "In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal: a. Did not operate; or, b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours."

8. Rule 297.310(7)(a)4., F.A.C., states, "During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for: a. Visible emissions, if there is an applicable standard; b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant..."

9. Rule 297.310(7)(a)5., F.A.C., states, "An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours."

10. Rule 297.310(7)(a)6., F.A.C., states, "For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be

required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.”

11. Rule 297.310(7)(a)7., F.A.C., states, “For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.” [Note: The reference should be to Rule 62-296.405(1)(a), F.A.C., rather than Rule 62-296.405(2)(a), F.A.C.]

12. The fifth edition of the U. S. Environmental Protection Agency’s Compilation of Air Pollutant Emission Factors, AP-42, that emissions of filterable particulate from gas-fired fossil fuel steam generators with a heat input of more than about 10 million Btu per hour may be expected to range from 0.001 to 0.006 pound per million Btu. [Exhibit 2]

13. Rule 62-296.405(1)(b), F.A.C. and the federal standards of performance for new stationary sources in 40 CFR 60.42, Subpart D, limit particulate emissions from uncontrolled fossil fuel fired steam generators with a heat input of more than 250 million Btu to 0.1 pound per million Btu.

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider the matter pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 62-297.620, F.A.C.

2. Pursuant to Rule 62-297.310(7), F.A.C., the Department may require Petitioner to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

3. There is reason to believe that a fossil fuel steam generator which does not burn liquid and/or solid fuel (other than during startup) for a total of more than 400 hours in a federal fiscal year and complies with all other applicable limits and permit conditions is in compliance with the applicable particulate mass emission limiting standard.

#### ORDER

Having considered the requirements of Rule 62-296.405, F.A.C., Rule 62-297.310, F.A.C., and supporting documentation, it is hereby ordered that:

1. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours;



2. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup;
3. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(1)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup;
4. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.
5. Pursuant to Rule 62-297.310(7), F.A.C., owners of affected fossil fuel steam generators may be required to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.
6. Pursuant to Rule 62-297.310(8), F.A.C., owners of affected fossil fuel steam generators shall submit the compliance test report to the District Director of the Department district office having jurisdiction over the emissions unit and, where applicable, the Air Program Administrator of the appropriate Department-approved local air program within 45 days of completion of the test.

#### PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of

the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by each petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action in the notice of intent.

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

A person whose substantial interests are affected by the Department's proposed decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

(a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and

(d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

(a) The names, addresses, and telephone numbers of any persons who may attend the mediation;

(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;

(c) The agreed allocation of the costs and fees associated with the mediation;

(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;

(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;

(f) The name of each party's representative who shall have authority to settle or recommend settlement; and

(g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will

specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver, when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully

each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

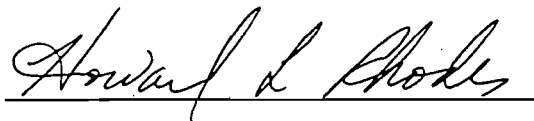
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

#### RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 17 day of March, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director  
Division of Air Resources Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(904) 488-0114

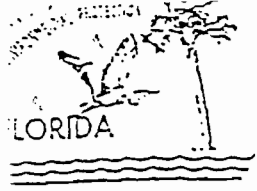
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 18<sup>th</sup> day of March 1997.

Clerk Stamp

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

Martha M. Wise      3-18-97  
Clerk                              Date



# Department of Environmental Protection

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

Lawton Chiles  
Governor

Virginia E. Wetherell  
Secretary

July 9, 1997

Certified Mail - Return Receipt Requested

Mr. Rich Piper, Chair  
Florida Power Coordinating Group, Inc.  
405, Reo Street, Suite 100  
Tampa, Florida 33609-1004

Dear Mr. Piper:

Enclosed is a copy of a Scrivener's Order correcting an error in the Order concerning particulate matter testing of natural gas fired boilers.

If you have any questions concerning the above, please call Yogesh Manocha at 904/488-6140, or write to me.

Sincerely,

M. D. Harley, P.E., DEE  
P.E. Administrator  
Emissions Monitoring Section  
Bureau of Air Monitoring and  
Mobile Sources

MDH:ym

cc: Dotty Diltz, FDEP  
Pat Comer, FDEP

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of: )

Florida Electric Power Coordinating Group, Inc., )

Petitioner. )

ASP No. 97-B-01

ORDER CORRECTING SCRIVENER'S ERROR

The Order which authorizes owners of natural gas fired fossil fuel steam generators to forgo particulate matter compliance testing on an annual basis and prior to renewal of an operation permit entered on the 17th day of March, 1997, is hereby corrected on page 4, paragraph number 4, by deleting the words "pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.":

4. In renewing an air operation permit ~~pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.~~, the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

DONE AND ORDERED this 2 day of July, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director  
Division of Air Resources Management  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(904) 488-0114



CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 10<sup>th</sup> day of July 1997.

Clerk Stamp

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

Martina Jewel White 7/10/97  
Clerk Date

Revised Best Available Control Technology (BACT) Determination  
 City of Vero Beach  
 Indian River County

The applicant proposes to install a combustion turbine generator system at their facility in Vero Beach. The generator system will consist of a single 40 megawatt (MW) combustion turbine and a single heat recovery steam generator (HRSG) which will be used to repower an existing nominal 20 MW steam turbine.

The combustion turbine will be capable of both combined cycle and simple cycle operation. It is anticipated that the combustion turbine will use natural gas as the primary fuel and distillate oil as the backup fuel. The applicant has indicated the maximum annual tonnage of regulated air pollutants emitted from the facility based on 100 percent capacity for natural gas firing and 25% for oil-firing at ISO conditions to be as follows:

Pollutant	Potential Emissions (tons/yr)		PSD Significant Emission Rate (tons/yr)
	Natural Gas	Fuel Oil	
NO <sub>x</sub>	328.5	132.5	40
SO <sub>2</sub>	1.3	130.8	40
PM <sub>2</sub>	11.0	11.0	25
PM <sub>10</sub>	11.0	11.0	15
CO	43.8	11.0	100
VOC	21.9	5.5	40
H <sub>2</sub> SO <sub>4</sub>	0.019	3.9	7
Be	0.0	0.0012	0.0004
Hg	0.0	0.0015	0.1
Pb	0.0	0.0125	0.6

Florida Administrative Code Rule 17-2.500(2)(f)(3) requires a BACT review for all regulated pollutants emitted in an amount equal to or greater than the significant emission rates listed in the previous table.

Date of Receipt of a BACT Application

May 9, 1991

BACT Determination Requested by the Applicant

<u>Pollutant</u>	<u>Determination</u>
NO <sub>x</sub>	25 ppmvd @ 15% O <sub>2</sub> (natural gas burning)* 65 ppmvd @ 15% O <sub>2</sub> (No. 2 fuel oil firing)
SO <sub>2</sub>	Firing of natural gas or No. 2 fuel oil with a maximum sulfur content of 0.25%
PM and PM <sub>10</sub>	Combustion control
H <sub>2</sub> SO <sub>4</sub>	Firing of No. 2 fuel oil with a maximum sulfur content of 0.25%
Be	Firing of No. 2 fuel oil

\* The applicant proposes to install low NO<sub>x</sub> combustors or SCR within one year after the date the combustion turbine commences commercial operation. The above NO<sub>x</sub> emission limitations would apply only if low NO<sub>x</sub> combustors are installed. If SCR is installed, the NO<sub>x</sub> emission limitations would be 9 ppmvd or 25 ppmvd (@ 15% O<sub>2</sub>) for natural gas or No. 2 fuel oil firing, respectively. Until installation of low NO<sub>x</sub> combustors or SCR, the applicant proposes to limit NO<sub>x</sub> emissions to 42 ppmvd and 65 ppmvd @ 15% oxygen when from natural gas and oil, respectively.

BACT Determination Procedure

In accordance with Florida Administrative Code Chapter 17-2, Air Pollution, this BACT determination is based on the maximum degree of reduction of each pollutant emitted which the Department, on a case by case basis, taking into account energy, environmental and economic impacts, and other costs, determines is achievable through application of production processes and available methods, systems, and techniques. In addition, the regulations state that in making the BACT determination the Department shall give consideration to:

- (a) Any Environmental Protection Agency determination of Best Available Control Technology pursuant to Section 169, and any emission limitation contained in 40 CFR Part 60 (Standards of Performance for New Stationary Sources) or 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants).
- (b) All scientific, engineering, and technical material and other information available to the Department.
- (c) The emission limiting standards of BACT determinations of any other state.

- (d) The social and economic impact of the application of such technology.

The EPA currently stresses that BACT should be determined using the "top-down" approach. The first step in this approach is to determine for the emission source in question the most stringent control available for a similar or identical source of source category. If it is shown that this level of control is technically or economically infeasible for the source in question, then the next most stringent level of control is determined and similarly evaluated. This process continues until the BACT level under consideration cannot be eliminated by any substantial or unique technical, environmental, or economic objections.

The air pollutant emissions from combined cycle power plants can be grouped into categories based upon what control equipment and techniques are available to control emissions from these facilities. Using this approach, the emissions can be classified as follows:

- ° Combustion Products (Particulates and Heavy Metals). Controlled generally by good combustion of clean fuels.
- ° Products of Incomplete Combustion (CO, VOC, Toxic Organic Compounds). Control is largely achieved by proper combustion techniques.
- ° Acid Gases ( $SO_x$ ,  $NO_x$ , HCl, F1). Controlled generally by gaseous control devices.

Grouping the pollutants in this manner facilitates the BACT analysis because it enables the equipment available to control the type or group of pollutants emitted and the corresponding energy, economic, and environmental impacts to be examined on a common basis. Although all of the pollutants addressed in the BACT analysis may be subject to a specific emission limiting standard as a result of PSD review, the control of "nonregulated" air pollutants is considered in imposing a more stringent BACT limit on a "regulated" pollutant (i.e., particulates, sulfur dioxide, fluorides, sulfuric acid mist, etc.), if a reduction in "nonregulated" air pollutants can be directly attributed to the control device selected as BACT for the abatement of the "regulated" pollutants.

#### Combustion Products

The City of Vero Beach's projected emissions of particulate matter,  $PM_{10}$ , and beryllium surpass the significant emission rates given in Florida Administrative Code Rule 17-2.500, Table 500-2 for No. 2 fuel oil firing only. A review of the BACT/LAER Clearinghouse indicates that the applicants proposed emission rate (equivalent to 0.025 lb/MMBtu) is representative of BACT for turbines of similar size.

As this is the case, a PM/PM<sub>10</sub> emissions limitation of 0.025 lb/MMBtu for No. 2 fuel oil firing is reasonable as BACT for the Vero Beach facility.

In general, the BACT/LAER Clearinghouse does not contain specific emission limits for beryllium from turbines. BACT for these heavy metals is typically represented by the level of particulate control. As this is the case, the emission factor of 0.025 lb/MMBtu for particulate matter PM<sub>10</sub> is judged to also represent BACT for beryllium.

#### Products of Incomplete Combustion

The emissions of carbon monoxide and volatile organic compounds are each below the significant level and therefore do not require a BACT analysis.

#### Acid Gases

The emissions of sulfur dioxide, nitrogen oxides, and sulfuric acid mist, represent a significant proportion of the total emissions and need to be controlled if deemed appropriate. Sulfur dioxide emissions from combustion turbines are directly related to the sulfur content of the fuel being combusted.

The applicant has proposed the use of natural gas and No. 2 fuel oil with a maximum sulfur content of 0.25% to control sulfur dioxide emissions. A review of the latest edition (1990) of the BACT/LAER Clearinghouse indicates that sulfur dioxide emissions from combustion turbines have been controlled by limiting fuel oil sulfur content to a range of 0.1 to 0.3%, with the average for the facilities listed being approximately 0.24 percent. As this is the case, the applicant's proposal to use No. 2 fuel oil with a maximum sulfur content of 0.25% is judged to represent BACT.

The applicant has stated that BACT for nitrogen oxides (NO<sub>x</sub>) will be complied with by installing low NO<sub>x</sub> combustors capable of limiting NO<sub>x</sub> emissions to 25 ppmvd or 65 ppmvd at 15% oxygen when burning natural gas or No. 2 fuel oil, respectively, or by installing selective catalytic reduction ("SCR") capable of limiting NO<sub>x</sub> emissions to 9 ppmvd or 25 ppmvd at 15% oxygen when burning natural gas and No. 2 fuel oil, respectively, within one year after the date the new unit commences commercial operation. Until the installation of low NO<sub>x</sub> combustors or SCR, wet injection will limit NO<sub>x</sub> emissions from Unit 5 to 42 ppmvd or 65 ppmvd at 15% oxygen when burning natural gas or No. 2 fuel oil, respectively.

A review of the EPA's BACT/LAER Clearinghouse indicates that the lowest NO<sub>x</sub> emission limit established to date for a combustion turbine is 4.5 ppmvd at 15 percent oxygen. This level of control

was accomplished through the use of water injection and a SCR system.

SCR is a post-combustion method for control of NO<sub>x</sub> emissions. The SCR process combines vaporized ammonia with NO<sub>x</sub> in the presence of a catalyst to form nitrogen and water. The vaporized ammonia is injected into the exhaust gases prior to passage through the catalyst bed. The SCR process can achieve up to 90% reduction of NO<sub>x</sub> with a new catalyst. As the catalyst ages, the maximum NO<sub>x</sub> reduction will decrease to approximately 86 percent.

Given the applicant's proposed BACT level for nitrogen oxides control stated above, an evaluation can be made of the cost and associated benefit of using SCR as follows:

The applicant has indicated that the total levelized annual cost (operating plus amortized capital cost) to install SCR for natural gas firing at 95 percent capacity factor is \$1,080,000. Taking into consideration the total levelized annual cost, a cost/benefit analysis of using SCR can now be developed.

Based on the information supplied by the applicant, it is estimated that the maximum annual NO<sub>x</sub> emissions with low NO<sub>x</sub> combustors from the Vero Beach facility will be 186 tons/year, at a total levelized annual cost of \$377,000. Assuming that SCR would reduce the NO<sub>x</sub> emissions by an additional 80%, the SCR would control 119 tons of NO<sub>x</sub> annually for natural gas firing. When this reduction is taken into consideration with the incremental annual cost of \$703,000 (cost of SCR less cost of low NO<sub>x</sub> combustors) the cost per ton of controlling NO<sub>x</sub> is \$5,907. This cost (\$5,907/ton) exceeds costs that have been previously justified as BACT.

Since SCR has been determined to be BACT for several combined cycle facilities, the EPA has clearly stated that there must be unique circumstances to consider the rejection of such control on the basis of economics. In a recent letter from EPA Region IV to the Department regarding the permitting of a combined cycle facility (Tropicana Products, Inc.), the following statement is made:

"In order to reject a control program on the basis of economic considerations, the applicant must show why the costs associated with the control are significantly higher for this specific project than for other similar projects that have installed this control system or in general for controlling the pollutant.

A review of the combined cycle facilities in which SCR has been established as a BACT requirement indicates that the majority of these facilities are also intended to operate at high capacity factors. As this is the case, the proposed project is similar to

other facilities in which SCR has been established as BACT, thereby supporting SCR as BACT for the proposed facility.

For fuel oil firing, the cost associated with controlling NO<sub>x</sub> emissions must take into account the potential operating problems that can occur with using SCR in the oil firing mode.

A concern associated with the use of SCR on combined cycle projects is the formation of ammonium bisulfate. For the SCR process, ammonium bisulfate can be formed due to the reaction of sulfur in the fuel and the ammonia injected. The ammonium bisulfate formed has a tendency to plug the tubes of the heat recovery steam generator leading to operational problems. As this is the case, SCR has been judged to be technically infeasible for oil firing in some previous BACT determinations.

The latest information available now indicates that SCR can be used for oil firing provided that adjustments are made in the ammonia to NO<sub>x</sub> injection ratio. For natural gas firing operation NO<sub>x</sub> emissions can be controlled with up to a 90 percent efficiency using a 1 to 1 or greater injection ratio. By lowering the injection ratio for oil firing, testing has indicated that NO<sub>x</sub> can be controlled with efficiencies ranging from 60 to 75 percent. When the injection ratio is lowered there is not a problem with ammonium bisulfate formation since essentially all of the ammonia is able to react with the nitrogen oxides present in the combustion gases.

Based on this strategy SCR has been both proposed and established as BACT for oil fired combined cycle facilities with NO<sub>x</sub> emissions limits ranging from 11.7 to 25 ppmvd depending on the efficiency of control established.

Assuming that the lowered ammonia injection ratio strategy was used to control NO<sub>x</sub> emissions by 65%, the SCR would control 310 tons (62% of 503 tons/yr) of NO<sub>x</sub> annually for oil firing. When this reduction is taken into consideration with the total annual cost of SCR, the cost per ton of controlling NO<sub>x</sub> is \$4,630. This cost is lower than that determined for natural gas firing and is could be considered reasonable. However, when the proposed 25% capacity factor limit on oil-firing is taken into consideration, SCR technology is not cost effective.

#### Environmental Impact Analysis

The predominant environmental impacts associated with this proposal are related to the use of SCR for NO<sub>x</sub> control. The use of SCR results in emissions of ammonia, which may increase with increasing levels of NO<sub>x</sub> control. In addition, some catalysts may contain substances which are listed as hazardous waste, thereby creating an additional environmental burden. Although the use of SCR does have some environmental impacts, the disadvantages do not outweigh the benefit which would be provided

by reducing nitrogen oxide emissions by 80 percent. The overwhelming benefit of NO<sub>x</sub> control by using SCR is substantiated by the fact that nearly one half of all BACT determinations have established SCR as the control measure for nitrogen oxides over the last five years.

In addition to the criteria pollutants, the impacts of toxic pollutants associated with the combustion of natural gas and No. 2 fuel oil have been evaluated. Beryllium for oil fired operation exceeds PSD significant levels. Other toxics are expected to be emitted in minimal amounts, with the total emissions combined to be less than 0.1 tons per year.

Although the emissions of the toxic pollutants could be controlled by particulate control devices such as a baghouse or scrubber, the amount of emission reductions would not warrant the added expense. As this is the case, the Department does not believe that the BACT determination would be affected by the emissions of the toxic pollutants associated with the firing of natural gas or No. 2 fuel oil.

#### Potentially Sensitive Concerns

With regard to controlling NO<sub>x</sub> emissions with SCR, the applicant has identified the following technical limitations:

1. SCR would reduce output of combustion turbines by one percent.
2. SCR could result in the release of unreacted quantities of ammonia to the atmosphere.
3. SCR would require handling of ammonia by plant operators. Since it is a hazardous material, there is a concern about safety and productivity of operators.
4. SCR results in contaminated catalyst from flue gas trace elements which could be considered hazardous. Safety of operators and disposal of spent catalyst is a concern.

#### BACT Determination by DER

##### NOx Control

A review of the permitting activities for combined cycle proposals across the nation indicates that SCR has been required and most recently proposed for installations with a variety of operating conditions (i.e., natural gas, fuel oil, capacity factors ranging from low to high). However, the cost and other concerns expressed by the applicant are valid.

The information that the applicant presented and Department calculations indicates that the incremental cost of



controlling NO<sub>x</sub> with SCR (\$5,907/ton) for natural gas is high compared to other BACT determinations which require SCR. Although the cost of SCR for oil firing (\$4,630/ton) could be considered reasonable, when a 25% capacity factor limit on oil-firing is considered, SCR technology is not cost effective. Based on the information presented by the applicant and the studies conducted, the Department believes a permit requiring the use of SCR for NO<sub>x</sub> control is not justifiable.

Pursuant to Florida Administrative Code ("FAC") Rule 17-2.630(3)(a), the Department may approve the use of a system of innovative control technology as BACT if:

1. The proposed system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function.
2. The owner or operator shall be required to achieve a level of continuous emissions reduction equivalent to that which would have been required under a Section 17-2.630(1) BACT determination within a reasonable period of time specified by the Department, but not later than four years from the time of startup or seven years from the date of issuance of the construction permit.
3. Use of the proposed system would not:
  - a. Cause or contribute to a violation of any ambient air quality standard;
  - b. Have a significant impact on any Class I area; or
  - c. Have a significant impact on any area where an applicable maximum allowable increase is known to be violated.

"Innovative control technology" is defined as "[a]ny system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts." Rule 17-2.100(98), FAC.

Under the terms of the above rules, the low NO<sub>x</sub> combustion system proposed by the City qualifies as a system of innovative control technology. Therefore, the Department has revised the permit to require retrofit installation of low

NOx combustors or SCR within one year of the date the new combustion turbine begins commercial operation. In accordance with the above BACT analysis, unless SCR is installed, No. 2 fuel oil firing must be limited to 25% of the annual capacity factor. However, if low NOx combustors are installed, and compliance testing establishes a NOx emissions rate of 42 ppmvd (at 15% O<sub>2</sub> on a dry basis) or lower, the annual limit on No. 2 fuel oil firing shall be 33% of the annual capacity factor. The additional capacity for oil firing at the 42 ppmvd NOx emissions rate is consistent with recent BACT determinations in Florida. In addition, in response to comments from EPA, simple cycle operation of the new unit shall be limited to 25% of the annual capacity factor during the first year of commercial operation and thereafter if SCR is installed.

SO<sub>2</sub> Control

For sulfur dioxide BACT is represented by firing natural gas or No. 2 fuel oil with an average sulfur content not to exceed 0.25 percent.

Other Emissions Control

The emission limitations for PM and PM<sub>10</sub>, are based on previous BACT determinations for similar facilities, with the heavy metal beryllium being addressed through the particulate limitation and sulfuric acid mist being addressed through the sulfur dioxide limitation.

The emission limits for the City of Vero Beach project are thereby established as follows:

Pollutant	Emission Limit	
	Natural Gas Firing	No. 2 Fuel Oil Firing
NOx	25 ppmvd @ 15% O <sub>2</sub>	65 ppmvd @ 15% O <sub>2</sub> *
SO <sub>2</sub>	Natural gas as fuel	Sulfur content not to exceed 0.25%
PM & PM <sub>10</sub>	0.006 lb/MMBtu	0.025 lb/MMBtu
Sulfuric Acid Mist	Emissions limited by natural gas and No. 2 fuel oil firing	
Beryllium	Emissions limited by natural gas and No. 2 fuel oil firing	

\* The permittee must install low NOx combustors or SCR within one year after the date the combustion turbine commences commercial operation. The above NO<sub>x</sub> emission limitations

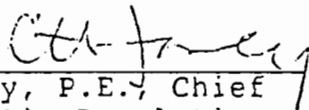
apply only if low NOx combustors are installed. If SCR is installed, the NOx emission limitations will be 9 ppmvd or 25 ppmvd (@ 15% O<sub>2</sub>) for natural gas or No. 2 fuel oil firing, respectively. Until low NOx combustors or SCR are installed, the permittee must limit NO<sub>x</sub> emissions to 42 ppmvd and 65 ppmvd @ 15% oxygen when<sup>x</sup> from natural gas and oil, respectively.

Details of the Analysis May be Obtained by Contacting:

Barry Andrews, P.E., BACT Coordinator  
Department of Environmental Regulation  
Bureau of Air Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Recommended by:

Approved by:



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

Carol M. Browner, Secretary  
Dept. of Environmental Regulation

June 17, 1991  
Date

June 28, 1991  
Date

**APPENDIX CAM**

**Compliance Assurance Monitoring Requirements**

## Compliance Assurance Monitoring Requirements

Pursuant to Rule 62-213.440(1)(b)1.a., F.A.C., the CAM plans that are included in this appendix contain the monitoring requirements necessary to satisfy 40 CFR 64.

Conditions 1. – 17. are generic conditions applicable to all emissions units that are subject to the CAM requirements. Specific requirements related to each emissions unit are contained in the attached tables, as submitted by the applicant and approved by the Department.

### 40 CFR 64.6 Approval of Monitoring.

1. The attached CAM plan(s), as submitted by the applicant, is/are approved for the purposes of satisfying the requirements of 40 CFR 64.3.  
[40 CFR 64.6(a)]
2. The attached CAM plan(s) include the following information:
  - (i) The indicator(s) to be monitored (such as temperature, pressure drop, emissions, or similar parameter);
  - (ii) The means or device to be used to measure the indicator(s) (such as temperature measurement device, visual observation, or CEMS); and
  - (iii) The performance requirements established to satisfy 40 CFR 64.3(b) or (d), as applicable.[40 CFR 64.6(c)(1)]
3. The attached CAM plan(s) describe the means by which the owner or operator will define an exceedance of the permitted limits or an excursion from the stated indicator ranges and averaging periods for purposes of responding to (see **CAM Conditions 5. - 9.**) and reporting exceedances or excursions (see **CAM Conditions 10. – 14.**).  
[40 CFR 64.6(c)(2)]
4. The permittee is required to conduct the monitoring specified in the attached CAM plan(s) and shall fulfill the obligations specified in the conditions below (see **CAM Conditions 5. - 17.**).  
[40 CFR 64.6(c)(3)]

### 40 CFR 64.7 Operation of Approved Monitoring.

5. Commencement of operation. The owner or operator shall conduct the monitoring required under this appendix upon the effective date of this Title V permit.  
[40 CFR 64.7(a)]
6. Proper maintenance. At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.

[40 CFR 64.7(b)]

7. Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

[40 CFR 64.7(c)]

8. Response to excursions or exceedances.

a. Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions, if allowed by this permit). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

b. Determination of whether the owner or operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

[40 CFR 64.7(d)(1) & (2)]

9. Documentation of need for improved monitoring. If the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the Title V permit to address the necessary monitoring

changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

[40 CFR 64.7(e)]

#### **40 CFR 64.8 Quality Improvement Plan (QIP) Requirements.**

10. Based on the results of a determination made under **CAM Condition 8.a.**, above, the permitting authority may require the owner or operator to develop and implement a QIP. Consistent with **CAM Condition 4.**, an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period, may require the implementation of a QIP. The threshold may be set at a higher or lower percent or may rely on other criteria for purposes of indicating whether a pollutant-specific emissions unit is being maintained and operated in a manner consistent with good air pollution control practices.

[40 CFR 64.8(a)]

11. Elements of a QIP:

a. The owner or operator shall maintain a written QIP, if required, and have it available for inspection.

b. The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

(i) Improved preventive maintenance practices.

(ii) Process operation changes.

(iii) Appropriate improvements to control methods.

(iv) Other steps appropriate to correct control performance.

(v) More frequent or improved monitoring (only in conjunction with one or more steps under **CAM Condition 11.b(i)** through **(iv)**, above).

[40 CFR 64.8(b)]

12. If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as practicable and shall notify the permitting authority if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.

[40 CFR 64.8(c)]

13. Following implementation of a QIP, upon any subsequent determination pursuant to **CAM Condition 8.b.**, the permitting authority may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:

a. Failed to address the cause of the control device performance problems; or

b. Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

14. Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.  
[40 CFR 64.8(e)]

**40 CFR 64.9 Reporting And Recordkeeping Requirements.**

15. General reporting requirements.

a. On and after the date specified in **CAM Condition 5**, by which the owner or operator must use monitoring that meets the requirements of this appendix, the owner or operator shall submit monitoring reports semi-annually to the permitting authority in accordance with Rule 62-213.440(1)(b)3.a., F.A.C.

b. A report for monitoring under this part shall include, at a minimum, the information required under Rule 62-213.440(1)(b)3.a., F.A.C., and the following information, as applicable:

(i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(iii) A description of the actions taken to implement a QIP during the reporting period as specified in **CAM Conditions 10.** through **14.** Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)]

16. General recordkeeping requirements.

a. The owner or operator shall comply with the recordkeeping requirements specified in Rule 62-213.440(1)(b)2., F.A.C. The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to **CAM Conditions 10.** through **14.** and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

b. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.



[40 CFR 64.9(b)]

**40 CFR 64.10 Savings Provisions.**

17. It should be noted that nothing in this appendix shall:
- a. Excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act. The requirements of this appendix shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purpose of determining the monitoring to be imposed under separate authority under the Act, including monitoring in permits issued pursuant to title I of the Act. The purpose of this part is to require, as part of the issuance of a permit under Title V of the Act, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of this part.
  - b. Restrict or abrogate the authority of the Administrator or the permitting authority to impose additional or more stringent monitoring, recordkeeping, testing, or reporting requirements on any owner or operator of a source under any provision of the Act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable.
  - c. Restrict or abrogate the authority of the Administrator or permitting authority to take any enforcement action under the Act for any violation of an applicable requirement or of any person to take action under section 304 of the Act.

[40 CFR 64.10]

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## COMPLIANCE ASSURANCE MONITORING PLAN

Unit 5 Gas Turbine: City of Vero Beach

### Emissions Unit -005

005	Combined Cycle Gas Turbine, Unit 5, rated at 38 MW, 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas, capable of burning any combination of, number 2 fuel oil, and natural gas, with emissions exhausted through a 125 ft. stack.
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#### I. Background

##### A. Emissions Unit

Description:	Combined Cycle Gas Turbine
Identification:	Emission Unit ID No. 005
Stack designation:	HRSO Stack
Facility ID No.	0610029
Facility:	City of Vero Beach Municipal Utilities Vero Beach, Florida

##### B. Applicable Regulation, Emission Limit, and Monitoring Requirements

Regulation No.:	BACT
Regulated pollutants:	Nitrogen Oxides (NO <sub>x</sub> )
Emission limit:	42 ppmvd at 15% O <sub>2</sub>
Monitoring requirements in permit:	40 CFR Part 75 CEM

##### C. Control Technology: Water Injection

#### II. Monitoring Approach

The key elements of the monitoring approach, including the indicators to be monitored, indicator ranges, and performance criteria are presented in Table 1.

---

### III. Monitoring Approach Justification

#### A. Background

This facility consists of 5 regulated emission units that consist of 4 fossil fuel steam generators (Units 1-4) and a combined cycle gas turbine (Unit 5). Unit 5 is rated at a 38 MW with heat inputs of 414 MMBtu/hr when firing natural gas and 455 MMBtu/hr when firing distillate oil. Emissions of NO<sub>x</sub> are controlled using dry low-NO<sub>x</sub> (DLN) combustors when firing natural gas and water injection when firing fuel oil. The NO<sub>x</sub> emission limits are 25 ppmvd corrected to 15% oxygen when firing natural gas and 42 ppmvd corrected to 15% oxygen when firing distillate oil. The emission unit is authorized to co-fire natural gas and distillate oil with a prorated emission rate based on heat input of fuel. The use of DLN when firing only natural gas is an inherent process control and not a “control device” defined under the CAM regulations in 40 CFR Part 64, Section 64.1. The use of water injection when firing oil, or using water injection when co-firing natural gas and oil, is considered a control device under the Part 64 regulations and CAM would apply. This CAM Plan applies to the use of water injection.

#### B. Rationale for Selection of Performance Indicators

The emission unit is equipped with a CEM meeting the performance requirements of 40 CFR Part 75. Pursuant to 40 CFR 64.3(d) the use of CEMs to meet the requirements of 40 CFR Part 64 is required if a CEM is required pursuant to other authority under the Act or state law. Since a CEM to meet the requirements of 40 CFR Part 75 has been installed and is also required to provide monitoring data pursuant to the Title V permit. A 40 CFR Part 75 CEM presumptively meets the requirements of 40 CFR Part 64.

#### C. Rationale for Selection of Indicator Ranges

The indicator ranges and averaging times proposed for the indicator ranges are consistent with the emission limiting standards and monitoring requirements. The indicator range will be NO<sub>x</sub> emissions of 42 ppmvd corrected to 15% oxygen when firing distillate oil. If co-firing natural gas with distillate oil, a prorated, value calculated based on the heat input of natural gas and distillate oil will be used as the indicator range.

TABLE 1. COMPLIANCE ASSURANCE MONITORING APPROACH, UNIT 5 CITY OF VERO BEACH

	Indicator No. 1	
I. Indicator Measurement Approach	NOx emission rate.	
	NOx emission rate will be monitored by 40 CFR Part 75 CEM.	
II. Indicator Range	An excursion is defined as a NOx emission rate of 42 ppmvd corrected to 15% oxygen on a one-hour average basis, excluding periods of startup, shutdown and malfunction; excursions trigger an inspection and corrective action. The NOx emission rate will be prorated if co-firing occurs.	
III. Performance Criteria	The CEMs is located in the exhaust stack and provides a direct measurement of the NOx concentration.	
A. Data Representativeness		
B. Verification of Operational Status	Not applicable	
C. QA/QC Practices and Criteria	QA/QC practices will follow the requirements of 40 CFR Part 75	
D. Monitoring Frequency	Measured continuously.	
Data Collection Procedure	Recorded pursuant to 40 CFR Part 75.	
Averaging Period	One-hour average.	

**Table 1-1, Summary of Air Pollutant Emission Standards**

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit		Brief Description							
001		Fossil Fuel Steam Generator, Unit 1, rated at 13 MW.							
002		Fossil Fuel Steam Generator, Unit 2, rated at 17 MW.							
			Allowable Emissions			Equivalent Emissions <sup>1</sup>			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb/hour	TPY	lb/hour	TPY	Regulatory Citations	See Permit Condition(s)
<b>VE</b> Steady State	Oil, Natural Gas	8760	20% opacity, except for 40% for 2 min. each hour					Rule 62-296.406(1), F.A.C.	A.4, B.4
<b>VE</b> Soot Blowing or Load Change	Oil, Natural Gas	8760	60% opacity					Rule 62-210.700(3), F.A.C.	A.5, B.5
<b>PM, SO<sub>2</sub></b> Unit 1	Oil	8760	1.5% S by weight, fuel oil			230.2*	1008*	Rule 62-296.406(2), F.A.C., & BACT	A.6 & A.7
<b>PM, SO<sub>2</sub></b> Unit 2	Oil	8760	1.5% S by weight, fuel oil			399.5*	1750*	Rules 62-4.070(3) & 62-296.406(2), F.A.C., & BACT	B.6 & B.7

Notes for EU 001 & 002:

\* Lb/hour and TPY values are for SO<sub>2</sub> emissions using fuel oil.

**Table 1-1, Continued**

Emissions Unit		Brief Description							
003		Fossil Fuel Steam Generator, Unit 3, rated at 34 MW.							
			Allowable Emissions			Equivalent Emissions <sup>1</sup>			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb/hour	TPY	lb/hour	TPY	Regulatory Citations	See Permit Condition(s)
<b>VE</b> Steady State	Oil, Natural Gas	8760	20% opacity, except for 40% for 2 min. each hour					Rule 62-296.405(1)(a), F.A.C.	C.4
<b>VE</b> Soot Blowing or Load Change	Oil, Natural Gas	8760	60 % opacity (>60% opacity for not more than 4, six-minute periods)					Rule 62-210.700(3), F.A.C.	C.5
<b>PM</b> Steady State	Oil, Natural Gas	8760	0.1 lb/mmBtu			41*	179.6*	Rule 62-296.405(1)(b), F.A.C.	C.6
<b>PM</b> Soot Blowing or Load Change	Oil, Natural Gas	8760	0.3 lb/mmBtu			123*	67.3*	Rule 62-210.700(3), F.A.C.	C.7
<b>SO<sub>2</sub></b>	Oil, Natural Gas	8760	2.75 lb/mmBtu			1127.5**	4938**	Rules 62-213.440, & 62-296.405(1)(c)1.j. F.A.C.	C.8

Notes for EU 003:

\* Lb/hour and TPY values are for PM emissions using fuel oil.

\*\* Lb/hour and TPY values are for SO<sub>2</sub> emissions using fuel oil.

**Table 1-1, Continued**

Emissions Unit		Brief Description							
004		Fossil Fuel Steam Generator, Unit 4, rated at 56 MW.							
			Allowable Emissions			Equivalent Emissions <sup>1</sup>			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb/hour	TPY	lb/hour	TPY	Regulatory Citations	See Permit Condition(s)
<b>VE</b>	Oil, Natural Gas	8760	20% opacity, except for 27% for 6 min. each hour					40 CFR 60.42(a)(2)	D.4
<b>PM</b>	Oil, Natural Gas	8760	0.10 lb/mmBtu			68.5*	300*	40 CFR 60.42(a)(1)	D.4
<b>SO<sub>2</sub></b>	Oil, Natural Gas	8760	0.80 lb/mmBtu			548	2400	40 CFR 60.43(a)(1)	D.5
<b>NO<sub>x</sub></b>	Natural Gas	8760	0.20 lb/mmBtu			137	600.1	40 CFR 60.44(a)(1)	D.6
<b>NO<sub>x</sub></b>	Oil	8760	0.30 lb/mmBtu			205.5*	900.1*	40 CFR 60.44(a)(2)	D.6

Notes for EU 004:

\* Lb/hour and TPY values for PM and NO<sub>x</sub> emissions based on using number 4 fuel oil for total heat input.

**Table 1-1, Continued**

Emissions Unit		Brief Description							
005		Combined Cycle Gas Turbine, Unit 5, rated at 38 MW.							
			Allowable Emissions			Equivalent Emissions			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb/hour	TPY <sup>a</sup>	lb/hour <sup>b</sup>	TPY <sup>b</sup>	Regulatory Citations	See Permit Condition(s)
<b>VE</b>	No. 2 Fuel Oil, Natural Gas	8760	10 % opacity					0610029-004-AC (PSD-FL-152C)	E.5
<b>SO<sub>2</sub></b>	"	8760	0.25% S by weight, fuel oil 10 gr S/ccf, natural gas		178.2	123	177	0610029-004-AC (PSD-FL-152C)	E.6
<b>NO<sub>x</sub></b>	No. 2 Fuel Oil	8760	42 ppmvd at 15% oxygen on a dry basis		243.7	79	114.2	0610029-004-AC (PSD-FL-152C)	E.7
<b>NO<sub>x</sub></b>	Natural Gas	8760	25 ppmvd at 15% oxygen on a dry basis		243.7	44.3	194	0610029-004-AC (PSD-FL-152C)	E.7
<b>PM<sub>10</sub></b>	No. 2 Fuel Oil	8760	0.025 lb/mmBtu		23.7	11.4	16.4	0610029-004-AC (PSD-FL-152C)	E.7
<b>PM<sub>10</sub></b>	Natural Gas	8760	0.006 lb/mmBtu		23.7	2.5	10.9	0610029-004-AC (PSD-FL-152C)	E.7



**Table 1-1, Continued**

Emissions Unit		Brief Description							
005		Combined Cycle Gas Turbine, Unit 5, rated at 38 MW.							
			Allowable Emissions			Equivalent Emissions <sup>1</sup>			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb/hour	TPY <sup>a</sup>	lb/hour <sup>b</sup>	TPY <sup>b</sup>	Regulatory Citations	See Permit Condition(s)
VOC	No. 2 Fuel Oil	8760	0.0113 lb/mmBtu		21.0	5.1	7.4	0610029-004-AC (PSD-FL-152C)	E.7
VOC	Natural Gas	8760	0.0112 lb/mmBtu		21.0	4.6	20.3	0610029-004-AC (PSD-FL-152C)	E.7
CO	No. 2 Fuel Oil	8760	0.0226 lb/mmBtu		42.1	10.3	14.9	0610029-004-AC (PSD-FL-152C)	E.7
CO	Natural Gas	8760	0.0224 lb/mmBtu		42.1	9.3	40.6	0610029-004-AC (PSD-FL-152C)	E.7

Notes for EU 005:

a, b Tons per year and equivalent emissions based on 67% capacity factor for natural gas firing, 33% capacity factor number 2 fuel oil firing, based on 455 mmBtu/hr for number 2 fuel oil and 414 mmBtu/hr for natural gas.

Notes:

<sup>1</sup> The "Equivalent Emissions" listed are for informational purposes only. [Rule 62-213.205, F.A.C.]

NA = not applicable

**Table 2-1, Summary of Compliance Requirements**

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit		Brief Description					
001		Fossil Fuel Steam Generator, Unit 1, rated at 13 MW.					
002		Fossil Fuel Steam Generator, Unit 2, rated at 17 MW.					
Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date <sup>1</sup>	Minimum Compliance Test Duration	CMS <sup>2</sup>	See Permit Condition(s)
<b>VE</b>	Oil, Natural Gas	DEP Method 9	Annual	August 1st	1 hour	No	A.10, B.10
<b>PM, SO<sub>2</sub></b>	Oil	Fuel Sampling & Analysis	As Received			No	A.8 & A.9, B.8 & B.9

Emissions Unit		Brief Description					
003		Fossil Fuel Steam Generator, Unit 3, rated at 34 MW.					
Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date <sup>1</sup>	Minimum Compliance Test Duration	CMS <sup>2</sup>	See Permit Condition(s)
<b>VE</b>	Oil, Natural Gas	DEP Method 9	Annual	August 1st	1 hour	No	C.13
<b>PM</b>	Oil, Natural Gas	EPA Test Methods 17, 5, 5B, or 5F	Annual	August 1st	3 hours	No	C.9, C.13
<b>SO<sub>2</sub></b>	Oil, Natural Gas	Fuel Sampling & Analysis	Per 40 CFR 75, Appendix D			No	C.10, C.11, C.12

**Table 2-1, Continued**

Emissions Unit		Brief Description					
004		Fossil Fuel Steam Generator, Unit 4, rated at 56 MW.					
Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date <sup>1</sup>	Minimum Compliance Test Duration	CMS <sup>2</sup>	See Permit Condition(s)
<b>VE</b>	Oil, Natural Gas	EPA Method 9	Annual	August 1st	1 hour	Yes	D.8
<b>PM</b>	Oil, Natural Gas	EPA Test Methods 5 or 17	Annual	August 1st	3 hours	No	D.8
<b>SO<sub>2</sub></b>	Oil, Natural Gas	Fuel Sampling & Analysis	Per 40 CFR 75, Appendix D			No	D.7
<b>NO<sub>x</sub></b>	Oil, Natural Gas	EPA Test Methods 7, 7A, 7C, 7D, or 7E	Annual	August 1st	3 hours	Yes	D.8

**Table 2-1, Continued**

Emissions Unit		Brief Description					
005		Combined Cycle Gas Turbine, Unit 5, rated at 38 MW.					
Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date <sup>1</sup>	Minimum Compliance Test Duration	CMS <sup>2</sup>	See Permit Condition(s)
<b>VE</b>	No 2 Fuel Oil, Natural Gas	EPA Method 9	Annual	August 1st	1 hour	No	E.8
<b>SO<sub>2</sub></b>	"	Fuel Sampling & Analysis	Per 40 CFR 75, Appendix D			Yes*	E.11, E.12
<b>NO<sub>x</sub></b>	"	EPA Test Method 20	Annual	August 1st	3 hours	Yes	E.8
<b>PM<sub>10</sub></b>	"	EPA Test Methods 5 or 17	Prior to Renewal		3 hours	No	E.9
<b>VOC</b>	"	EPA Test Method 25A	Only if CO test fails			No	E.9
<b>CO</b>	"	EPA Test Method 10	Prior to Renewal			No	E.9

Notes for EU 005:

\* Continuous monitoring of fuel consumption required.

Notes:

<sup>1</sup> Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

<sup>2</sup> CMS = continuous monitoring system

See also Section F for general testing requirements.

**Appendix H-1, Permit History/ID Number Changes**

**Permit History (for tracking purposes):**

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Revised Date(s)
Unit 1	Fossil Fuel Steam Generator, Unit 1	AO31-184320	12/28/90	12/25/95	2/14/91
Unit 2	Fossil Fuel Steam Generator, Unit 2	AO31-226295	11/29/93	5/30/98	
Unit 3	Fossil Fuel Steam Generator, Unit 3	AO31-224290	11/2/93	2/25/98	
Unit 4	Fossil Fuel Steam Generator, Unit 4	AO31-229058	10/13/93	6/30/98	
		AC31-2182	10/11/73	11/1/75	
Unit 5	Combined Cycle Gas Turbine, Unit 5	AC31-184928	6/28/91	12/31/93	
		AC31-184928/ PSD-FL-152	7/1/91	9/30/94	1/13/94, 4/5/94, 7/12/94
		AC31-184928A/ PSD-FL-152A	3/27/95	7/31/95	10/6/93, 10/4/94, 1/31/95
		0610029-004-AC/ PSD-FL-152C*	4/04/01		9/27/95
		AO31-227564	10/7/93	9/30/98	

\* 0610029-004-AC/PSD-FL-152C effectively superseded the previous construction permits.

**Permit No. 0610029-002-AV**  
 Initial Title V permit.

**Permit No. 0610029-004-AC (PSD-FL-152C)**  
 Authorization to install an evaporative cooling system at the compressor inlet of Unit 5.

**Permit No. 0610029-005-AV**  
 Title V Permit Revision to include an evaporative cooling system installed at the compressor inlet of Unit 5.


**ID Number Changes (for tracking purposes):**

Notes:

- 1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.
- 2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.  
 {Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

## MEMORANDUM

TO: Howard L. Rhodes

FROM: Trina Vielhauer 

DATE: December 23, 2002

SUBJECT: FINAL Permit Renewal No. 0610029-006-AV  
**City of Vero Beach Municipal Utilities**

The subject of this permit is for the renewal of Title V Air Operation Permit No. 0610029-002-AV.

This facility is an electric power generating plant located adjacent to a wastewater treatment facility and consists of: four fossil fuel steam generating units; a combined cycle gas turbine; and, miscellaneous unregulated/insignificant emissions units and/or activities.

The fossil fuel steam generating units are capable of burning a combination of natural gas and fuel oil. The gas turbine is capable of burning a combination of number 2 fuel oil and natural gas. The gas turbine is subject to CAM (Compliance Assurance Monitoring) when using water injection. A CAM plan was submitted and approved in this permit.

*No comments* were received from U.S. EPA, Region 4, concerning the PROPOSED Title V Permit. I recommend your signature.

Attachment

TV/sms