

## Memorandum

# Florida Department of Environmental Protection

TO: Joseph Kahn, Division of Air Resource Management  
THROUGH: Trina L. Vielhauer, Bureau of Air Regulation  
Jon Holtom, Title V Section *94*  
FROM: Tom Cascio, Title V Section */Tom*  
DATE: February 19, 2009  
SUBJECT: Air Permit No. 0694801-009-AV  
Lake Cogen, Ltd.  
Lake Cogeneration Facility  
CAIR Part Revision

The final permit for this project is attached for your approval and signature, which revises the Title V permit to include the CAIR Part form as a new section added to the existing Title V air operation permit for the above referenced facility.

The attached final determination identifies issuance of the combined draft/proposed permit, summarizes the publication process, and provides the Department's response to comments (if any) on the draft/proposed permit. There are no pending petitions for administrative hearings or extensions of time to file a petition for an administrative hearing.

I recommend your approval of the attached final permit for this project.

Attachments

# NOTICE OF FINAL PERMIT

*In the Matter of an  
Application for Permit by:*

Lake Cogen, Ltd.  
39001 Golden Gem Drive  
Umatilla, Florida 32784

Air Permit No. 0694801-009-AV  
Lake Cogeneration Facility  
CAIR Part Revision Project  
Lake County

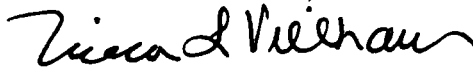
Authorized Representative:

Mr. Thomas A. Grace, Manager – Environmental, Health &  
Safety

Enclosed is final Title V air operation permit revision No. 0694801-009-AV. This Title V air operation permit revision is being issued to incorporate the Clean Air Interstate Rule (CAIR) provisions into Title V air operation permit No. 0694801-007-AV. The existing facility is located at 39001 Golden Gem Drive, Umatilla, Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

TLV/jkh/tbc

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Thomas A. Grace, Lake Cogen, Ltd.: [tgrace@caithnessenergy.com](mailto:tgrace@caithnessenergy.com)

Mr. James Bradner, P.E., Central District Office: [james.bradner@dep.state.fl.us](mailto:james.bradner@dep.state.fl.us)

Ms. Barbara Friday, DEP BAR: [Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

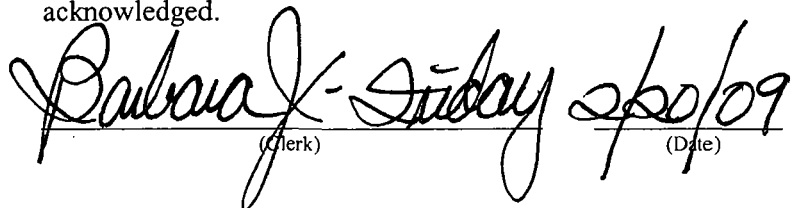
Ms. Kathleen Forney, US EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)

Ms. Ana Oquendo, US EPA Region 4: [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)

Ms. Victoria Gibson, DEP BAR: [Victoria.Gibson@dep.state.fl.us](mailto:Victoria.Gibson@dep.state.fl.us) (for reading file)

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.



(Clerk) (Date)

## FINAL DETERMINATION

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### PERMITTEE

Lake Cogen, Ltd.  
Lake Cogeneration Facility  
39001 Golden Gem Drive  
Umatilla, Florida 32784

### PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)  
Division of Air Resource Management  
Bureau of Air Regulation, Title V Section  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400

### PROJECT

Air Permit No. 0694801-009-AV  
Lake Cogeneration Facility

The purpose of this Title V air operation permit revision project is to incorporate the Clean Air Interstate Rule (CAIR) provisions into Title V air operation permit No. 0694801-007-AV.

### NOTICE AND PUBLICATION

The Department distributed an Intent to Issue a Title V Air Operation Permit Revision package on June 10, 2008. The applicant published the Public Notice of Intent to Issue in the Orlando Sentinel on June 19, 2008. The Department received the proof of publication on June 30, 2008.

### COMMENTS

No comments on the draft/proposed permit were received from the public, the Department's Central District Office, the EPA Region 4 Office, or the applicant.

### DEPARTMENT INITIATED CHANGES

Changes initiated by the Department were made in this final permit.

#### Statewide Format Changes

A cover page, table of contents, and placard page are added to the final permit package. The placard page was changed to reflect the new renewal application due date of May 19, 2012.

### CONCLUSION

The final action of the Department is to issue the Title V air operation permit revision with no significant changes.

## STATEMENT OF BASIS

### PROJECT DESCRIPTION

On May 16, 2008, the applicant submitted a CAIR Part Form in order to incorporate the Clean Air Interstate Rule provisions into Title V permit 0694801-007-AV.

### FACILITY DESCRIPTION

The existing facility consists of the following emissions units: Currently at the plant site are two nominal 42.0 megawatt (MW) combined cycle combustion turbines with duct burners that exhaust through heat recovery steam generators (HRSG) which are used to power a nominal 26.5 MW steam turbine. Nitrogen oxides (NO<sub>x</sub>) emissions are controlled by using water injection. The facility also includes a fuel oil storage tank (170,000 gallon).

### PRIMARY REGULATORY REQUIREMENTS

The existing facility is regulated under:

Title III: The facility is not identified as a potential major source of hazardous air pollutants (HAP).

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

### APPLICABLE REGULATIONS

In addition to federal rules above, this facility is subject to the following state rules:

| APPLICABLE REGULATIONS  | EU ID    |
|---|----------|
| Rule 62-4, F.A.C. (Permitting Requirements)   | 003, 004 |
| Rule 62-204, F.A.C. (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference)  |          |
| Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms)   |          |
| Rule 62-212, F.A.C. (Preconstruction Review, PSD Review and BACT)   |          |
| Rule 62-213, F.A.C. (Title V Air Operation Permits for Major Sources of Air Pollution)  |          |
| Rule 62-296, F.A.C. (Emission Limiting Standards)   |          |
| Rule 62-297, F.A.C. (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures)  |          |
| NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800  |          |
| NSPS - 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, adopted and incorporated by reference in Rule 62-204.800 |          |
| AC35-196459, 0694801-008-AC   |          |

### PROJECT REVIEW

The CAIR Part Form is now a part of this permit and has been incorporated as Section IV, CAIR Part Form. This section identifies the units that must comply with the standard requirements and special provisions set forth in the CAIR Part Form.

## STATEMENT OF BASIS

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### CONCLUSION

This project revises Title V air operation permit No. 0694801-007-AV; which was issued on December 31, 2007. The placard page was changed to reflect the new renewal application due date of May 19, 2012. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

Lake Cogen, Ltd.

Lake Cogeneration Facility  
Facility ID No. 0694801

Lake County

Title V Air Operation Permit Revision

Final Permit No. 0694801-009-AV  
(1<sup>st</sup> Revision of 0694801-007-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: 850/488-0114  
Fax: 850/921-9533

Compliance Authority:

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803  
Telephone: 407/894-7555  
Fax: 407/897-5963

**Title V Air Operation Permit Revision**

**Final Permit No. 0694801-009-AV**

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# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

**PERMITTEE:**

Lake Cogen, Ltd.  
39001 Golden Gem Drive  
Umatilla, Florida 32784

Permit No. 0694801-009-AV  
Lake Cogeneration Facility  
Facility ID No. 0694801  
Title V Air Operation Permit Revision

The purpose of this permit is for the revision of Title V Air Operation Permit No. 0694801-007-AV to incorporate the Clean Air Interstate Rule (CAIR) Part as an enforceable section of the permit. This existing Lake Cogeneration Facility is located at 39001 Golden Gem Drive, Umatilla, Lake County. UTM Coordinates: Zone 17, 434.0 km East and 3198.8 km North; and, Latitude: 28° 55' 02" North and Longitude: 81° 40' 37" West.

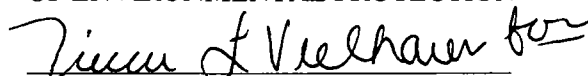
This Title V air operation permit revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s),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

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

Appendix I-1, List of Insignificant Emission Units and/or Activities  
Appendix TV-6, Title V Conditions (version dated 06/23/06).  
Appendix SS-1, Stack Sampling Facilities (version dated 3/2/99)  
Table 1, A.6 - Allowable Emission Limits  
Table 297.310-1, Calibration Schedule (version dated 3/2/99)  
Figure 1, Summary Report - Gaseous and Opacity Excess Emission  
and Monitoring System Performance (version dated 7/96)  
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Effective Date: 12/31/07  
Revision Effective Date: 2/20/09  
Renewal Application Due Date: 5/19/12  
Expiration Date: 12/30/12

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Joseph Kahn, Director  
Division of Air Resource Management

JK/tlv/jkh/tbc



**SECTION IV. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

**Clean Air Interstate Rule (CAIR).**

**Operated by:** Lake Cogen, Ltd.

**Plant:** Lake Cogeneration Facility

**ORIS Code:** 54423

The emissions units below are regulated under the Clean Air Interstate Rule.

| <b>EU No.</b> | <b>EPA Unit ID#</b> | <b>Brief Description</b>                           |
|---------------|---------------------|--|
| 003           | 3                   | Combined Cycle Combustion Turbine (CT)/Duct Burner |
| 004           | 4                   | Combined Cycle Combustion Turbine (CT)/Duct Burner |

1. Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b)) dated March 16, 2008, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]



**SECTION IV. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

**STEP 3**

**Read the  
standard  
requirements.**

**Lake Cogen, Ltd. (54423)**  
Plant Name (from STEP 1)

**CAIR NO<sub>x</sub> ANNUAL TRADING PROGRAM**

**CAIR Part Requirements.**

- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
  - (ii) [Reserved];
- (2) The owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

**Monitoring, Reporting, and Recordkeeping Requirements.**

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH, shall be used to determine compliance by each CAIR NO<sub>x</sub> source with the following CAIR NO<sub>x</sub> Emissions Requirements.

**NO<sub>x</sub> Emission Requirements.**

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under 40 CFR 96.154(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with 40 CFR Part 96, Subpart HH.
- (2) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.
- (4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FF and GG.
- (5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 96.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO<sub>x</sub> allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> unit.

**Excess Emissions Requirements.**

If a CAIR NO<sub>x</sub> source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

**Recordkeeping and Reporting Requirements.**

- (1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> 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 before the end of 5 years, in writing by the DEP or the Administrator.
  - (i) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 96.113 changing the CAIR designated representative.
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, 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 CAIR NO<sub>x</sub> Annual Trading Program.
  - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

**SECTION IV. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

**STEP 3,  
Continued**

Lake Cogen, Ltd. (54423)  
Plant Name (from STEP 1)

Liability.

- (1) Each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.
- (2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> source or the CAIR designated representative of a CAIR NO<sub>x</sub> source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units at the source.
- (3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO<sub>x</sub> Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 98.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source or CAIR NO<sub>x</sub> unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR SO<sub>2</sub> TRADING PROGRAM**

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
  - (ii) [Reserved];
- (2) The owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR SO<sub>2</sub> source and each SO<sub>2</sub> CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO<sub>2</sub> source with the following CAIR SO<sub>2</sub> Emission Requirements.

SO<sub>2</sub> Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
- (2) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO<sub>2</sub> Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.
- (4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
- (5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR SO<sub>2</sub> allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO<sub>2</sub> unit.

Excess Emissions Requirements.

If a CAIR SO<sub>2</sub> source emits SO<sub>2</sub> during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

**SECTION IV. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

**Lake Cogen, Ltd. (54423)**

Plant Name (from STEP 1)

**STEP 3,  
Continued**

**Recordkeeping and Reporting Requirements.**

(1) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> 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 before the end of 5 years, in writing by the Department or the Administrator.

(i) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR SO<sub>2</sub> unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 96.213 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, 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 CAIR SO<sub>2</sub> Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.

(2) The CAIR designated representative of a CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall submit the reports required under the CAIR SO<sub>2</sub> Trading Program, including those under 40 CFR Part 96, Subpart HHH.

**Liability.**

(1) Each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit shall meet the requirements of the CAIR SO<sub>2</sub> Trading Program.

(2) Any provision of the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR SO<sub>2</sub> source or the CAIR designated representative of a CAIR SO<sub>2</sub> source shall also apply to the owners and operators of such source and of the CAIR SO<sub>2</sub> units at the source.

(3) Any provision of the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR SO<sub>2</sub> unit or the CAIR designated representative of a CAIR SO<sub>2</sub> unit shall also apply to the owners and operators of such unit.

**Effect on Other Authorities.**

No provision of the CAIR SO<sub>2</sub> Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO<sub>2</sub> source or CAIR SO<sub>2</sub> unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR NO<sub>x</sub> OZONE SEASON TRADING PROGRAM**

**CAIR Part Requirements.**

(1) The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall:

(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.322 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and

(ii) [Reserved];

(2) The owners and operators of each CAIR NO<sub>x</sub> Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO<sub>x</sub> Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

**Monitoring, Reporting, and Recordkeeping Requirements.**

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.

(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR NO<sub>x</sub> Ozone Season source with the following CAIR NO<sub>x</sub> Ozone Season Emissions Requirements.

**NO<sub>x</sub> Ozone Season Emission Requirements.**

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.

(2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1), (2), or (3) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.

(5) A CAIR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 96.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> Ozone Season unit.

**SECTION IV. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

Plant Name (from STEP 1) **Lake Cogen, Ltd. (54423)**

**STEP 3,**  
**Continued**

**Excess Emissions Requirements.**

If a CAIR NO<sub>x</sub> Ozone Season source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:  
(1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR 98.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and  
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 98, Subpart AAAA, the Clean Air Act, and applicable state law.

**Recordkeeping and Reporting Requirements.**

- (1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season 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 before the end of 5 years, in writing by the DEP or the Administrator.
- (i) The certificate of representation under 40 CFR 98.313 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under 40 CFR 98.113 changing the CAIR designated representative.
- (ii) All emissions monitoring information, in accordance with 40 CFR Part 98, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 98, Subpart HHHH, 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 CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (2) The CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Ozone Season Trading Program, including those under 40 CFR Part 98, Subpart HHHH.

**Liability.**

- (1) Each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit shall meet the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (2) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season source or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> Ozone Season units at the source.
- (3) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season unit or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

**Effect on Other Authorities.**

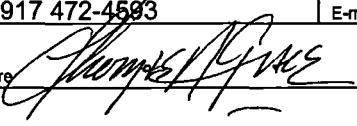
No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 98.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season source or CAIR NO<sub>x</sub> Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**STEP 4**

**Certification (for designated representative or alternate designated representative only)**

**Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.**

I am authorized to make this submission on behalf of the owners and operators of the CAIR source or CAIR 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 <b>Thomas Grace</b>  | Title <b>Mgr., E, H &amp; S</b>                  |
| Company Owner Name <b>Lake Cogen, Ltd.</b>  |  |
| Phone <b>917 472-4593</b>   | E-mail Address <b>tgrace@caithnessenergy.com</b> |
| Signature  | Date <b>05/22/08</b>                             |

**Friday, Barbara**

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**To:** Thomas Grace  
**Cc:** Bradner, James; Forney, Kathleen@epamail.epa.gov; Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Attachments:** 0694801009AVCAIRNoticeofFinalPermit.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". **We must receive verification that you are able to access the documents.** Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0694801.009.AV.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0694801.009.AV.F_pdf.zip)

Attention: Tom Cascio

Owner/Company Name: LAKE INVESTMENT, LTD.

Facility Name: LAKE COGEN

Project Number: 0694801-009-AV

Permit Status: FINAL

Permit Activity: PERMIT REVISION

Facility County: LAKE

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "*Air Permit Documents Search*" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)

(850)921-9524

**Friday, Barbara**

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**From:** Exchange Administrator  
**Sent:** Friday, February 20, 2009 1:36 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)  
**Attachments:** ATT242884.txt; LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

[tgrace@caithnessenergy.com](mailto:tgrace@caithnessenergy.com)



**Friday, Barbara**

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**From:** Thomas Grace [tgrace@caithnessenergy.com]  
**To:** undisclosed-recipients  
**Sent:** Friday, February 20, 2009 5:48 PM  
**Subject:** Read: LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** [tgrace@caithnessenergy.com](mailto:tgrace@caithnessenergy.com)  
**Subject:**

was read on 2/20/2009 5:48 PM.

**Friday, Barbara**

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**From:** System Administrator  
**To:** Bradner, James  
**Sent:** Friday, February 20, 2009 1:36 PM  
**Subject:** Delivered:LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was delivered to the following recipient(s):

Bradner, James on 2/20/2009 1:36 PM

## Friday, Barbara

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**From:** Bradner, James  
**To:** Friday, Barbara  
**Sent:** Tuesday, March 10, 2009 10:36 AM  
**Subject:** Read: LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was read on 3/10/2009 10:35 AM.

## Friday, Barbara

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**From:** Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]  
**Sent:** Friday, February 20, 2009 1:36 PM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report  
**Attachments:** Delivery report; Message Headers

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<Forney.Kathleen@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 499EF7FF\_21045\_24483\_1 5264D1DCB22

<Oquendo.Ana@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 499EF7FF\_21045\_24483\_1 5264D1DCB22

## Friday, Barbara

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**From:** System Administrator  
**To:** Gibson, Victoria; Cascio, Tom  
**Sent:** Friday, February 20, 2009 1:36 PM  
**Subject:** Delivered:LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was delivered to the following recipient(s):

Gibson, Victoria on 2/20/2009 1:36 PM  
Cascio, Tom on 2/20/2009 1:36 PM

## Friday, Barbara

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**From:** Gibson, Victoria  
**To:** Friday, Barbara  
**Sent:** Friday, February 20, 2009 1:42 PM  
**Subject:** Read: LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

### Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was read on 2/20/2009 1:42 PM.

## Friday, Barbara

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**From:** Cascio, Tom  
**To:** Friday, Barbara  
**Sent:** Friday, February 20, 2009 1:53 PM  
**Subject:** Read: LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was read on 2/20/2009 1:53 PM.

## Friday, Barbara

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**From:** System Administrator  
**To:** Holtom, Jonathan  
**Sent:** Friday, February 20, 2009 1:36 PM  
**Subject:** Delivered:LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria;  
Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was delivered to the following recipient(s):

Holtom, Jonathan on 2/20/2009 1:36 PM



**Friday, Barbara**

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**From:** Holtom, Jonathan  
**To:** Friday, Barbara  
**Sent:** Friday, February 20, 2009 1:46 PM  
**Subject:** Read: LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV

Your message

**To:** Thomas Grace  
**Cc:** Bradner, James; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); Ana Oquendo; Gibson, Victoria; Cascio, Tom; Holtom, Jonathan  
**Subject:** LAKE COGEN, LTD. LAKE COGENERATION FACILITY; 0694801-009-AV  
**Sent:** 2/20/2009 1:36 PM

was read on 2/20/2009 1:46 PM.