

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the Matter of an
Application for Permit Modification by:

Mr. William Reichel, Plant General Manager
Florida Power & Light
Post Office Box 430
Ft. Myers, Florida 33905

DEP File No. 0710002-005-AC
Inlet Foggers Installation
Simple Cycle Units 003-014
Ft. Myers Power Plant

Enclosed is the Final Permit Number 0710002-005 AC for an air construction permit to install foggers at the compressor inlet of twelve 63-megawatt, No. 2 fuel oil-fired General Electric PG 7821 combustion turbine-electrical generators at the Fort Myers Plant in Lee County. This permit is issued pursuant to Chapter 403, Florida Statutes.

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 Department.

Executed in Tallahassee, Florida.



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


CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 7-20-99 to the person(s) listed:

William Reichel, FPL*
Richard Piper, FPL
Phil Barbaccia, DEP SD
Gregg Worley, EPA
John Bunyak, NPS
Ken Kcsky, P.E., Golder Associates

Clerk Stamp

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


(Clerk) 7-20-99
(Date)

FINAL DETERMINATION

Florida Power and Light Company (FP&L)
Ft. Myers Power Plant, Lee County
Inlet Foggers Installation
DEP File No: 0710002-005-AC

An Intent to Issue an air construction permit, authorizing the installation of inlet foggers on the twelve 63 MW (gross capacity) simple cycle General Electric PG7821 combustion turbine-electrical generators at the Ft. Myers Power Plant was distributed on May 7, 1999. This facility is located at 10650 State Road 80, Lee County, Florida.

The Public Notice of Intent to Issue Air Construction Permit was published in the Ft. Myers News-Press on June 8, 1999. Comments were received from EPA and FP&L.

EPA comments, responding to the Department request, were related to the applicability determination of the New Source Performance Standard to these turbines. EPA stated that "if the maximum operating rate of the turbines still occurs under cold weather conditions when the foggers cannot be used to boost the capacity of these units, the installation of the foggers will not constitute a modification." The Department, received additional information from FP&L that confirmed that the maximum turbine capacity at 25 degrees F (lowest recorded temperature in Ft. Myers) is 895 mmBtu/hr (HHV). This is compared to the maximum turbine operating capacity of 723 mmBtu/hr (HHV) at 80 degrees F, which would be the result of lowering the temperature in the 90 degree F range with the use of the foggers.

FP&L comments were related to Specific Condition No. 20 of the draft permit. FPL stated that Specific Condition 20 should be revised to reflect the total NOx produced by these turbines, rather than the incremental increase due to the fogger installation. In addition, FP&L requested that representative units only, be tested to assure initial and ongoing compliance with this Specific Condition. FP&L added that the Fort Myers peaking units, for which this permit is being considered, are identical machines, and as such, do not warrant individual testing. FP&L stated that the Department has issued a previous permit to FPL's facility at Port Everglades which allowed for this type of representative testing for identical peaking units such as the ones at Fort Myers.

The Department evaluated FP&L request and revised Specific Conditions 20 as shown below:

Inlet foggers may be installed at the compressor inlet to each of the twelve General Electric PG7821 combustion turbine-electric generators. The twelve foggers may operate up to 6,000 hours per year in aggregate (average 500 hours per unit per year). Maximum heat input shall not exceed 760 mmBtu/hr/unit and NOx emissions shall not exceed 530 lb/hr/unit at 59 °F. This maximum heat input rate will vary depending upon ambient conditions and the combustion turbine characteristics. Manufacturer's curves corrected for site conditions or equations for correction to other ambient conditions shall be provided to the Department of Environmental Protection (DEP) within 45 days of completing the initial compliance testing after the foggers are installed. Thereafter, compliance shall be demonstrated as required in Specific Condition 13.

Nitrogen oxide emissions shall be determined by a stack test on one representative turbine. Testing shall be performed each federal fiscal year, no later than September 30th. [Rule 62-296.570(4)(a)3, and (4)(b)5., F.A.C..]"

The final action of the Department will be to issue the permit with the changes noted above.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

William Reichel
FP & L
PO BOX 430
H. Myers, FL
33905

4a. Article Number

2 333 618 202

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

7-23-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *John G. Smith*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 333 618 202

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	<i>William Reichel</i>	
Street & Number	<i>FP & L</i>	
Post Office, State & ZIP Code	<i>H. Myers, FL</i>	
Postage	\$	
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		<i>(H. Myers)</i>
Return Receipt Showing to Whom & Date Delivered		<i>(PP)</i>
Return Receipt Showing to Whom, Date, & Addressee's Address		
TOTAL Postage & Fees	\$	
Postmark or Date	<i>7-20-99</i>	
<i>0710002-005-AC</i>		

PS Form 3800, April 1995



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

PERMITTEE:

Florida Power & Light Co.
Post Office Box 430
Ft. Myers, Florida 33905

Authorized Representative:

Mr. William Reichel

DEP File No.	0710002-005-AC
Project	Emissions Units 003 -014 Inlet Foggers
SIC No.	4911
Expires:	December 31, 1999

PROJECT AND LOCATION:

Permit for the installation of inlet foggers on the twelve 63 (gross capacity) megawatt simple cycle General Electric PG7821 combustion turbine-electrical generators Emissions Units 003 thru 014.

The units are located at the FPL Fort Myers Plant, 10650 State Road 80 Fort Myers, Lee County. UTM coordinates are: Zone 17; 422.3 km E and 2952.9 km N.

STATEMENT OF BASIS:

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

ATTACHED APPENDIX MADE A PART OF THIS PERMIT:

Appendix GC

Construction Permit General Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

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FACILITY DESCRIPTION

Currently, this facility generates electric power from two residual fuel oil-fired steam units (FFSG) with a combined generating capacity of 593 megawatts (MW) and 12 distillate fuel oil-fired simple cycle combustion turbines (SCCT) with a combined net generating capacity of 708 MW. Air construction permit (DEP File 0710002-004-AC) was recently issued to repower the FFSGs with 6 combined cycle natural gas-fired combustion turbines. It is expected the repowering project to be in operation by the year 2002.

This permitting action is for the installation of inlet foggers at the twelve (12) distillate fuel oil-fired simple cycle combustion turbines that commenced commercial operation in 1974.

This Project is exempt from the requirements of Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD) as discussed stated in the Technical Evaluation and Preliminary Determination dated May 20, 1999.

REGULATORY CLASSIFICATION

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

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

This facility is a major source of hazardous air pollutants (HAPs) and is also subject to the provisions of Title IV, Acid Rain, Clean Air Act as amended in 1990.

PERMIT SCHEDULE

- 06/08/99 Notice of Intent published in Ft Myers News-Press
- 05/26/99 Distributed Intent to Issue Permit
- 03/17/99 Received Application
- 05/07/99 Application deemed complete

RELEVANT DOCUMENTS:

The documents listed below are the basis of the permit. They are specifically related to this permitting action, but not all are incorporated into this permit. These documents are on file with the Department.

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- Application received on March 17, 1999.
- Department's Intent to Issue and Public Notice Package dated May 26, 1999.
- FPL's comments dated April 16, and May 7, 1999

PERMIT SPECIFIC CONDITIONS

This permit addresses the following emissions unit(s).

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-003	Combustion Turbine #1
-004	Combustion Turbine #2
-005	Combustion Turbine #3
-006	Combustion Turbine #4
-007	Combustion Turbine #5
-008	Combustion Turbine #6
-009	Combustion Turbine #7
-010	Combustion Turbine #8
-011	Combustion Turbine #9
-012	Combustion Turbine #10
-013	Combustion Turbine #11
-014	Combustion Turbine #12

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. These emissions units are not subject to 40 CFR 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines.}

Each unit has a rated gross capacity of 63 MW. The combustion turbines commenced commercial operation in May, 1974.

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

1. Permitted Capacity. The heat input rate to each combustion turbine shall not exceed 895 MMBtu per hour (at 25 degrees F).
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; AO36-223496, Specific Condition No. 1]
2. Methods of Operation - Fuels. The only fuels authorized to be burned in these emissions units is No. 2 distillate fuel oil or on-specification used oil from Florida Power and Light Company operations. See specific condition 6. These fuels may be mixed or burned simultaneously.
[Rule 62-213.410, F.A.C.; AO36-223496; and, 0710002-003-AO]
3. Hours of Operation. These emissions units are allowed to operate continuously, i.e., 8,760 hours/year. [Rule 62-210.200(PTE), F.A.C.; AO36-223496, Specific Condition No. 8]

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4. Emissions Unit Operating Rate Limitation After Testing. See specific condition 11.
[Rule 62-297.310(2), F.A.C.]

Emission Limitations and Standards

{Permitting note: 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.}

5. Visible Emissions. Visible emissions from each turbine shall not be equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b)1., F.A.C.; and, AO36-223496, Specific Condition No. 3]

6. "On-Specification" Used Oil. Only "on-specification" used oil generated by the Florida Power and Light Company in the production and distribution of electricity shall be fired in these emissions units. The total combined quantity allowed to be fired at this facility shall not exceed 1,500,000 gallons per calendar year. "On-specification" used oil is defined as each used oil delivery that meets the 40 CFR 279 (Standards for the Management of Used Oil) specifications listed below. Used oil that does not meet all of the following specifications is considered "off-specification" used oil and shall not be fired. See specific conditions 5., 18. and 19.

CONSTITUENT/PROPERTY*	ALLOWABLE LEVEL
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flashpoint	100 degrees F minimum
PCBs	less than 2 ppm**

* As determined by approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

**PCBs must be less than 2 ppm for on-specification used oil to be fired in these emissions units.
[40 CFR 279.11; AO36-22346; and, 0710002-003-AO]

Excess Emissions

7. Excess emissions from these emissions units resulting from startup, shutdown or 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.]

8. 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.]

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Monitoring of Operations

9. 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.]

Test Methods and Procedures

{Permitting note: 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. }

10. The test method for visible emissions shall be EPA Method 9 and the test method for nitrogen oxides shall be EPA Method 7, 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, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

11. **Operating Rate During Testing.** Testing of emissions shall be conducted with the emissions unit operating 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 (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. 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), F.A.C.]

12. Applicable Test Procedures.

(a) Required Sampling Time.

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:

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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.

[Rule 62-297.310(4)(a)2.c., F.A.C.]

13. 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.**

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. The following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 100 tons per year or more of any regulated air pollutant, other than lead, lead compounds measured as elemental lead, and acrylonitrile. See permit limiting standards and applicable test methods as noted in specific conditions 5., 6. & 10.

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. See specific conditions 13.(a).a. & b., and 14.

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

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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.; and, SIP approved]

14. Visible Emissions Testing - Annual and Renewal. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning only liquid fuels for less than 400 hours per year. To meet permit renewal requirements, the permittee shall conduct visible emissions tests on 3 (three) of the CTs that did not operate more than 400 hours per year on liquid fuels during the previous five year period. [Rules 62-297.310(7)(a)4. & 8., F.A.C.]

15. Compliance with the "on-specification" used oil requirements, including an analysis for PCBs, will be determined from a sample collected from each batch delivered for firing. See specific conditions 6., 18. and 19. [Rules 62-4.070 and 62-213.440; and, 40 CFR 279]

Recordkeeping and Reporting Requirements

16. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]

17. Test Reports.

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

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. [Rule 62-297.310(8), F.A.C.]

18. Records shall be kept of each delivery of "on-specification" used oil with a statement of the origin of the used oil and the quantity delivered/stored for firing. In addition, monthly records shall be kept of the quantity of "on-specification" used oil fired in these emissions units. On a quarterly basis, for each quarter during which used oil is burned, a report shall be submitted to the Department's South District office concerning the quantity and analysis of the on-specification used oil burned. The above records shall be maintained in a form suitable for inspection, retained for a minimum of five years, and be made available upon request. See specific conditions 6., 15. and 19. [Rule 62-213.440(1)(b)2.b., F.A.C.; 40 CFR 279.61 and 761.20(e); and, AO36-223496]

19. The permittee shall include in the "Annual Operating Report for Air Pollutant Emitting Facility" a summary of the "on-specification" used oil analyses for the calendar year and a statement of the total quantity of "on-specification" used oil fired in Combustion Turbines 1 to 12 during the calendar year. See specific conditions 6., 15. and 18. [Rule 62-213.440(1)(b)2.b., F.A.C.]

20. Inlet foggers may be installed at the compressor inlet to each of the twelve General Electric PG7821 combustion turbine-electric generators. The twelve foggers may operate up to 6,000 hours per year in aggregate (average 500 hours per unit per year). Maximum heat input shall not exceed 760 mmBtu/hr/unit and NOx emissions shall not exceed 530 lb/hr/unit at 59 °F. This maximum heat input rate will vary depending upon ambient conditions and the combustion

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turbine characteristics. Manufacturer's curves corrected for site conditions or equations for correction to other ambient conditions shall be provided to the Department of Environmental Protection (DEP) within 45 days of completing the initial compliance testing after the foggers are installed. Thereafter, compliance shall be demonstrated as required in Specific Condition 13. Nitrogen oxides emissions shall be determined by a stack test on one representative turbine. Testing shall be performed each federal fiscal year, no later than September 30th. [Rule 62-296.570(4)(a)3, and (4)(b)5., F.A.C.]”

Applicable Standards and Regulations:

21. Unless otherwise indicated in this permit, the construction and operation of the subject emission unit(s) shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-103, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297; and the applicable requirements of the Code of Federal Regulations Section 40, Parts 60, 72, 73, and 75.

22. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]

General and Administrative Requirements

23. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (DEP), at 2600 Blairstone Road, Tallahassee, Florida 32399-2400 and phone number (850)488-0114. All documents related to reports, tests, and notifications should be submitted to the DEP South District office, 2295 Victoria Avenue, Suite 364, Ft Myers, Florida 33902-3381 and phone number 941/332-6975.

24. General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]

25. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.

26. Forms and Application Procedures: The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. [Rule 62-210.900, F.A.C.]

27. Modifications: The permittee shall give written notification to the Department when there is any modification to this facility. This notice shall be submitted sufficiently in advance of any critical date involved to allow sufficient time for review, discussion, and revision of plans, if necessary. Such notice shall include, but not be limited to, information describing the precise nature of the change; modifications to any emission control system; production capacity of the facility before and after the change; and the anticipated completion date of the change. [Chapters 62-210 and 62-212]

28. Permit Extension: *This permit expires on December 31, 1999.* The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the

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Bureau of Air Regulation prior to 60 days before the expiration of the permit. [Rule 62-4.080, F.A.C.].

29. Application for a Modification of Title V Permit: An application for a modification of the Title V operating permit, pursuant to Chapter 62-213, F.A.C., must be submitted to the DEP's Bureau of Air Regulation, and a copy sent to the Department's South District office. [Chapter 62-213, F.A.C.]

30. New or Additional Conditions: Pursuant to Rule 62-4.080, F.A.C., for good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

31. Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports shall be sent to the DEP's South District office by March 1st of each year.

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- a) Have access to and copy and records that must be kept under the 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.
- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- a) A description of and cause of non-compliance; and
 - b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

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

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- a) Determination of Best Available Control Technology ()
 - b) Determination of Prevention of Significant Deterioration (); and
 - c) Compliance with New Source Performance Standards ().
- G.14 The permittee shall comply with the following:
- a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.