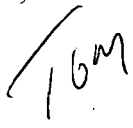
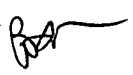


MEMORANDUM

TO: Scott M. Sheplak, P.E.

FROM: Tom Cascio 

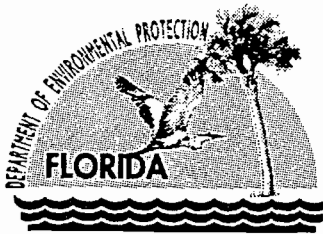
THROUGH: Bruce Mitchell 

DATE: June 28, 1999

Re: PROPOSED Permit Determination and
PROPOSED Title V Permit No. 0850102-001-AV
Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant

This permit is for the initial Title V air operation permit for the subject facility.

The DRAFT Title V Permit was revised based on written comments received from Stephen A. Sorrentino of Indiantown Cogeneration, L.P., and subsequent clarifying phone conversations with A.J. Jablonowski, the company's consultant from EARTH TECH. I believe all concerns have been satisfactorily addressed, and recommend that the PROPOSED Permit Determination and PROPOSED Title V Permit be sent out as attached.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PROPOSED Permit Electronic Posting Courtesy Notification

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant
Facility ID No.: 0850102
Martin County

Initial Title V Air Operation Permit
PROPOSED Permit No.: 0850102-001-AV

The electronic version of the PROPOSED permit was posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review on June 29, 1999.

USEPA's review period ends on the 45th day after the permit posting date. Day 45 is August 13, 1999. If an objection (veto) is received from USEPA, the permitting authority will provide a copy of the objection to the applicant.

Provided an objection is not received from USEPA, the PROPOSED permit will become a FINAL permit by operation of law on the 55th day after the permit posting date. Day 55 is August 23, 1999.

The web site address is <http://www2.dep.state.fl.us/air>.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

June 28, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Stephen A. Sorrentino
Plant Manager
Indiantown Cogeneration, L.P.
P.O. Box 1620
19140 SW Warfield Boulevard
Indiantown, FL 34956

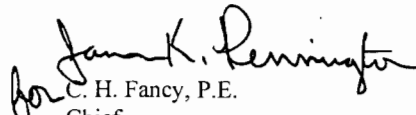
Re: PROPOSED Title V Permit No.: 0850102-001-AV
Indiantown Cogeneration Plant

Dear Mr. Sorrentino:

One copy of the "PROPOSED PERMIT DETERMINATION" for the Indiantown Cogeneration Plant, located at 19140 SW Warfield Boulevard, Indiantown, Martin County, is enclosed. This letter is only a courtesy to inform you that the DRAFT permit has become a PROPOSED permit. An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is <http://www2.dep.state.fl.us/air>.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn. If you have any questions, please contact Tom Cascio at 850/921-9526.

Sincerely,


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

CHF/tc

Enclosures

copy furnished to:

Mr. George S. Lipka, P.E., EARTH TECH
Mr. A.J. Jablonowski, EARTH TECH
Mr. Byron Veech, Indiantown Cogeneration, L.P.
Mr. Isidore Goldman, Southeast District Office
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Gracy R. Danois, USEPA, Region 4 (INTERNET E-mail Memorandum)

6/29/99 cc - Tom Cascio
Reading File

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

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:
Mr. Stephen A. Sorrentino
Plant Manager
Indiantown Cogeneration, L.P.
P.O. Box 1620
19140 SW Warfield Boulevard
Indiantown, Florida 34956.

4a. Article Number
P 263 585 234

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
7-6-99

5. Received By: (Print Name)
Gmaeie Colkins

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

6. Signature: (Addressee or Agent)
X

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 263 585 234

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	<i>Mr. Stephen A. Sorrentino</i>
Street & Number	<i>19140 SW Warfield Boulevard</i>
Post Office, State & ZIP Code	<i>Indiantown, FL 34956</i>
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	<i>6/29/99</i>
	<i>Indiantown Cogeneration Plant Facility ID# 0950102-04 AV</i>

PS Form 3800, April 1995

PROPOSED PERMIT DETERMINATION

PROPOSED Permit No.: 0850102-001-AV

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" to Indiantown Cogeneration, L.P., for the Indiantown Cogeneration Plant located at 19140 SW Warfield Boulevard, Indiantown, Martin County, was clerked on August 26, 1998. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was published in the Stuart News and the Port Saint Lucie News on September 4, 1998. The DRAFT Title V Air Operation Permit was available for public inspection at the Department of Environmental Protection's Southeast District Office in West Palm Beach and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was received on September 11, 1998.

II. Public Comment(s).

Comments were received but the DRAFT Title V Operation Permit was not reissued. The comments were not considered significant enough to reissue the DRAFT Title V Permit and require another Public Notice. Comments were received from one respondent. Listed below are responses to the significant comments in the letter. The comments are not restated.

- A. Letter from the Indiantown Cogeneration, L.P., dated October 1, 1998, and received on October 2, 1998, offering comments and requesting wording changes to certain of the descriptive passages and Specific Conditions of the DRAFT Permit. The comments, requested changes, and Department responses are noted in the table below, in the same order as listed in the October 1, 1998 letter.

REQUESTED COMMENTS AND CHANGES REGARDING INDIANTOWN COGENERATION PLANT DRAFT TITLE V PERMIT 0850102-001-AV

No.	Permit Specific Condition Reference	Department Response
1	General Comment	Where possible, the Department has quoted verbatim the applicable federal and state regulations, which are also applicable requirements. Therefore, no change will be made.
2	Condition 4.	<i>Comment only – no change required.</i>
3	Condition 6.	The Department disagrees with the comment and no change will be made, because the condition applies to the unregulated and insignificant emissions units/activities having particulate matter and visible emissions.
4	Condition 7.	<i>Comment only – no change required.</i>

PROPOSED Permit No.: 0850102-001-AV

5	Condition 11.	The Department agrees with removing the Specific Condition dealing with ambient monitoring. However, a written acknowledgment by the Department, certifying that these requirements are indeed met, is necessary. See the response to Comment No. 32, below.
6	Section III, Subsection A: Pulverized Coal Main Boiler	The Department agrees with the changes to the emission unit's description.
7	Condition A.3.	<i>Comment only – no change required.</i>
8	Condition A.5.	<i>Comment only – no change required.</i>
9	Condition A.7.	The Department agrees with the request and the last sentence will be deleted.
10	Condition A.9.	The Department acknowledges the comment. However, the condition will be changed to read as the PSD permit and its amendment are stated; and, the 40 CFR 60.42a(b) citing will be deleted from the justification.
11	Condition A.14. [A.14. Deleted]	The Department acknowledges the comment. Due to the provisions of 40 CFR 60.46a(a), the condition will be deleted. Also, the subsequent Specific Conditions will be renumbered.
12	Condition A.15. [Renumbered A.14.]	The Department acknowledges the comment, but disagrees with the proposed change. However, the Specific Condition will be changed and 40 CFR 60.43a(a)(2) will be quoted verbatim (delete (1)).
13	Condition A.16. [Renumbered A.15.]	The Department acknowledges the comment, but disagrees with the proposed change. However, the Specific Condition will be changed and 40 CFR 60.43a(b)(2) will be quoted verbatim (delete (1)).
14	Condition A.17. [A.17. Deleted]	The Department agrees with the comment and the Specific Condition will be deleted. Also, the subsequent Specific Conditions will be renumbered.
15	Condition A.20. [A.20. Deleted]	The Department acknowledges the comment. Due to the provisions of 40 CFR 60.46a(b), the Specific Condition will be deleted. Also, the subsequent Specific Conditions will be renumbered.
16	Condition A.21. [A.21. Deleted]	The Department agrees with the comment and the Specific Condition will be deleted. Also, the subsequent Specific Conditions will be renumbered.
17	Conditions A.24., A.31., A.33., and A.36.	<i>Comment only – no change required.</i>
18	Conditions A.14. and A.27. [A.27. deleted]	The Department acknowledges the comment. Due to the provisions of 40 CFR 60.46a(a), Specific Condition A.27. will be deleted. Also, the subsequent Specific Conditions will be renumbered. See response #11, above, where Specific Condition A.14. was deleted.
19	Conditions A.20. and A.28. [A.28. deleted]	The Department acknowledges the comment. Due to the provisions of 40 CFR 60.46a(b), the Specific Condition A.28. will be deleted. Also, the subsequent Specific Conditions will be renumbered. See response #15, above, where Specific Condition A.20. was deleted.

PROPOSED Permit No.: 0850102-001-AV

20	Condition A.29. [Renumbered A.23.]	The Department acknowledges the comment. Since Specific Conditions A.14. and A.20. have been deleted, the reference to them will be deleted from Specific Condition A.29. Also, the parenthetical expression (see Specific Condition A.30., renumbered A.24.) will be inserted after the citing of 40 CFR 60.46a(d) for clarity.
21	Condition A.34.	<i>Comment only – no change required.</i>
22	Condition A.37. [Renumbered A.31.]	The Department agrees with the noted updated reference. The permit will be changed.
23	Condition A.47. [Renumbered A.41.]	The Department agrees to remove the testing requirements for sulfuric acid mist.
24	Condition A.47. [Renumbered A.41.]	The Department agrees to add EPA Method 3B to the list of acceptable test methods referenced.
25	Condition A.57. and A.59. [Renumbered A.51. and A.53., respectively]	The Department disagrees with the comment and no change will be made. The State’s SIP includes provisions that apply to NSPS sources after the emission unit has completed the initial test requirements pursuant to 40 CFR 60.8.
26	Condition A.60. [Renumbered A.54.]	The Department disagrees with the request and no change will be made. An annual compliance test is required for all pollutants emitted greater than 100 tons during the federal fiscal year. The facility can opt to conduct the formal annual test during the CEMs certification so long as the requirements of Rule 62-297.310, F.A.C., are satisfied, including proper notification and the submittal of the test results.
27	Condition A.62. [Deleted in PROPOSED]	The Department acknowledges the comment. The Administrator is addressed in Specific Condition A.1. Even so, the Specific Condition will be deleted and the subsequent Specific Conditions will be renumbered.
28	Condition A.67.	<i>Comment only – no change required.</i>
29	Condition A.71.	<i>Comment only – no change required.</i>
30	Condition A.75. [Renumbered A.68.]	The Department disagrees with the comment, since both State and NSPS regulations apply.
31	Condition A.76. [Renumbered A.69.]	The Department disagrees with the comment, since both State and NSPS regulations apply.
32	Condition A.77. [Renumbered A.70.]	The Department will remove this Specific Condition when provided with a copy of the acknowledgement letter from the Department by the permittee certifying that the ambient air quality monitoring requirements have been fulfilled.
33	Condition A.79. [Renumbered A.72.]	The Department disagrees with the comment and the Specific Condition will not be deleted. However, 40 CFR 60.47a(j)(1) will be added to the justification for clarity and is the source for the citing.
34	Condition A.80.	<i>Comment only – no change required.</i>

PROPOSED Permit No.: 0850102-001-AV

35	Section III, Subsection B: Two Auxiliary Boilers	The Department agrees to add the limit for nitrogen oxides. New Specific Condition B.11. will be added. Subsequent Specific Conditions will be renumbered.
36	Condition B.5.	<i>Comment only – no change required.</i>
37	Condition B.7.	<i>Comment only – no change required.</i>
38	Condition B.8.	The Department disagrees with the requested change to the Specific Condition. The text will be edited and citing of Rule 62-296.406(1), F.A.C., will be added to the justification along with the 40 CFR citing.
39	Condition B.9.	The Department disagrees with the requested change to the Specific Condition. No change will be made to the permit. Rule 62-296.406, F.A.C., applies, as well as the limitations established in PSD-FL-168.
40	Conditions B.10., B.12., B.15., B.19., B.28., B.39., B.40., and B.43.	<i>Comment only – no change required.</i>
41	Condition B.12. [Renumbered B.13.]	The Department will delete the references to BACT in the condition and justification.
42	Conditions B.13., and B.14. [Renumbered B.14. and B.15.]	The Department disagrees with the comment, since both State and NSPS regulations apply. Also, a permitting note will be added after the header “Excess Emissions” for clarity.
43	Condition B.15. [Renumbered B.16.]	Based on the comment, the Specific Condition has been changed.
44	Condition B.18.	<i>Comment only – no change required.</i>
45	Condition B.19. [Renumbered B.20.]	The Department disagrees with the requested change to the Specific Condition. Prior to oil firing, this condition must be satisfied. Once the facility starts firing fuel oil, the COM must be operated continuously.
46	Condition B.23.	<i>Comment only – no change required.</i>
47	Condition B.27.	<i>Comment only – no change required.</i>
48	Condition B.28. [Renumbered B.29.]	The Department disagrees with the request; however, “or an as-fired sample” will be added to the end of the text for intent/clarity. Also, Specific Condition B.16. will be linked.
49	Condition B.29. [Renumbered B.30.]	The Department disagrees with the requested change to the Specific Condition. There is a VE limit on natural gas firing, however, Specific Condition B.37. reflects the requirements for compliance.
50	Conditions B.30. to B.36., and B.38.	<i>Comment only – no change required.</i>
51	Condition B.37. [B.37. deleted]	The Department agrees with the comment, and Specific Condition B.37. will be deleted; however, two new Specific Conditions will be added to clarify Specific Condition B.36. (now B.37.). See renumbered Specific Conditions B.38 and B.39. for clarity. And, subsequent Specific Conditions will be renumbered.

PROPOSED Permit No.: 0850102-001-AV

52	Condition B.39. [Renumbered B.41.]	The Department disagrees with the requested change to the Specific Condition. An initial value of the tank % sulfur content by weight must be established or all deliveries of fuel oil were compliant fuel oil based on the vendor's bill of lading.
53	Condition B.40. [Renumbered B.42.]	The Department disagrees with the requested change to the Specific Condition. See response No. 45.
54	Condition B.43. [Renumbered B.45.]	The Department disagrees with the requested change to the Specific Condition and no change will be made. See Specific Condition B.46. (renumbered B.48.).
55	Condition B.48. [B.48. moved to A.65.]	The Department agrees that Specific Condition B.48. be moved to Subsection A. See Specific Condition A.65.
56	Condition B.49. [Renumbered B.50.]	<i>Comment only – no change required.</i>
57	Condition B.51. [Renumbered B.52.]	<i>Comment only – no change required.</i>
58	Section III, Subsection C: Coal Handling System Condition C.3.	The Department partially agrees with the requested change to the Specific Condition. The Specific Condition will be changed as follows: <i>From:</i> C.3. <u>Visible Emissions.</u> Visible emissions from the coal handling system baghouse shall not exceed 5% opacity. [PSD-FL-168, Specific Condition No. 11] <i>To:</i> C.3. <u>Visible Emissions.</u> Visible emissions from the coal handling system baghouses shall not exceed 10% opacity, six-minute average. [PSD-FL-168, Specific Condition No. 8]
59	Condition C.6.	<i>Comment only – no change required.</i>
60	Condition C.9.	The Department disagrees that this Specific Condition be deleted. Volumetric flow rate values are needed for PM emissions compliance assurance. See Specific Conditions C.4. and C.11.
61	Condition C.11.	The Department agrees with the requested change to the Specific Condition's citation.
62	Condition C.11.	<i>Comment only – no change required.</i>
63	Section III, Subsection D: Ash Handling System Condition D.8.	The Department disagrees that this Specific Condition be deleted. Volumetric flow rate values are needed for PM emissions compliance assurance. See Specific Condition D.4.
64	Condition D.11.	<i>Comment only – no change required.</i>
65	Section III, Subsection E: Lime Handling System Condition E.4.	The Department agrees with the requested change to the Specific Condition.

PROPOSED Permit No.: 0850102-001-AV

66	Condition E.9.	The Department disagrees that this Specific Condition be deleted. Volumetric flow rate values are needed for PM emissions compliance assurance. See Specific Condition E.5.
67	Condition E.12.	<i>Comment only – no change required.</i>
68	Tables 1-1 and 2-1	The Department partially agrees with the requested changes to the Tables.

69	Appendix TV-1 (now TV-3)	<p>The Department agrees with the comment and will change Appendix TV-1 (now TV-3), Condition 52., as follows:</p> <p><i>From:</i></p> <p>52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.</p> <p><i>To:</i></p> <p>Statement of Compliance. For each applicable requirement, the permit shall contain:</p> <ol style="list-style-type: none"> 1. A provision for assessing or monitoring compliance for each unit within the source; 2. A provision that the source submit a statement of compliance with all terms and conditions of the permit. Such statements shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. Such statements shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C.; 3. A requirement that the statement of compliance status include all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C. Such statement shall be accompanied by a
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PROPOSED Permit No.: 0850102-001-AV

		certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C. For purposes of the Statement of Compliance required at Rule 62-213.440(3)(a), F.A.C., 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.
70	Appendix I-1	The Department agrees to add the four listed items to the List of Insignificant Emissions Units and/or Activities.

B. Documents on file with the permitting authority:

- Letter from the Indiantown Cogeneration, L.P., dated October 1, 1998.

III. Conclusion.

The permitting authority hereby issues the PROPOSED Permit, No. **0850102-001-AV**, with the changes reflected above. Some Specific Conditions have been renumbered to correspond to additions/deletions to the original set.

STATEMENT OF BASIS

Title V PROPOSED Permit No.: 0850102-001-AV
Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant
Martin County

This Title V air operation permit 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 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.

The Indiantown Cogeneration Plant is a cogeneration facility which generates electricity for sale and exports steam to the Caulkins Citrus Processing Plant. The facility includes one high-pressure pulverized coal main boiler (PC boiler) rated at 3,422 MMBtu/hour heat input, and has a nominal net electrical power output of approximately 330 megawatts (MW). It is permitted to fire natural gas, propane, or No. 2 fuel oil for startup, shutdown, or load changes. It commenced commercial operation in July, 1995.

The unit is equipped with low NOx burners, overfire air, a steam coil air heater and air preheater, dual register burners and windbox design, a selective catalytic reduction system, spray dryer absorber, and fabric filter baghouse.

The emissions unit is regulated under NSPS-40 CFR 60, Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).

Also included are two identical auxiliary boilers used for supplying steam to the steam host during times when the PC boiler is offline, as well as during PC boiler startup and shutdown periods. They have a combined total heat input rate of 358 MMBtu/hour, and are permitted to fire natural gas, propane, or No. 2 fuel oil. Steam produced by the auxiliary boilers is not used to generate electricity. These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required and NSPS-40 CFR 60, Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).

In addition, the facility has a variety of ancillary equipment needed to support operations as a coal-fired cogeneration plant.

Based on the initial Title V permit application received June 6, 1996, this facility is a major source of hazardous air pollutants (HAPs).

The Department has determined that sources with particulate matter emissions less than half the effective standard shall test annually.

The table below indicates the results of recent stack tests for the PC boiler:

Pollutant	Allowable emissions	Actual emissions
Particulate matter	61.6 lb/hr	32.9 lb/hr
Sulfur dioxide	582.00 lb/hr	551.63 lb/hr
Nitrogen oxides	582.00 lb/hr	578.66 lb/hr

This unit has continuous emissions monitors for SO₂ and NO_x. The Department believes that the quality assurance and calibration requirements specified in 40 CFR 60 Appendix F, and the quarterly reporting of results mandated by 40 CFR 49a, are adequate justification for annual stack testing for these pollutants.

For the auxiliary boilers, the Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year.

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant
Facility ID No.: 0850102
Martin County

Initial Title V Air Operation Permit
PROPOSED Permit No.: 0850102-001-AV

Permitting Authority:

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

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

Telephone: 850/488-1344
Fax: 850/922-6979

Compliance Authority:

Department of Environmental Protection
Southeast District

400 North Congress Avenue
West Palm Beach, Florida 33416-5425

Telephone: 407/681-6600
Fax: 407/681-6755

Initial Title V Air Operation Permit
PROPOSED Permit No.: 0850102-001-AV

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Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

Permittee:

Indiantown Cogeneration, L.P.
P.O. Box 1620
19140 SW Warfield Blvd.
Indiantown, Florida 34956

PROPOSED Permit No.: 0850102-001-AV

Facility ID No.: 0850102

SIC Nos.: 49, 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Indiantown Cogeneration Plant. This facility is located 9 miles east of Lake Okeechobee and 3 miles northwest of Indiantown, Martin County; UTM Coordinates: Zone 17, 422.3 km East and 2952.9 km North; Latitude: 27° 02' 20" North and Longitude: 80° 30' 45" West.

STATEMENT OF BASIS: This Title V air operation permit 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 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 I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-3, TITLE V CONDITIONS (version dated 4/30/99)
APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)
Appendix 40 CFR 60, Subpart A - General Provisions (dated 07/23/97)

Effective Date:

Renewal Application Due Date:

Expiration Date:

Howard L. Rhodes, Director,
Division of Air Resources
Management

HLR/sms/tbc

Section I. Facility Information.

Subsection A. Facility Description.

The Indiantown Cogeneration Plant is a cogeneration facility which generates electricity for sale and exports steam to the Caulkins Citrus Processing Plant. The facility includes one high-pressure pulverized coal main boiler (PC boiler) rated at 3,422 MMBtu/hour heat input, and has a nominal net electrical power output of approximately 330 megawatts (MW). It is permitted to fire natural gas, propane, or No. 2 fuel oil for startup, shutdown, or load changes.

Also included are two identical auxiliary boilers used for supplying steam to the steam host during times when the PC boiler is offline, as well as during PC boiler startup and shutdown periods. They have a combined total heat input rate of 358 MMBtu/hour, and are permitted to fire natural gas, propane, or No. 2 fuel oil. Steam produced by the auxiliary boilers is not used to generate electricity. In addition, the facility has a variety of ancillary equipment needed to support operations as a coal-fired cogeneration plant.

Based on the initial Title V permit application received June 6, 1996, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions.

E.U. ID No.	Brief Description
-001	Pulverized Coal Main Boiler
-003	Auxiliary Boilers (2)
-004	Coal Handling System
-005	Ash Handling System
-006	Lime Handling System

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:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received June 6, 1996.

DRAFT Title V Permit issued August 24, 1998.

Comment letter from the permittee received October 2, 1998.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-3, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-3, 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.}
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. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
 - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
 - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
4. 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.]
5. 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.
[Rule 62-296.320(1)(a), F.A.C.]
6. 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.]

7. Inactive coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, and covered. Water sprays or chemical wetting agents and stabilizers shall be applied to uncovered storage piles, roads, handling equipment, etc., during dry periods and as necessary to all facilities to maintain an opacity of less than or equal to 5 percent. When adding, moving, or removing coal from the coal pile an opacity of 20 percent is allowed. The coal pile is accessed as needed; disturbance of the covering is minimized and the coal pile is re-covered periodically. [PSD-FL-168, Specific Condition No. 10; and, Rule 62-296.320(4)(c), F.A.C.]

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

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

Department of Environmental Protection
Southeast District
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 407/681-6600
Fax: 407/681-6755

10. 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 & EPCRA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9055
Fax: 404/562-9163 or 404/562-9164

11. The permittee shall operate two continuous ambient air monitoring sites for sulfur dioxide in accordance with Department quality control procedures and EPA reference methods in 40 CFR Part 53 and two ambient air monitoring sites for suspended particulate matter, and one continuous NOx monitor site. The frequency of monitoring of the particulate matter monitors shall be every six days.

[PSD-FL-168, Specific Condition No. 24]

Section III. Emissions Units and Conditions.

Subsection A. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
-001	Pulverized Coal Main Boiler

The pulverized coal main boiler is rated at 3,422 MMBtu/hour heat input, and has a nominal net electrical power output of approximately 330 megawatts (MW). It is permitted to fire coal, No. 2 fuel oil, natural gas, and propane. It commenced commercial operation in July, 1995.

The unit is equipped with low NOx burners, overfire air, a steam coil air heater and air preheater, dual register burners and windbox design, a selective catalytic reduction system, spray dryer absorber, and fabric filter baghouse.

{Permitting note: the emissions unit is regulated under NSPS-40 CFR 60, Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).}

The following specific conditions apply:

General

A.1. Definitions. For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.
[40 CFR 60.2; and Rule 62-204.800(7)(a), F.A.C.]

A.2. 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]

A.3. Coal shall not be burned in the unit unless the spray dryer scrubber, fabric filter baghouse, and other air pollution control devices are operating properly except as provided under 40 CFR 60, Subpart Da. Any malfunctions of these air pollution control devices are to be recorded, including duration, cause, and description of the repair.
[PSD-FL-168, Specific Condition No. 13]

A.4. No fraction of the flue gas shall be allowed to bypass the air pollution control devices (PCD) system to reheat the gases exiting from the PCD system, if the bypass will cause emissions above the limits specified in Specific Condition **A.12**. The percentage and amount of flue gas bypassing the PCD system shall be documented and records kept for a minimum of 5 (five) years and must be available for inspection by the Department.
[PSD-FL-168, Specific Condition No. 15]

Essential Potential to Emit (PTE) Parameters

A.5. Permitted Capacity. The maximum operation heat input rate allowed is as follows:

Emissions Unit No.	MMBtu/hr Heat Input	Fuel Type
-001	3422	Coal

[Rules 62-4.160(2), 62-210.200 (PTE), F.A.C.; and PSD-FL-168, Specific Condition No. 3]

A.6. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **A.49**.
[Rule 62-297.310(2), F.A.C.]

A.7. Methods of Operation. Fuels. The only fuels allowed to be burned are coal, No. 2 fuel oil, natural gas, and propane. The fuel oil to be fired shall be “new oil” which means an oil which has been refined from crude oil and has not been used.
[Rule 62-213.410, F.A.C.; PSD-FL-168, Specific Conditions No. 2 and No. 14; and, amendment dated 7/16/92]

A.8. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200 (PTE), F.A.C.; and PSD-FL-168, Specific Condition No. 4]

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.}

A.9. Visible Emissions. Visible emissions from each baghouse exhaust shall not exceed 10 percent opacity (6 minute average), except for one 6-minute period per hour of not more than 27 percent opacity.
[PSD-FL-168, Specific Condition No. 8; and, amendment clerked 4/13/98]

A.10. 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.
[40 CFR 60.11(a)]

A.11. Opacity. 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.

[40 CFR 60.11(c)]

A.12. Based on the maximum permitted heat input of 3422 MMBtu/hr, the stack emissions shall not exceed any of the following limitations:

Pollutant	Basis	Emission Limitation	
	lb/MMBtu	lb/hr	TPY
Sulfur dioxide	0.170*	582*	2549
Nitrogen oxides	0.170*	582*	2549
Particulate matter	0.018	61.6	270
PM10	0.018	61.6	270
Carbon monoxide	0.110	376*	1649
Volatile organic compounds	0.0036	12.32	54.0
Sulfuric acid mist	0.0004	1.45	6.51
Beryllium	0.0000027	0.0094	0.041
Mercury	0.0000114	0.039	0.17
Lead	0.0000187	0.064	0.280
Fluorides	0.0015	5.08	22.3
Arsenic	0.000051	0.18	0.77

*24 hour daily block average (midnight to midnight)

[PSD-FL-168, Specific Condition No. 5]

A.13. Ammonia (NH3). Slip from exhaust gases shall not exceed 50 ppmv.

[PSD-FL-168, Specific Condition No. 7]

A.14. Sulfur Dioxide - Coal Only. No owner or operator subject to the provisions of 40 CFR 60, Subpart Da, shall cause to be discharged into the atmosphere from any affected facility which combusts solid fuel or solid-derived fuel any gases which contain sulfur dioxide in excess of 30 percent of the potential combustion concentration (70 percent reduction).

[40 CFR 60.43a(a)(2)]

A.15. Sulfur Dioxide - Liquid Fuel Only. No owner or operator subject to the provisions of 40 CFR 60, Subpart Da, shall cause to be discharged into the atmosphere from any affected facility which combusts liquid fuel any gases which contain sulfur dioxide in excess of 100 percent of the potential combustion concentration (zero percent reduction), when emissions are less than 0.20 lb/MMBtu heat input.

[40 CFR 60.43a(b)(2)]

A.16. Compliance with a sulfur dioxide percent reduction requirements is determined on a 30-day rolling average basis.

[40 CFR 60.43a(g)]

A.17. When different fuels are combusted simultaneously, the applicable standard of sulfur dioxide is determined by proration using the following formula:

$$\%Ps = (10x + 30y)/100$$

- %Ps = the percentage of potential sulfur dioxide emission allowed.
x = the percentage of total heat input derived from the combustion of liquid fuel
y = the percentage of total heat input derived from the combustion of solid fuel

[40 CFR 60.43a(h)]

Excess Emissions

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

A.18. Excess emissions resulting from startup, shutdown, or malfunction of any emissions unit shall be permitted provided (1) best operational practices to minimize emissions are adhered to and (2) 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.]

A.19. 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

A.20. All fuel oil and coal shipments shall have a shipment analysis for sulfur content, ash content, and heating value. In the event continuous emission monitoring of sulfur dioxide is not performed, a daily analysis of coal sulfur content for the purpose of establishing the percentage reduction in potential sulfur emissions shall be made. Such determination shall be in accordance with the EPA reference Method 19. Records of all the analyses shall be kept for Department inspection for a minimum of 5 (five) years after the data are recorded.
[PSD-FL-168, Specific Condition No. 16]

A.21. 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.]

A.22. Fuel consumption shall be continuously measured and recorded by fuel type.

[PSD-FL-168, Specific Condition No. 4]

Compliance Provisions

A.23. The particulate matter emission standards under Specific Condition **A.12.** and the nitrogen oxide standards under Specific Condition **A.12.** apply at all times except during periods of startup, shutdown, or malfunction. The sulfur dioxide emission standards under Specific Conditions **A.12.**, **A.14.**, **A.15.**, and **A.17.** apply at all times except during periods of startup, shutdown, or when both emergency conditions exist and the procedures under 40 CFR 60.46a(d) are implemented (see Specific Condition **A.24.**).

[40 CFR 60.46a(c); and PSD-FL-168]

A.24. During emergency conditions in the principal company, an affected facility with a malfunctioning flue gas desulfurization system may be operated if sulfur dioxide emissions are minimized by:

- (1) Operating all operable flue gas desulfurization modules, and bringing back into operation any malfunctioned module as soon as repairs are completed,
- (2) Bypassing flue gases around only those flue gas desulfurization system modules that have been taken out of operation because they were incapable of any sulfur dioxide emission reduction or which would have suffered significant physical damage if they had remained in operation.

[40 CFR 60.46a(d)(1) & (2)]

A.25. Compliance with the sulfur dioxide emission limitations under Specific Condition **A.12.** and the nitrogen oxides emissions limitations under Specific Condition **A.12.** is based on a 24 hour daily block average (midnight to midnight). The percentage reduction requirements under 40 CFR 60.43a is based on the average emission rate for 30 successive boiler operating days. A separate performance test is completed at the end of each boiler operating day and a new 30 day percent reduction for sulfur dioxide is calculated to show compliance with the standards.

[40 CFR 60.46a(e); and PSD-FL-168, Specific Condition No. 5]

A.26. Compliance is determined by calculating the 24 hour daily block average (midnight to midnight), except for data obtained during startup, shutdown, or malfunction (NO_x only), or emergency conditions (SO_2 only). Compliance with the percentage reduction requirement for SO_2 is determined based on the average inlet and average outlet SO_2 emissions rates for the 30 successive boiler operating days.

[40 CFR 60.46a(g); and PSD-FL-168]

A.27. If the owner or operator has not obtained the minimum quantity of emission data as required under 40 CFR 60.47a, compliance of the affected facility with the emission requirements under 40 CFR 60.43a and 60.44a for the day on which the 30-day period ends may be determined by the Administrator following the applicable procedures in section 7 of Method 19.

[40 CFR 60.46a(h)]

Continuous Monitoring Requirements

A.28. Stack emissions monitoring shall include a flue gas oxygen meter to continuously monitor a representative sample of the flue gas. The oxygen monitor shall be used with automatic feedback controls to continuously maintain air/fuel ratio parameters at an optimum.

[PSD-FL-168, Specific Condition No. 23]

A.29. Opacity. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the opacity of emissions discharges to the atmosphere. If opacity interference due to water droplets exists in the stack (for example, from the use of an FGD system), the opacity is monitored upstream of the interference (at the inlet to the FGD system). If opacity interference is experienced at all locations (both at the inlet and outlet of the sulfur dioxide control system), alternate parameters indicative of the particulate matter control system's performance are monitored (subject to the approval of the Administrator).

[40 CFR 60.47a(a)]

A.30. Sulfur Dioxide. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring sulfur dioxide emissions as follows:

(1) Sulfur dioxide emissions are monitored at both the inlet and outlet of the sulfur dioxide control device.

[40 CFR 60.47a(b)(1)]

A.31. Nitrogen Oxides. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring nitrogen oxides emissions discharged to the atmosphere.

[40 CFR 60.47a(c)(1)]

A.32. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the oxygen or carbon dioxide content of the flue gases at each location where sulfur dioxide or nitrogen oxides emissions are monitored.

[40 CFR 60.47a(d)]

A.33. The continuous monitoring systems are operated and data recorded during all periods of operation at the affected facility including periods of startup, shutdown, malfunction, or emergency conditions, except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments.
[40 CFR 60.47a(e)]

A.34. The owner or operator shall obtain emission data for at least 18 hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement cannot be met with a continuous monitoring system, the owner or operator shall supplement emission data with other monitoring systems approved by the Administrator or the reference methods and procedures as described in 40 CFR 60.47a(h).
[40 CFR 60.47a(f)]

A.35. The 1-hour averages required under 40 CFR 60.13(h) are expressed in ng/J (lb/million Btu) heat input and used to calculate the average emission rates under 40 CFR 60.46a. The 1-hour averages are calculated using the data points required under 40 CFR 60.13(b). At least two data points must be used to calculate the 1-hour averages.
[40 CFR 60.47a(g)]

A.36. When it becomes necessary to supplement continuous monitoring system data to meet the minimum data requirements in 40 CFR 60.47a(f), the owner or operator shall use the reference methods and procedures as specified in this paragraph. Acceptable alternative methods are given in 40 CFR 60.47a(j).

(1) Method 6 shall be used to determine the SO₂ concentration at the same location as the SO₂ monitor. Samples shall be taken at 60-minute intervals. The sampling time and sample volume for each sample shall be at least 20 minutes and 0.020 dscm (0.71 dscf). Each sample represents a 1-hour average.

(2) Method 7 shall be used to determine the NO_x concentration at the same location as the NO_x monitor. Samples shall be taken at 30-minute intervals. The arithmetic average of two consecutive samples represents a 1-hour average.

(3) The emission rate correction factor, integrated bag sampling and analysis procedure of Method 3B shall be used to determine the O₂ or CO₂ concentration at the same location as the O₂ or CO₂ monitor. Samples shall be taken for at least 30 minutes in each hour. Each sample represents a 1-hour average.

(4) The procedures in Method 19 shall be used to compute each 1-hour average concentration in ng/J (lb/million Btu) heat input.

[40 CFR 60.47a(h)(1), (2), (3) & (4)]

A.37. The owner or operator shall use methods and procedures in this paragraph to conduct monitoring system performance evaluations under 40 CFR 60.13(c) and calibration checks under 40 CFR 60.13(d). Acceptable alternative methods and procedures are given in 40 CFR 60.47a(j).

- (1) Methods 6, 7, and 3B, as applicable, shall be used to determine O₂, SO₂, and NO_x concentrations.
- (2) SO₂ or NO_x (NO), as applicable, shall be used for preparing the calibration gas mixtures (in N₂, as applicable) under Performance Specification 2 of appendix B of 40 CFR 60.
- (3) For affected facilities burning only fossil fuel, the span value for a continuous monitoring system for measuring opacity is between 60 and 80 percent and for a continuous monitoring system measuring nitrogen oxides firing solid fuel is 1,000 ppm.
- (5) For affected facilities burning fossil fuel, alone or in combination with non-fossil fuel, the span value of the sulfur dioxide continuous monitoring system at the inlet to sulfur dioxide control device is 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the sulfur dioxide control device is 50 percent of maximum estimated hourly potential emissions of the fuel fired.

[40 CFR 60.47a(i)(1), (2), (3), & (5)]

A.38. The owner or operator may use the following as alternatives to the reference methods and procedures specified in 40 CFR 60.47a.

- (1) For Method 6, Method 6A or 6B (whenever Methods 6 and 3 or 3B data are used) or 6C may be used. Each Method 6B sample obtained over 24 hours represents 24 1-hour averages. If Method 6A or 6B is used under 40 CFR 60.47a(i), the conditions under 40 CFR 60.46(d)(1) apply (see Specific Condition A.72.); these conditions do not apply under 40 CFR 60.47a(h).
- (2) For Method 7, Method 7A, 7C, 7D, or 7E may be used. If Method 7C, 7D, or 7E is used, the sampling time is 1 hour.
- (3) For Method 3, Method 3A or 3B may be used if the sampling time is 1 hour.
- (4) For Method 3B, Method 3A may be used.

[40 CFR 60.47a(j)]

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.}

A.39. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility. The permittee shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.

[PSD-FL-168, Specific Condition No. 20]

A.40. Compliance with emissions limitation standards shall be demonstrated using EPA methods, as contained in 40 CFR Part 60, or 40 CFR Part 61, or any other method approved by the Department and EPA.

[PSD-FL-168, Specific Condition No. 19]

A.41. Compliance with emission limitation standards shall be demonstrated using EPA methods as described in the table below:

For determination of	EPA Method
Selection of sample site and velocity traverses	1
Stack gas flow rate when converting concentrations to or from mass emissions limits	2
Gas analysis when needed for calculation of molecular weight of or percent O ₂	3, 3A, & 3B
Moisture content when converting stack velocity to dry volumetric flow rate for use in converting concentrations in dry gases to or from mass emission limits.	4
Particulate matter concentration and mass emissions	5
Sulfur dioxide	6, 6C, or 19
Nitrogen oxides	7E
Visible emissions	9
Fugitive emissions from transfer points	22
Carbon monoxide	10
Lead	12 or 101A
Fluorides	13A or 13B
Volatile organic compounds	18 and 25
Mercury	101A or 108
Beryllium	104
Ammonia (NH ₃)	EPA draft method or other methods approved by the Department

[40 CFR 60.48a; and PSD-FL-168, Specific Condition No. 19]

A.42. In conducting performance tests, the owner or operator shall use as reference methods and procedures the methods in appendix A of 40 CFR 60 or the methods and procedures as specified in 40 CFR 60.48a, except as provided in 40 CFR 60.8(b). 40 CFR 60.8(f) does not apply for SO₂ and NO_x. Acceptable alternative methods are given in 40 CFR 60.48a(e).

[40 CFR 60.48a(a)]

A.43. Particulate Matter. The owner or operator shall determine compliance with the particulate matter standard as follows

- (1) The dry basis F factor (O₂) procedures in Method 19 shall be used to compute the emission rate of particulate matter.
- (2) For the particulate matter concentration, Method 5 shall be used at affected facilities without wet FGD systems and Method 5B shall be used after wet FGD systems.
 - (i) The sampling time and sample volume for each run shall be at least 120 minutes and 1.70 dscm (60 dscf). The probe and filter holder heating system in the sampling train may be set to provide an average gas temperature of no greater than 160 ± 14 °C (320 ± 25 °F).
 - (ii) For each particulate run, the emission rate correction factor, integrated or grab sampling and analysis procedures of Method 3B shall be used to determine the O₂ concentration. The O₂ sample shall be obtained simultaneously with, and at the same transverse points as, the particulate run. If the particulate run has more than 12 transverse points, the O₂ transverse points may be reduced to 12 provided that Method 1 is used to locate the 12 O₂ transverse points. If the grab sampling procedure is used, the O₂ concentration for the run shall be the arithmetic mean of all the individual O₂ concentrations at each transverse point.
- (3) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.
[40 CFR 60.48a(b)(1), (2) & (3)]

A.44. Sulfur Dioxide. The owner or operator shall determine compliance with the sulfur dioxide standards as follows:

- (1) The percent of potential SO₂ emissions (%P_S) to the atmosphere shall be computed using the following equation:

$$\%P_S = [(100 - \%R_F)(100 - \%R_S)]/100$$

where:

- %P_S = percent of potential SO₂ emissions, percent.
- %R_F = percent reduction from fuel pretreatment, percent.
- %R_S = percent reduction by SO₂ control system, percent.

- (2) The procedures in Method 19 may be used to determine percent reduction (%R_F) of sulfur by such processes as fuel pretreatment (physical coal cleaning, hydrodesulfurization of fuel oil, etc.), coal pulverizers, and bottom and flyash interactions. This determination is optional.
- (3) The procedures in Method 19 shall be used to determine the percent SO₂ reduction (%R_S) of any SO₂ control system. Alternatively, a combination of an “as fired” fuel monitor and emission rates measured after the control system, following the procedures in Method 19, may be used if the percent reduction is calculated using the average emission rate from the SO₂ control device and the average SO₂ input rate from the “as fired” fuel analysis for 30 consecutive boiler operating days.
- (4) The appropriate procedures in Method 19 shall be used to determine the emission rate.
- (5) The continuous monitoring system in 40 CFR 60.47a(b) and (d) shall be used to determine the concentrations of SO₂ and CO₂ or O₂.
[40 CFR 60.48a(c)(1), (2), (3), (4) & (5)]

A.45. Nitrogen Oxides. The owner or operator shall determine compliance with the NO_x standard as follows:

- (1) The appropriate procedures in Method 19 shall be used to determine the emission rate of NO_x.
- (2) The continuous monitoring system in 40 CFR 60.47a(c) and (d) shall be used to determine the concentrations of NO_x and CO₂ or O₂.
[40 CFR 60.48a(d)(1) & (2)]

A.46. The owner or operator may use the following as alternatives to the reference methods and procedures specified in 40 CFR 60.48a:

- (1) For Method 5 or 5B, Method 17 may be used at facilities with or without wet FGD systems if the stack temperature at the sampling location does not exceed the average temperature of 160 °C (320 °F). Procedures 2.1 and 2.3 of Method 5B in 40 CFR 60, Appendix A may be used in Method 17 only if it is used after wet FGD systems. Method 17 shall not be used after wet FGD systems if the effluent is saturated or laden with water droplets.
- (2) The F_C factor (CO₂) procedures in Method 19 may be used to compute the emission rate of particulate matter under the stipulations of 40 CFR 60.46(d)(1). The CO₂ shall be determined in the same manner as the O₂ concentration.
[40 CFR 60.48a(e)(1) & (2)]

A.47. Carbon Monoxide. Compliance shall be demonstrated using EPA Method 10 in accordance with Chapter 62-297, F.A.C.
[Rules 62-213.440 and 62-297.401, F.A.C.; and PSD-FL-168, Specific Condition No. 19]

A.48. 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.]

A.49. 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.]

A.50. 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.]

A.51. 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:

- a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
- b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
- 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.

TABLE 297.310-1
 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass reference thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calibration liquid in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass reference thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-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, Figures 2-2 and 2-3
Probe Nozzles	Before each test, or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of the last three readings; maximum deviation between readings .004"
Dry gas meter and Orifice Meter	<ol style="list-style-type: none"> 1. Full scale: when received, when 5% change observed, annually. 2. One point: Semiannually. 3. Check after each test series. 	<p>Spirometer or calibrated wet test or dry gas test meter</p> <p>Comparison check</p>	<p>2%</p> <p>5%</p>

(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.]

A.52. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee 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.]

A.53. 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 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

c. Each NESHAP pollutant, if there is an applicable emission standard.

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 fuel, other than during startup, for a total of more than 400 hours.

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.; and, SIP approved]

A.54. Stack tests for particulate matter, nitrogen oxides, sulfur dioxide, and visible emissions shall be performed annually.
[PSD-FL-168, Specific Condition No. 22]

A.55. The permittee shall provide written notice to the Department's Southeast District Office thirty (30) days prior to the tests in order to provide the Department the opportunity to have an observer present.
[PSD-FL-168, Specific Condition No. 21]

Record keeping and Reporting Requirements

A.56. For sulfur dioxide and nitrogen oxides the following information is reported to the Administrator for each 24-hour period.

- (1) Calendar date.
- (2) The average sulfur dioxide and nitrogen oxides emission rates (ng/J or lb/million Btu) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standards; and, description of corrective actions taken.
- (3) Percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and, description of corrective actions taken.
- (4) Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 18 hours of operation of the facility; justification for not obtaining sufficient data; and, description of corrective actions taken.
- (5) Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO_x only), emergency conditions (SO₂ only), or other reasons, and justification for excluding data other than startup, shutdown, malfunction, or emergency conditions.
- (6) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

- (7) Identification of the times when hourly averages have been obtained based on manual sampling methods.
 - (8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.
 - (9) Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.
- [40 CFR 60.49a(b)(1), (2), (3), (4), (5), (6), (7), (8) & (9)]

A.57. If the required quantity of emission data as required by 40 CFR 60.47a is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of 40 CFR 60.46a(h) is reported to the Administrator for that 30-day period:

- (1) The number of hourly averages available for outlet emission rates (n_o) and inlet emission rates (n_i) as applicable.
 - (2) The standard deviation of hourly averages for outlet emission rates (s_o) and inlet emission rates (s_i) as applicable.
 - (3) The lower confidence limit for the mean outlet emission rate (E_o^*) and the upper confidence limit for the mean inlet emission rate (E_i^*) as applicable.
 - (4) The applicable potential combustion concentration.
 - (5) The ratio of the upper confidence limit for the mean outlet emission rate (E_o^*) and the allowable emission rate (E_{std}) as applicable.
- [40 CFR 60.49a(c)(1), (2), (3), (4) & (5)]

A.58. If any standards under 40 CFR 60.43a are exceeded during emergency conditions because of control system malfunction, the owner or operator of the affected facility shall submit a signed statement:

- (1) Indicating if emergency conditions existed and requirements under 40 CFR 60.46a(d) were met during each period, and
- (2) Listing the following information:
 - (i) Time periods the emergency condition existed;
 - (ii) Electrical output and demand on the owner or operator's electric utility system and the affected facility;
 - (iii) Amount of power purchased from interconnected neighboring utility companies during the emergency period;
 - (iv) Percent reduction in emissions achieved;
 - (v) Atmospheric emission rate (ng/I) of the pollutant discharged; and
 - (vi) Actions taken to correct control system malfunction.

[40 CFR 60.49a(d)(1) & (2)]

A.59. If fuel pretreatment credit toward the sulfur dioxide emission standard under 40 CFR 60.43a is claimed, the owner or operator of the affected facility shall submit a signed statement:

- (1) Indicating what percentage cleaning credit was taken for the calendar quarter, and whether the credit was determined in accordance with the provisions of 40 CFR 60.48a and Method 19 (appendix A); and
- (2) Listing the quantity, heat content, and date each pretreated fuel shipment was received during the previous quarter; the name and location of the pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the previous quarter.

[40 CFR 60.49a(e)(1) & (2)]

A.60. For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and the affected facility during periods of data unavailability are to be compared with operation of the control system and the affected facility before and following the period of data unavailability.

[40 CFR 60.49a(f)]

A.61. The owner or operator of the affected facility shall submit a signed statement indicating whether:

- (1) The required continuous monitoring system calibration, span, and drift checks or other periodic audits have or have not been performed as specified.
- (2) The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance.
- (3) The minimum data requirements have or have not been met; or, the minimum data requirements have not been met for errors that were unavoidable.
- (4) Compliance with the standards has or has not been achieved during the reporting period.

[40 CFR 60.49a(g)(1), (2), (3) & (4)]

A.62. For the purposes of the reports required under 40 CFR 60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under Specific Condition A.9. Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter.

[40 CFR 60.49a(h); and PSD-FL-168]

A.63. The owner or operator of an affected facility shall submit the written reports required under 40 CFR 60.49a and 40 CFR 60, Subpart A, to the Administrator for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

[40 CFR 60.49a(i)]

A.64. 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.

[40 CFR 60.7(b)]

A.65. The permittee shall submit a quarterly report to the Department's Southeast District Office documenting a 12 month rolling average capacity factor. This factor shall be calculated by dividing the unit's megawatt hours output of generation by the product of the official megawatt rating of the unit times the number of hours in the 12 month period.
[PSD-FL-168, Specific Condition No. 1]

A.66. Stack monitoring, fuel usage, and fuel analysis data shall be reported to the Department's Southeast District Office on a quarterly basis.
[PSD-FL-168, Specific Condition No. 28]

A.67. 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 5 (five) years following the date of such measurements, maintenance, reports, and records.
[40 CFR 60.7(f); and Rule 62-213.440(1)(b)2.b., F.A.C.]

A.68. 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.]

A.69. 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.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department 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.

[Rule 62-297.310(8), F.A.C.]

A.70. Utilizing the Aerometric Information and Retrieval System (AIRS), or other format approved in writing by the Department, ambient air monitoring data shall be reported quarterly to the Department's Bureau of Air Monitoring and Mobile Sources. Such reports shall be due within 45 days of the end of the quarterly reporting period. Reporting and monitoring shall be in conformance with 40 CFR Parts 53 and 58.

[PSD-FL-168, Specific Condition No. 29]

Miscellaneous

A.71. The permittee shall comply with the requirements contained in Appendix 40 CFR 60, Subpart A, attached to this permit.

[Rule 62-204.800(7)(d), F.A.C.]

A.72. 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, SO₂ and NO_x may be determined by using the Fc factor, provided that the following procedure is used:

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

$$E = C F_c (100 / \% \text{ CO}_2)$$

where:

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

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

% CO₂ = carbon dioxide concentration, percent dry basis.

F_c = factor as determined in appropriate sections of Method 19.

(ii) If and only if the average F_c 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 O₂ and CO₂ concentration according to the procedures in 40 CFR 60.46(b)(2)(ii), (4)(ii), or (5)(ii). Then if F_o (average of three runs), as calculated from the equation in Method 3B, is more than ± 3 percent than the average F_o value, as determined from the average values of F_d and F_c in Method 19, i.e., $F_{oa} = 0.209 (F_{da} / F_{ca})$, then the following procedure shall be followed:

(A) When F_o is less than 0.97 F_{oa}, then E shall be increased by that proportion under 0.97 F_{oa}, e.g., if F_o is 0.95 F_{oa}, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the emission standard.

(B) When F_o is less than 0.97 F_{oa} 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_{oa}, e.g., if F_o is 0.95 F_{oa}, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

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

[40 CFR 60.46(d)(1) and 40 CFR 60.47a(j)(1)]

A.73. In the event of a prolonged (thirty days or more) equipment malfunction or shutdown of air pollution control equipment, operation shall be allowed to resume and continue to take place under appropriate Department Order, provided that the permittee demonstrates such operation will be in compliance with all applicable ambient air quality standards and PSD increments. During such malfunction or shutdown, operation of the facility shall comply with all other requirements of this permit and all applicable state and federal emission standards not affected by the malfunction or shutdown which is the subject of the Order. Operational stoppages exceeding two hours for air pollution control systems shall be reported to the Department's Southeast District Office. Operational malfunctions which do not stop operation but may prevent compliance with emission limitations shall also be reported to the Department's Southeast District Office.

[PSD-FL-168, Specific Condition No. 31]

Subsection B. This section addresses the following emissions unit(s).

E.U. ID No.	Brief Description
-003	Auxiliary Boilers (2)

These emissions units are two identical Nebraska boilers sized for a maximum heat input rate of 179 MMBtu/hr. They are ducted to a single emissions point. Control devices are low NOx burners. The auxiliary boilers commenced commercial operation in January, 1995.

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required and NSPS-40 CFR 60, Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT); Rule 62-296.406(1), F.A.C., Fossil Fuel Steam Generators with less than 250 Million Btu per hour Heat Input.}

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

General

B.1. Definitions. For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.
[40 CFR 60.2; and Rule 62-204.800(7)(a), F.A.C.]

B.2. 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]

Essential Potential to Emit (PTE) Parameters

B.3. Permitted Capacity. The auxiliary boilers shall not exceed a combined total heat input rate of 342 MMBtu/hour while firing No. 2 fuel oil, and a combined total heat input rate of 358 MMBtu/hour while firing natural gas or propane.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and PSD-FL-168, Specific Condition No. 3]

B.4. Methods of Operation - Fuels. The only fuels authorized to be burned in these emissions units are No. 2 fuel oil, natural gas, or propane. These fuels may be mixed or burned simultaneously. The fuel oil to be fired shall be "new oil" which means an oil which has been refined from crude oil and has not been used.
[Rule 62-213.410, F.A.C.; and PSD-FL-168, Specific Conditions Nos. 2 and 14]

B.5. Hours of Operation. These combined emissions units are allowed to operate a maximum of 5000 hours at the combined total heat input rates, with up to 1000 hours per year on No. 2 fuel oil, and the balance on natural gas or propane.

[Rule 62-210.200(PTE), F.A.C.; and PSD-FL-168, Specific Conditions Nos. 4 and 9]

B.6. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition B.33.

[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.}

B.7. Maximum total combined allowable emissions from the auxiliary boilers, when firing No. 2 fuel oil for 1000 hours per year, are:

EMISSION LIMITATION		
Pollutant	Pounds per hour	Tons per year
Nitrogen oxides	68.0	34
Sulfur dioxide	18.0	9
Particulate matter	1.4	0.70
PM10	1.4	0.70
Carbon monoxide	48.0	24
Volatile organic compounds	0.620	0.31
Beryllium	4.0×10^{-5}	2.0×10^{-5}
Mercury	5.2×10^{-4}	2.6×10^{-4}
Lead	3.6×10^{-2}	1.8×10^{-2}
Arsenic	6.8×10^{-3}	3.4×10^{-3}

[PSD-FL-168, Specific Condition No. 9; BACT]

B.8. Visible Emissions. When firing fuel oil, a mixture of fuel oil and natural gas, or natural gas, no owner or operator shall cause to be discharged into the atmosphere from any affected facility any gases which exhibit greater than 20 percent opacity (6 minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

[40 CFR 60.43b(f); and Rule 62-296.406(1), F.A.C.]

B.9. Particulate Matter and Opacity. The particulate matter and opacity standards apply at all times, except during periods of startup, shutdown, or malfunction.

[40 CFR 60.43b(g)]

B.10. Sulfur Dioxide - Sulfur Content. The maximum sulfur content of the No. 2 fuel oil is 0.05%, by weight.
[PSD-FL-168, Specific Condition No. 4]

B.11. Nitrogen Oxides. No owner or operator subject to the provisions of 40 CFR 60, Subpart Db, shall cause to be discharged into the atmosphere from any affected facility any gases which contain nitrogen oxides in excess of the following emission limit:
NO_x emission limit: 0.20 lb/million Btu heat input (based on a 30-day rolling average).
[40 CFR 60.44b(a)]

B.12. Nitrogen Oxides. The nitrogen oxides standards apply at all times, including periods of startup, shutdown, or malfunction.
[40 CFR 60.44b(h)]

Excess Emissions

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

B.13. The owner or operator of any affected facility in any category listed in paragraphs (1) or (2) of this Specific Condition is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the affected facility. If there are no excess emissions during the calendar quarter, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during the semiannual reporting period.

- (1) Any affected facility subject to the opacity standards under 40 CFR 60.43b(f) or to the operating parameter monitoring requirements under 40 CFR 60.13(i)(1).
- (2) Any affected facility that is subject to the nitrogen oxides standard of 40 CFR 60.44b, and that
 - (i) Combusts natural gas or distillate oil, or
 - (ii) Has a heat input capacity of 73 MW (250 million Btu/hour) or less and is required to monitor nitrogen oxides emissions on a continuous basis under 40 CFR 60.48b(g)(1) or steam generating unit operating conditions under 40 CFR 60.48b(g)(2).
- (3) For the purpose of 40 CFR 60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under 40 CFR 60.43b(f).
- (4) For purposes of 40 CFR 60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average nitrogen oxides emission rate, as determined under 40 CFR 60.46b(e), which exceeds the applicable emission limits in 40 CFR 60.44b.
[40 CFR 60.49b(h)]

B.14. Particulate Matter. 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.]

B.15. Particulate Matter. 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

B.16. All fuel oil shipments/deliveries shall be analyzed for percent sulfur (by weight), density, and heating value. Any delivery of fuel oil containing a sulfur content greater than 0.05%, by weight, will require an as-fired sample analysis. No as-fired fuel oil analysis is required as long as any fuel oil shipment does not contain a sulfur content of 0.05% or greater, by weight, per the vendor's bill of lading. Records of all analyses shall be kept for Department inspection for a minimum of 5 (five) years after the data are recorded.
[PSD-FL-168, Specific Condition No. 16; and, 62-213.440, F.A.C.]

B.17. 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.]

B.18. Fuel consumption shall be continuously measured and recorded by fuel type.
[PSD-FL-168, Specific Condition No. 4]

Continuous Monitoring Requirements

B.19. Stack emissions monitoring shall include a flue gas oxygen meter to continuously monitor a representative sample of the flue gas. The oxygen monitor shall be used with automatic feedback controls to continuously maintain air/fuel ratio parameters at an optimum.
[PSD-FL-168, Specific Condition No. 23]

B.20. Opacity. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.
[40 CFR 60.48b(a)]

B.21. Nitrogen Oxides. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a continuous monitoring system for measuring nitrogen oxides emissions discharged to the atmosphere, and record the output of the system.
[40 CFR 60.48b(b)]

B.22. The continuous monitoring systems shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.
[40 CFR 60.48b(c)]

B.23. The 1-hour average nitrogen oxides emission rates measured by the continuous nitrogen oxides monitor by Specific Condition **B.21.** and required under 40 CFR 60.13(h) shall be expressed in ng/J or lb/million Btu heat input and shall be used to calculate the average emission rates under 40 CFR 60.44b. The 1-hour averages are calculated using the data points required under 40 CFR 60.13(b). At least two data points must be used to calculate the 1-hour averages.
[40 CFR 60.48b(d)]

B.24. The procedures under 40 CFR 60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.

(2) For affected facilities combusting oil or natural gas the span value for nitrogen oxides is determined as follows:

Fuel	Span values for nitrogen oxides (ppm)
Natural gas	500
Oil	500
Mixtures	$500(x + y)$

where:

x is the fraction of total heat input derived from natural gas, and

y is the fraction of total heat derived from oil.

(3) All span values computed for combusting mixtures of regulated fuels are rounded to the nearest 500 ppm.

[40 CFR 60.48b(e)(2) & (3)]

B.25. When nitrogen oxides emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7, Method 7A, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

[40 CFR 60.48b(f)]

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.}

B.26. 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.

[40 CFR 60.11(a)]

B.27. Compliance with emissions limitation standards shall be demonstrated using EPA methods, as contained in 40 CFR Part 60, or 40 CFR Part 61, or any other method approved by the Department and EPA.

[PSD-FL-168, Specific Condition No. 19]

B.28. Compliance with emission limitation standards shall be demonstrated using EPA methods as described in the table below:

For determination of	EPA Method
Selection of sample site and velocity traverses	1
Stack gas flow rate when converting concentrations to or from mass emissions limits	2
Gas analysis when needed for calculation of molecular weight of or percent O ₂	3 & 3A
Moisture content when converting stack velocity to dry volumetric flow rate for use in converting concentrations in dry gases to or from mass emission limits.	4
Particulate matter concentration and mass emissions	5
Sulfur dioxide	6, 6C, or 19
Nitrogen oxides	7E
Visible emissions	9
Fugitive emissions from transfer points	22
Carbon monoxide	10
Lead	12 or 101A
Volatile organic compounds	18 or 25
Mercury	101A or 108
Beryllium	104

[PSD-FL-168, Specific Condition No. 19]

B.29. Sulfur Content of Fuel Oil. Compliance with the No. 2 fuel oil limit of 0.05% sulfur content, by weight, shall be based on each shipment's analysis report from the vendor, or an as-fired sample. See Specific Condition **B.16.**
[PSD-FL-168, Specific Condition No. 14]

B.30. Opacity. The test method for visible emissions 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. [40 CFR 60.46b(d)7; and Rules 62-204.800, 62-296.320(4)(b)4.a., 62-297.401, and 62-296.406(1), F.A.C.]

B.31. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility. The Permittee shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.
[PSD-FL-168, Specific Condition No. 20]

B.32. 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.]

B.33. 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) & (2)(b), F.A.C.]

B.34. 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.]

B.35. 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:

- a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
- b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
- 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.]

B.36. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee 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.]

B.37. 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 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

c. Each NESHAP pollutant, if there is an applicable emission standard.

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 fuel, other than during startup, for a total of more than 400 hours.

(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.; and, SIP approved]

B.38. Visible Emissions. 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 62-297.310(7)(a)4., F.A.C.]

B.39. Particulate Matter. 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.]

B.40. The permittee shall provide written notice to the Department's Southeast District Office thirty (30) days prior to the tests in order to provide the Department the opportunity to have an observer present.

[PSD-FL-168, Specific Condition No. 21]

Record keeping and Reporting Requirements

B.41. The owner or operator of the facility shall obtain and maintain fuel receipts from the fuel supplier which certify that the oil meets the definition of distillate oil as defined in 40 CFR 60.41b.

[40 CFR 60.45b(j) and 40 CFR 60.49b(r)]

B.42. Quarterly reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting the definition stated in 40 CFR 60.41b was combusted in the affected facility during the preceding quarter.

[40 CFR 60.49b(r)]

B.43. 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.]

B.44. The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for distillate oil and natural gas for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

[40 CFR 60.49b(d)]

B.45. The owner or operator shall maintain records of opacity.

[40 CFR 60.49b(f)]

B.46. The owner or operator of an affected facility subject to the nitrogen oxides standards shall maintain records of the following information for each steam generating unit operating day:

(1) Calendar date.

(2) The average hourly nitrogen oxides emission rates (expressed as NO₂) (ng/J or lb/million Btu heat input) measured or predicted.

(3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days.

(4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emissions standards, with the reasons for such excess emissions as well as a description of corrective actions taken.

(5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

(6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.

(7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

(8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.

(9) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3.

(10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1.

[40 CFR 60.49b(g)]

B.47. The owner or operator of any affected facility is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the affected facility. If there are no excess emissions during the calendar quarter, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during the semiannual reporting period.

[40 CFR 60.49b(h)]

B.48. All records shall be maintained by the owner or operator of the affected facility for a period of 5 (five) years following the date of such record.

[40 CFR 60.49b(o); and, Rule 62-213.440, F.A.C.]

B.49. 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.
[40 CFR 60.7(b)]

B.50. Stack monitoring, fuel usage, and fuel analysis data shall be reported to the Department's Southeast District Office on a quarterly basis.
[PSD-FL-168, Specific Condition No. 28]

B.51. 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 5 (five) years following the date of such measurements, maintenance, reports, and records.
[40 CFR 60.7(f); and Rule 62-213.440(1)(b)2.b., F.A.C.]

B.52. 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.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department 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.

[Rule 62-297.310(8), F.A.C.]

Miscellaneous

B.53. The permittee shall comply with the requirements contained in Appendix 40 CFR 60, Subpart A, attached to this permit.

[Rule 62-204.800(7)(d), F.A.C.]

B.54. 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, SO₂ and NO_x may be determined by using the F_c factor, provided that the following procedure is used:

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

$$E = C F_c (100 / \% \text{ CO}_2)$$

where:

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

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

% CO₂ = carbon dioxide concentration, percent dry basis.

F_c = factor as determined in appropriate sections of Method 19.

(ii) If and only if the average F_c 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_2 and CO_2 concentration according to the procedures in 40 CFR 60.46(b)(2)(ii), (4)(ii), or (5)(ii). Then if F_o (average of three runs), as calculated from the equation in Method 3B, is more than ± 3 percent than the average F_o value, as determined from the average values of F_d and F_c in Method 19, i.e., $F_{oa} = 0.209 (F_{da} / F_{ca})$, then the following procedure shall be followed:

(A) When F_o is less than $0.97 F_{oa}$, then E shall be increased by that proportion under $0.97 F_{oa}$, e.g., if F_o is $0.95 F_{oa}$, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the emission standard.

(B) When F_o is less than $0.97 F_{oa}$ 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 $0.97 F_{oa}$, e.g., if F_o is $0.95 F_{oa}$, E shall be increased by 2 percent. This recalculated value shall be used to determine compliance with the relative accuracy specification.

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

[40 CFR 60.46(d)(1)]

B.55. In the event of a prolonged (thirty days or more) equipment malfunction or shutdown of air pollution control equipment, operation shall be allowed to resume and continue to take place under appropriate Department Order, provided that the permittee demonstrates such operation will be in compliance with all applicable ambient air quality standards and PSD increments. During such malfunction or shutdown, operation of the facility shall comply with all other requirements of this permit and all applicable state and federal emission standards not affected by the malfunction or shutdown which is the subject of the Order. Operational stoppages exceeding two hours for air pollution control systems shall be reported to the Department's Southeast District Office. Operational malfunctions which do not stop operation but may prevent compliance with emission limitations shall also be reported to the Department's Southeast District Office.

[PSD-FL-168, Specific Condition No. 31]

Subsection C. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
-004	Coal Handling System

The coal handling system includes transport, crushing, and storage equipment, and supports the operation of the pulverized coal main boiler. Particulate matter emissions are controlled by (a) the use of fabric filter baghouses on the unloading building, storage area, crusher, and the top of the silo, (b) enclosed conveyors and conveyor transfer points, and (c) wet suppression on the coal railcar unloading operation, drop onto pile in the coal storage building, and outdoor coal pile as needed. The overall maximum throughput rate is approximately 1,100 tons per hour.

{Permitting notes: The emissions unit is regulated under NSPS - 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Prevention of Significant Deterioration (PSD): PSD-FL-168; Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).}

Essential Potential to Emit (PTE) Parameters

C.1. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.

[Rule 62-210.200(PTE), F.A.C.; and PSD-FL-168]

C.2. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition C.13.

[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.}

C.3. Visible Emissions. Visible emissions from the coal handling system baghouses shall not exceed 10% opacity, six-minute average.

[PSD-FL-168, Specific Condition No. 8]

C.4. Particulate Matter. Particulate matter emissions from bag filter exhausts from the coal handling system shall be limited to 0.010 grains per actual cubic foot.

[PSD-FL-168, Specific Condition No. 11]

C.5. Visible Emissions. A visible emission reading of 5% opacity or less may be used to establish compliance with the emission limit in Specific Condition C.4. A visible emission reading greater than 5% opacity will not create a presumption that the 0.010 grains per actual cubic foot emission limit is being violated. However, a visible emission reading greater than 5% opacity will require the permittee to perform a stack test. Emissions shall not be visible more than two minutes in any fifteen minute period.

[PSD-FL-168, Specific Conditions No. 11 and 12.]

C.6. Fugitive Emissions. Inactive coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, and covered. Water sprays or chemical wetting agents and stabilizers shall be applied to uncovered storage piles, roads, handling equipment, etc., during dry periods and as necessary to all facilities to maintain an opacity of less than or equal to 5 percent. When adding, moving, or removing coal from the coal pile an opacity of 20% is allowed.

[PSD-FL-168, Specific Condition No. 10.]

Excess Emissions

C.7. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) 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.]

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.]

Monitoring of Operations

C.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.}

C.10. Visible Emissions. EPA Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity compliance pursuant to Chapter 62-297, F.A.C., and 40 CFR 60, Appendix A. [40 CFR 60.254(b)(2); and PSD-FL-168, Specific Condition No. 19]

C.11. Particulate Matter. EPA Method 5 shall be used to determine the particulate matter concentration. The sampling time and the sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). Sampling shall begin no less than 30 minutes after startup and shall terminate before shutdown procedures begin. [PSD-FL-168, Specific Condition No. 19]

C.12. Fugitive Emissions. Compliance with fugitive emissions limitations from all transfer points will be determined by EPA/DEP reference Method 22 and opacity Method 9. [PSD-FL-168, Specific Condition No. 12.]

C.13. Operating Rate During Testing. Testing of emissions shall be conducted with the 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.]

C.14. 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:

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.]

C.15. 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;

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;

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.; and SIP approved]

Recordkeeping and Reporting Requirements

C.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.]

C.17. Verification and recording of Specific Condition C.4 and C.5 requirements for particulate matter emissions shall be done at least annually.

[PSD-FL-168, Specific Condition No. 11]

C.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 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.]

Miscellaneous Requirements.

C.19. The permittee shall comply with the requirements contained in Appendix 40 CFR 60, Subpart A, attached to this permit.

[Rule 62-204.800(7)(d), F.A.C.]

Subsection D. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
-005	Ash Handling System

The ash handling system is comprised of several conveying and storage units. Ash from the PC boiler is processed and loaded into trucks and railcars. Overall maximum throughput rate is 250 tons per hour. The fly ash handling system, including transfer and silo storage (including a pneumatic system exhaust), is vented through fabric filters. The system is totally enclosed, and includes a separator on the silo prior to the fabric filter baghouse. [PSD-FL-168, Specific Condition No. 10.]

{Permitting notes: This emissions unit is regulated under Rule 62-210.300, F.A.C., Permits Required; Prevention of Significant Deterioration (PSD): PSD-FL-168; Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).}

The following specific conditions apply:

Essential Potential to Emit (PTE) Parameters

D.1. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C; and PSD-FL-168]

D.2. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **D.12**.
[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.}

D.3. Visible Emissions. Visible emissions from the ash handling baghouse shall not exceed 5% opacity.
[PSD-FL-168, Specific Condition No. 8]

D.4. Particulate Matter. Particulate matter emissions from bag filter exhausts from the ash handling system shall be limited to 0.010 grains per actual cubic foot.
[PSD-FL-168, Specific Condition No. 11]

D.5. Visible Emissions. A visible emission reading of 5% opacity or less may be used to establish compliance with the emission limit in Specific Condition **D.4**. A visible emission reading greater than 5% opacity will not create a presumption that the 0.010 grains per actual cubic foot emission limit is being violated. However, a visible emission reading greater than 5% opacity will require the permittee to perform a stack test. Emissions shall not be visible more than two minutes in any fifteen minute period.
[PSD-FL-168, Specific Conditions No. 11 and 12]

Excess Emissions

D.6. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) 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.]

D.7. 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

D.8. 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.}

D.9. Visible Emissions. EPA Method 9 shall be used to determine opacity compliance pursuant to Chapter 62-297, F.A.C.
[PSD-FL-168, Specific Condition No. 19]

D.10. Visible Emissions. Emissions shall not be visible more than two minutes in any fifteen minute period. Compliance with fugitive emissions limitations from all transfer points will be determined by EPA/DEP reference Method 22 and opacity Method 9.

[PSD-FL-168, Specific Conditions No. 12 and 19]

D.11. Particulate Matter. EPA Method 5 shall be used to determine compliance with the particulate matter emissions limitation specified in Specific Condition **D.4**. At least three one hour runs are to be conducted simultaneously with opacity testing for the ash handling building baghouse.

[PSD-FL-168, Specific Condition No. 19]

D.12. Operating Rate During Testing. Testing of emissions shall be conducted with the 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.]

D.13. 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:

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.]

D.14. 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;

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;

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.; and, SIP approved]

Recordkeeping and Reporting Requirements

D.15. 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.]

D.16. Verification and recording of Specific Condition **D.4** requirements for particulate matter emissions shall be done at least annually.

[PSD-FL-168, Specific Condition No. 11]

D.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.]

Subsection E. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
-006	Lime Handling System

The lime handling system is comprised of different conveying and storage units. Lime arrives at the facility in powered form. Lime is slaked into a slurry for use in the PC boiler spray dryer absorber. The lime silo has a bin vent fabric filter baghouse. The lime handling system is enclosed to the extent practical. The overall capacity is 25 tons per hour.

{Permitting notes: This emissions unit is regulated under Rule 62-210.300, F.A.C., Permits Required; Prevention of Significant Deterioration (PSD): PSD-FL-168; Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT).}

The following specific conditions apply:

General

E.1. The lime handling system, including the lime silo, shall be maintained at a negative pressure while operating, and the exhaust vented to a control system.
[PSD-FL-168, Specific Condition No. 10.]

Essential Potential to Emit (PTE) Parameters

E.2. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), PSD-FL-168]

E.3. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition E.13.
[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.}

E.4. Visible Emissions. Visible emissions from the lime handling system baghouse shall not exceed 5% opacity.
[PSD-FL-168, Specific Condition No. 8]

E.5. Particulate Matter. Particulate matter emissions from bag filter exhausts from the lime handling system shall be limited to 0.010 grains per actual cubic foot.
[PSD-FL-168, Specific Condition No. 11]

E.6. Visible Emissions. A visible emission reading of 5% opacity or less may be used to establish compliance with the emission limit in Specific Condition **E.5.** A visible emission reading greater than 5% opacity will not create a presumption that the 0.010 grains per actual cubic foot emission limit is being violated. However, a visible emission reading greater than 5% opacity will require the permittee to perform a stack test.
[PSD-FL-168, Specific Condition No. 11.]

Excess Emissions

E.7. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) 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.]

E.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.]

Monitoring of Operations

E.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.}

E.10. Visible Emissions. EPA Method 9 shall be used to determine opacity compliance pursuant to Chapter 62-297, F.A.C.

[PSD-FL-168, Specific Condition No. 19]

E.11. Opacity. Tests must be conducted with at least one lime vehicle unloading into the lime silo, from start to finish. Emissions shall not be visible more than two minutes in any fifteen minute period. Compliance with fugitive emissions limitations from all transfer points will be determined by EPA/DEP reference Method 22 and opacity Method 9.
[PSD-FL-168, Specific Conditions No. 12 and 19]

E.12. Particulate Matter. EPA Method 5 shall be used to determine compliance with the particulate matter emissions limitation specified in Specific Condition E.5.
[PSD-FL-168, Specific Condition No. 19]

E.13. Operating Rate During Testing. Testing of emissions shall be conducted with the 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.]

E.14. 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;

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;

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.; and, SIP approved]

Recordkeeping and Reporting Requirements

E.15. Verification and recording of Specific Condition **E.5** requirements for particulate matter emissions shall be done at least annually.
[PSD-FL-168, Specific Condition No. 11]

E.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.]

E.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.]

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

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.

	Brief Description of Emissions Units and/or Activities
1	Diesel Fire Pump
2	Portable Space Heaters
3	Parts Washer
4	Main Turbine Oil Tank
5	Dirty Turbine Oil Tank
6	Diesel Fuel Tank
7	Waste Oil Tank
8	Unleaded Gasoline Tank
9	Diesel Tank for Fire Pump
10	Water Treatment Lime Silo
11	Water Treatment Soda Ash Silo
12	Chemical Totes Plant-wide
13	Transformer Oil Storage
14	Hydrogen from Turbine Seal
15	Other Gas Cylinder Use
16	Oil Water Separator
17	Lab Fume Hoods
18	Transfer of Calcium Chloride Bags
19	Cooling Tower
20	Filter Press
21	Lube Oil Vent
22	Seal Oil Vent
23	Water Treatment Activated Carbon Tanks
24	Chlorine Dioxide Generation System
25	Portable Diesel Water Pump
26	Oil Mist from Turbine Seal

Appendix H-1. Permit History/ID Number Changes

Permit History (for tracking purposes):

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Extended Date ^{1,2}	Revised Date(s)
-001	Pulverized Coal Main Boiler	PA90-31 PSD-FL-168	02/04/92 03/26/92			07/16/92 07/11/95 04/13/98
-003	Two Auxiliary Boilers	PSD-FL-168	03/26/92			07/16/92 07/11/96 04/13/98
-004	Coal Handling System	PSD-FL-168	03/26/92			07/16/92 07/11/95 04/13/98
-005	Ash Handling System	PSD-FL-168	03/26/92			07/16/92 07/11/95 04/13/98
-006	Lime Handling System	PSD-FL-168	03/26/92			07/16/92 07/11/95 04/13/98

ID Number Changes (for tracking purposes):

From: **Facility ID No.:** 50WPB300102; To: **Facility ID No.:** 0850102

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., allows Title V Sources to operate under valid permits that were in effect at the time of application until the Title V permit becomes effective}

Table 1-1, Air Pollutant Standards and Terms

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant

Permit No.: 0850102-001-AV
Facility ID No.: 0850102

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit, or add any conditions.

E.U. ID No(s)	Brief Description	Pollutant Name	Fuel(s)	Hours/Year	Basis	Allowable Emissions		Regulatory Citations	See Permit Conditions
						lb/hr	TPY		
-001	Pulverized Coal (PC) Boiler	PM/PM10	Coal	8760	0.018 lb/MMBtu (1)	61.6	270	Rule 62-212.410, F.A.C.	A.12
		SO2	Coal	8760	0.170 lb/MMBtu (1)	582	2,549	Rule 62-212.410, F.A.C.	A.12
		NOx	Coal	8760	0.170 lb/MMBtu (1)	582	2,549	Rule 62-212.410, F.A.C.	A.12
		CO	Coal	8760	0.110 lb/MMBtu (1)	376	1,649	Rule 62-212.410, F.A.C.	A.12
		VOC	Coal	8760	0.0036 lb/MMBtu (1)	12.32	54.0	Rule 62-212.410, F.A.C.	A.12
		SAM	Coal	8760	0.0004 lb/MMBtu (1)	1.45	6.51	Rule 62-212.410, F.A.C.	A.12
		HO21	Coal	8760	0.0000027 lb/MMBtu (1)	0.0094	0.041	Rule 62-212.410, F.A.C.	A.12
		H114	Coal	8760	0.0000114 lb/MMBtu (1)	0.039	0.17	Rule 62-212.410, F.A.C.	A.12
		Pb	Coal	8760	0.0000187 lb/MMBtu (1)	0.064	0.280	Rule 62-212.410, F.A.C.	A.12
		FL	Coal	8760	0.0015 lb/MMBtu (1)	5.08	22.3	Rule 62-212.410, F.A.C.	A.12
		Arsenic	Coal	8760	0.000051 lb/MMBtu (1)	0.18	0.77	Rule 62-212.410, F.A.C.	A.12
		Ammonia	Coal	8760	50 ppmv			Rule 62-212.410, F.A.C.	A.13
		Opacity	Coal	8760	Not > 10% (2)			Rule 62-212.410, F.A.C.	A.12
-003	2 Auxiliary Boilers	PM/PM10	Oil	1000		1.4	0.7	Rule 62-212.410, F.A.C.	B.7
		SO2	Oil	1000		18	9	Rule 62-212.410, F.A.C.	B.7
		NOx	Oil	1000		68	34	Rule 62-212.410, F.A.C.	B.7
		CO	Oil	1000		48	24	Rule 62-212.410, F.A.C.	B.7
		VOC	Oil	1000		0.62	0.31	Rule 62-212.410, F.A.C.	B.7
		HO21	Oil	1000		4.00E-05	2.00E-05	Rule 62-212.410, F.A.C.	B.7
		H114	Oil	1000		5.20E-04	2.60E-04	Rule 62-212.410, F.A.C.	B.7
		Pb	Oil	1000		3.60E-02	1.80E-02	Rule 62-212.410, F.A.C.	B.7
		Arsenic	Oil	1000		6.80E-03	3.40E-03	Rule 62-212.410, F.A.C.	B.7
		Opacity	Oil	1000	Not > 20% (2)			40 CFR 60.43b(f)	B.8
-004	Coal Handling System	PM		8760	0.010 grains/acf			Rule 62-212.410, F.A.C.	C.4
		Opacity			Not > 10%			Rule 62-212.410, F.A.C.	C.3
-005	Ash Handling System	PM		8760	0.010 grains/acf			Rule 62-212.410, F.A.C.	D.4
		Opacity			Not > 5%			Rule 62-212.410, F.A.C.	D.3
-006	Lime Handling System	PM		8760	0.010 grains/acf			Rule 62-212.410, F.A.C.	E.5
		Opacity			Not > 5%			Rule 62-212.410, F.A.C.	E.4

(1) Basis only, not a permit limit.

(2) Except for one 6-minute period per hour of not more than 27% opacity.

(3) Applies during oil firing only.

Table 2-1, Compliance Requirements

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant

Permit No.: 0850102-001-AV
Facility ID No.: 0850102

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit, or add any conditions.

E.U. ID Nos.		Brief Description					
-001		Pulverized Coal (PC) Boiler					
Pollutant Name or Parameter	Fuel(s)	Compliance Method: EPA Method	Testing Time Frequency	Frequency Base Date **	Min. Compliance Test Duration	CMS*	See Permit Conditions
VE	Coal	9	Annual		1 Hour	Yes	A.47
PM/PM10	Coal	5	Annual		3 Hours		A.47
SO2	Coal	6, 6C, or 19	Annual			Yes	A.47
NOx	Coal	7E	Annual			Yes	A.47
VOC	Coal	18 and 25	Annual				A.47
CO	Coal	10	Annual				A.47
SAM	Coal	Waived	Annual				PSD Modification
H021	Coal	104	Annual				A.47
H114	Coal	101A or 108	Annual				A.47
Pb	Coal	12 or 101A	Annual				A.47
FL	Coal	13A or 13B	Annual				A.47
Ammonia	Coal	EPA draft method	Annual				A.47
E.U. ID Nos.		Brief Description					
-003		2 Auxiliary Boilers					
Pollutant Name or Parameter	Fuel(s)	Compliance Method: EPA Method	Testing Time Frequency	Frequency Base Date **	Min. Compliance Test Duration	CMS*	See Permit Conditions
VE	Oil	9	Annual		1 Hour	Yes	B.28
PM/PM10	Oil	5	Annual		3 Hours		B.28
SO2	Oil	6, 6C, or 19	Initial				B.28
NOx	Oil	7E	Initial			Yes	B.28
VOC	Oil	18 and 25	Initial				B.28
CO	Oil	10	Initial				B.28
H021	Oil	104	Initial				B.28
H114	Oil	101A or 108	Initial				B.28
Pb	Oil	12 or 101A	Initial				B.28
E.U. ID Nos.		Brief Description					
-004		Coal Handling System					
Pollutant Name or Parameter	Fuel(s)	Compliance Method: EPA Method	Testing Time Frequency	Frequency Base Date **	Min. Compliance Test Duration	CMS*	See Permit Conditions
VE		9	Annual	01-Oct	1 Hour		C.10 & C.12
PM/PM10		5	Annual	01-Oct	3 Hours		C.11
E.U. ID Nos.		Brief Description					
-005		Ash Handling System					
Pollutant Name or Parameter	Fuel(s)	Compliance Method: EPA Method	Testing Time Frequency	Frequency Base Date **	Min. Compliance Test Duration	CMS*	See Permit Conditions
VE		9	Annual	01-Oct	1 Hour		D.9. & D.10.
PM/PM10		5	Annual	01-Oct	3 Hours		D.11
E.U. ID Nos.		Brief Description					
-006		Lime Handling System					
Pollutant Name or Parameter	Fuel(s)	Compliance Method: EPA Method	Testing Time Frequency	Frequency Base Date **	Min. Compliance Test Duration	CMS*	See Permit Conditions
VE		9	Annual	01-Oct	1 Hour		E.10
PM/PM10		5	Annual	01-Oct	3 Hours		E.12

*CMS (=) Continuous Monitoring System

**Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99)

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

{Permitting note: APPENDIX TV-3, 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, 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. Procedure to Obtain Permits: Application.

(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 minor facility 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.

[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.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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 one hundred eighty (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(1), 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 permit holder's agent:

- (a) Submitted false or inaccurate information in 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.

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

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.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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.
- (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(6) 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.

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

- (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 reasonable 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.
 - (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.
- (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.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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 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 Rule 62-110.106 and Rule 62-210.350, F.A.C.

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

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 Part 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.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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 this chapter, 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 this chapter, 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 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., F.A.C., 62-212.400 or 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.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation 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, Chapter 62-213, 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.

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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 and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

- (a) The notification shall include the planned 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.
- (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.

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(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. 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 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,
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.

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(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.

(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;
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.]

22. 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) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
- (e) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, 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)(d), F.A.C.; and
- (f) 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 Rule 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.

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

(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.]

23. 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.]

24. 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.]

25. 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 Resources 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 2-11-99).

(a) Acid Rain Part (Phase II), Form and Instructions (Effective 7-1-95).

1. Repowering Extension Plan, Form and Instructions (Effective 7-1-95).

2. New Unit Exemption, Form and Instructions (Effective 7-1-95).

3. Retired Unit Exemption, Form and Instructions (Effective 7-1-95).

4. Phase II NOx Compliance Plan, Form and Instructions (Effective 1-6-98).

5. Phase II NOx Averaging Plan, Form (Effective 1-6-98).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 2-11-99).

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

Chapter 62-213. F.A.C.

26. 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 accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.

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

27. 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.]

28. 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)(j), F.A.C.]

29. 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)(k), F.A.C.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

30. Air Operation Permit Fees. After December 31, 1992, 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.]

31. 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.
- (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 exemption pursuant to Rule 62-214.340, F.A.C.

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

32. 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 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.]

33. 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;

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- (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 that 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.
- (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 Rule 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.]

34. 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, 62-4.050(1) & (2), and 62-210.900, 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, 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.

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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 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.]

35. 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.]

36. 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.]

37. 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.

[Rule 62-213.420(4), 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.

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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 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.

(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:

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); and
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. 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 (5) years.

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

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

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., any 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.]
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. A 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. 35.)
[Rule 62-213.440(1)(d)6., F.A.C.]

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

51. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statements shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. Such statements shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C. The statement of compliance shall include all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C.

o 40 CFR 70.6(c)(5)(iii). The compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(A) The identification of each term or condition of the permit that is the basis of the certification;

(B) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required under 40 CFR 70.6(a)(3). If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information;

(C) The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in paragraph (c)(5)(iii)(B) of this section. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under part 64 of this chapter occurred; and

(D) Such other facts as the permitting authority may require to determine the compliance status of the source.

The statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C. 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.

[Rule 62-213.440(3), 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 be deemed compliance with any applicable requirements in effect as of the date of permit issuance, 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.

{Permitting note: The permit shield is not in effect until the effective date of the permit.}

[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 (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

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;

APPENDIX TV-3, TITLE V CONDITIONS (version dated 04/30/99) (continued)

- (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 emissions unit whatsoever, including, but not limited to, 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 emission.

3. Reasonable precautions may include, but shall not be limited to 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 emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit 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-3.doc]

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

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)

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 40 CFR 60 Subpart A-General Provisions
(Version dated 07/23/97)

These conditions are based on the July 1996 CFR version.

[Applicability note: These conditions are for an NSPS emissions unit (a.k.a. "federal facility") that has been built and has conducted the initial performance test(s) in accordance with 40 CFR 60.8.]

{Note: Rule 62-204.800(d), F.A.C., did not adopt/incorporate 40 CFR 60.4, 40 CFR 60.16, and 40 CFR 60.17.}

1. Definitions. For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.

[40 CFR 60.2; Rule 62-204.800(7)(a), F.A.C.]

40 CFR 60.7 Notification and record keeping.

2. The 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.

[40 CFR 60.7(a)(4)]

3. 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.

[40 CFR 60.7(b)]

4. Each 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.
- [40 CFR 60.7(c)(1), (2), (3), and (4)]

5. The summary report form shall contain the information and be in the format shown in Figure 1 (attached) 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} (electronic file name: figure1.doc)

[40 CFR 60.7(d)(1) and (2)]

6. (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), 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 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR 60, Subpart A, and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in 40 CFR 60.7(e)(2).

(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 recordkeeping 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 40 CFR 60.7(e)(1) and (e)(2).

[40 CFR 60.7(e)(1)]

7. Any 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 5 (five) years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7(f); Rule 62-213.440(1)(b)2.b., F.A.C.]

40 CFR 60.8 Performance tests.

8. 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.

[40 CFR 60.8(c)]

40 CFR 60.11 Compliance with standards and maintenance requirements.

9. 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.

[40 CFR 60.11(a)]

10. 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).

[40 CFR 60.11(b)]

11. 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.

[40 CFR 60.11(c)]

12. 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.

[40 CFR 60.11(d)]

13. 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 EPA Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he or she 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 EPA Method 9 data indicates noncompliance, the EPA Method 9 data will be used to determine opacity compliance.

[40 CFR 60.11(e)(5)]

40 CFR 60.12 Circumvention.

14. 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]

40 CFR 60.13 Monitoring requirements.

15. For the purposes of 40 CFR 60.13, all continuous monitoring systems (CMS) required under applicable subparts shall be subject to the provisions of 40 CFR 60.13 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 of 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

[40 CFR 60.13(a)]

16. 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 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 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 60.8 is conducted.

[40 CFR 60.13(c)(1)]

17. (1) Owners and operators of all continuous emission monitoring systems (CEMS) installed in accordance with the provisions of this part 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.

[40 CFR 60.13(d)(1) and (2)]

18. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems (CMS) 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.

[40 CFR 60.13(e)(1) and (2)]

19. All continuous monitoring systems (CMS) 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.

[40 CFR 60.13(f)]

20. 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 (CMS) 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.

[40 CFR 60.13(g)]

21. 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 recorded 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 O₂ 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(h)]

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