

Florida Department of
Environmental Protection

Memorandum

TO: Trina L. Vielhauer, Bureau of Air Regulation
THROUGH: Jonathan K. Holtom, Title V Section *JH*
FROM: Tom Cascio *40M*
DATE: June 30, 2008
SUBJECT: Draft Air Permits Nos. 0850102-017-AC and 0850102-018-AV
Indiantown Cogeneration, L.P., Indiantown Cogeneration Facility
Air Construction Permit and Title V Air Operation Permit Revision

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permits;
- Public Notice of Intent to Issue Air Permits;
- Statement of Basis;
- Draft Permits; and
- P.E. Certification.

Attached is the draft air construction permit to correct the auxiliary boilers hours and draft/proposed permit package to revise the Title V air operation permit for the Indiantown Cogeneration Facility. This facility is located in Martin County at 13303 SW Silver Fox Lane, Indiantown, Florida. The Statement of Basis provides a summary of the project and the rationale for issuance. The P.E. certification briefly summarizes the proposed project.

The application was received and deemed complete on April 30, 2008. Day 90 is July 29, 2008. There is no ongoing/open enforcement case for this facility, as informed to us by the Southeast District Office. I recommend your approval of the attached Draft Permits.

Attachments

P.E. CERTIFICATION STATEMENT

PERMITTEE

Indiantown Cogeneration, L.P.
Post Office Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956


Draft 0850102-017-AC
Draft 0850102-018-AV
Facility ID No. 0850102
Indiantown Cogeneration Facility
Air Construction Permit and Title V
Air Operation Permit Revision
Martin County, Florida

PROJECT DESCRIPTION

The purpose of this project is to revise the Indiantown Cogeneration Facility's Title V air operation permit to (1) correct the permitted hours for the auxiliary boilers and (2) update the specific conditions related to New Source Performance Standards (NSPS)-40 CFR 60, Subpart Da, for the pulverized coal main boiler.

I HEREBY CERTIFY that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).

This review was conducted by Tom Cascio under my responsible supervision.


Jonathan K. Holtom, P.E.
Registration Number: 0052664

6/24/08
Date



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

June 30, 2008

Electronic Mail – Received Receipt Requested.

Mr. Gary E. Willer, General Manager
Indiantown Cogeneration, L.P.
Post Office Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

Re: Draft Air Construction Permit No. 0850102-017-AC
Draft/Proposed Title V Permit No. 0850102-018-AV
Indiantown Cogeneration, L.P., Indiantown Cogeneration Facility
Air Construction Permit and Title V Permit Revision

Dear Mr. Willer:

Enclosed is the draft air construction permit to correct the auxiliary boilers' hours and draft/proposed permit package to revise the Title V air operation permit for the Indiantown Cogeneration Facility. This facility is located in Martin County at 13303 SW Silver Fox Lane, Indiantown, Florida. The permit package includes the following documents:

- The draft/proposed air construction permit which corrects the auxiliary boilers hours restriction.
- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V revision.
- The draft/proposed Title V air operation permit revision, which include the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue air permits for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue air permits; the procedures for submitting comments on the revised Draft Permits; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permits is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Tom Cascio, by telephone at 850-921-9526 or by email at tom.cascio@dep.state.fl.us.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jkh/tbc

Enclosures

**WRITTEN NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

In the Matter of an

Application for Air Construction Permit and Title V Air Operation Permit by:

Indiantown Cogeneration, L.P.
Post Office Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

Responsible Official:

Gary E. Willer, General Manager

Draft Permit 0850102-017-AC
Draft/Proposed Permit 0850102-018-AV
Facility ID No. 0850102
Indiantown Cogeneration Facility
Auxiliary Boilers Hours Correction
Martin County, Florida

Facility Location: Indiantown Cogeneration, L.P. operates the Indiantown Cogeneration Facility, which is located at 3303 SW Silver Fox Lane, Indiantown, in Martin County, Florida.

Project: The purpose of this project is to issue an air construction (AC) permit and revise Title V air operation permit No. 0850102-013-AV. Specifically, this project is to revise the Indiantown Cogeneration Facility's Title V air operation permit to (1) correct the permitted hours for the Auxiliary Boilers and (2) update the specific conditions related to New Source Performance Standards (NSPS) - 40 Code of Federal Regulations (CFR) 60, Subpart Da, for the Pulverized Coal Main Boiler.

The facility's current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that "The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Department records show that the original October 2005 construction permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." The erroneous wording was adopted from the previously issued final AC permit 0850102-008-AC. The erroneous wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility's Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required. Further details of the project are provided in the application, the enclosed Statement of Basis and the Technical Evaluation and Preliminary Determination.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work.

Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the F.A.C. The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Air Construction Permit, the Draft/Proposed Title V Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft Air

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Facility

Draft 0850102-017-AC
Draft/Proposed 0850102-018-AV
Auxiliary Boilers Hours Correction

**WRITTEN NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

Construction Permit and the Draft/Proposed Title V Permit by visiting the following website:

<http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above.

Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permits (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation permit for a period of 30 days from the date of publication of the attached Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information,

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Facility

Draft 0850102-017-AC
Draft/Proposed 0850102-018-AV
Auxiliary Boilers Hours Correction

**WRITTEN NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation is not available in this proceeding.

EPA Review: EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public

**WRITTEN NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

**WRITTEN NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permits package (including the Public Notice, the Statement of Basis, the Draft Air Construction Permit, and the Draft/Proposed Permit) was sent by electronic mail with received receipt requested before the close of business on 7/1/08 to the persons listed below.

Gary E. Willer, ICLP: GaryWiller@Cogentrix.com

Nicholas Laryea, ICLP: NicholasLaryea@Cogentrix.com

George S. Lipka, P.E., EnviroBusiness, Inc.: glipka@ebiconsulting.com

Lee Hoefert, P.E., Southeast District Office: lee.hoefert@dep.state.fl.us

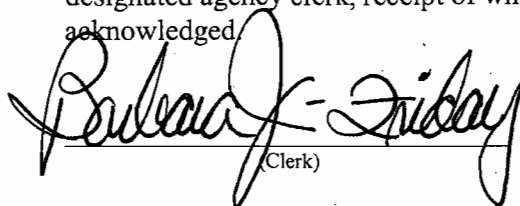
Gracy Danois, EPA Region 4: danois.gracy@epa.gov

Katy Forney, EPA Region 4: forney.kathleen@epa.gov

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

Clerk Stamp

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



(Clerk) 7/1/08
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR OPERATION PERMIT REVISION

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft Air Construction Permit No. 0850102-017-AC
Draft/Proposed Title V Air Operation Permit Revision No. 0850102-018-AV
Indiantown Cogeneration, L.P., Indiantown Cogeneration Facility
Martin County, Florida

Applicant: The applicant for this project is Indiantown Cogeneration, L.P. The applicant's authorized representative and mailing address is: Gary E. Willer, General Manager, Indiantown Cogeneration, L.P., Indiantown Cogeneration Facility, Post Office Box 1799, 13303 SW Silver Fox Lane, Indiantown, Florida, 34956.

Facility Location: Indiantown Cogeneration, L.P., operates the existing Indiantown Cogeneration Facility, which is located in Martin County at 13303 SW Silver Fox Lane in Indiantown, Florida.

Project: The purpose of this project is to issue an air construction permit and revise Title V air operation permit No. 0850102-013-AV. Specifically, this project is to revise the Indiantown Cogeneration Facility's Title V air operation permit to (1) correct the permitted hours for the Auxiliary Boilers and (2) update the specific conditions related to New Source Performance Standards (NSPS) - 40 Code of Federal Regulations (CFR) 60, Subpart Da, for the Pulverized Coal Main Boiler.

The facility's current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that "The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Department records show that the original October 2005 air construction (AC) permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." The erroneous wording was adopted from the previously issued final AC permit 0850102-008-AC. The improper wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility's Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project.

Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the F.A.C. The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Air Construction Permit, the Draft/Proposed Title V Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft Air Construction Permit and the Draft/Proposed Title V Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at

(Public Notice to be Published in the Newspaper)

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR
OPERATION PERMIT REVISION**

the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation Permit for a period of 30 days from the date of publication of this Public Notice. Written comments and all e-mail comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address or email. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR OPERATION PERMIT REVISION

subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation is not available for this proceeding.

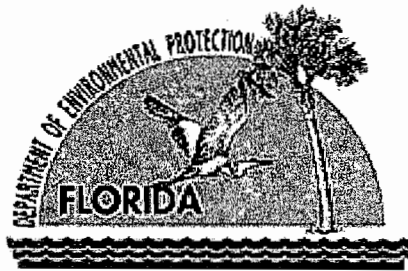
EPA Review: EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant
Auxiliary Boilers Hours Correction
Martin County

DEP File No. 0850102-017-AC



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

June 30, 2008

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. GENERAL PROJECT INFORMATION

Applicant Name and Address

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 S.W. Silver Fox Lane
Indiantown, Florida 34956

Authorized Representative:

Mr. Gary E. Willer, General Manager

Processing Schedule

April 30, 2008: Air construction permit application received.

Facility Description and Location

Indiantown Cogeneration, L.P. owns and operates the Indiantown Cogeneration Plant, a facility that generates electricity for sale and exports steam to the Louis Dreyfus Citrus Processing Plant. The facility includes one high-pressure pulverized coal main boiler (PC boiler), rated at 3,422 million British thermal units (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. The unit is equipped with low nitrogen oxides (NO_x) burners, overfire air, a steam coil air heater and air preheater, dual register burners and windbox design, a selective catalytic reduction system, a spray dryer absorber, and a fabric filter baghouse. 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. This facility is located 9 miles east of Lake Okeechobee, and 3 miles northwest of Indiantown, Martin County; Universal Transverse Mercator (UTM) Coordinates are: Zone 17, 422.3 km East and 2952.9 km North; Latitude: 27° 02' 20" North and Longitude: 80° 30' 45" West.

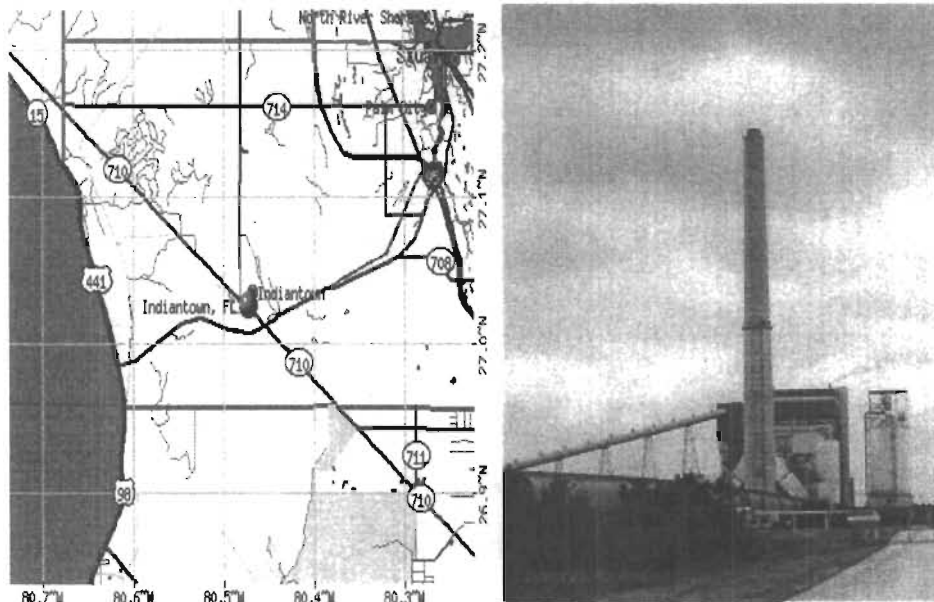


Figure 1. Map of Indiantown Site Location and Photograph of Indiantown Cogeneration Plant.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Major Regulatory Categories

The key regulatory provisions applicable to the facility are:

Title I, Part C, Clean Air Act (CAA): The facility is located in an area that is designated as “attainment”, “maintenance”, or “unclassifiable” for each pollutant subject to a National Ambient Air Quality Standard (NAAQS). It is classified as a “fossil fuel-fired steam electric plant of more than 250 million BTU per hour of heat input”, which is one of the 28 Prevention of Significant Deterioration (PSD) Major Facility Categories with the lower PSD applicability threshold of 100 tons per year. Potential emissions of at least one regulated pollutant exceed 100 tons per year, therefore the facility is classified as a “major stationary source” of air pollution with respect to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration of Air Quality.

Title I, Section 111, CAA: The PC boiler is subject to Subpart Da (Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978) of the New Source Performance Standards in 40 CFR 60.

Title I, Section 112, CAA: The facility is a “Major Source” of hazardous air pollutants (HAP).

Title V, CAA: The facility is a Title V or “Major Source of Air Pollution” in accordance with Chapter 62-213, F.A.C., because the potential emissions of at least one regulated pollutant exceed 100 tons per year. Regulated pollutants include pollutants such as carbon monoxide (CO), NO_x, particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC). The plant currently operates under Title V Air Operations Permit No. 0850102-013-AV.

CAIR: The facility is subject to the Federal Clean Air Interstate Rule (CAIR) in accordance with the Final Department Rules issued pursuant to CAIR as implemented by FDEP in Rule 62-296.470, F.A.C.

CAM: The facility is subject to compliance assurance monitoring (CAM). Because continuous emissions monitors (CEMS) are used to demonstrate compliance with the applicable standards for NO_x and SO₂, a CAM plan is not required for either the selective catalytic reduction (SCR) system, or the spray dryer absorber. However, a CAM plan is required for the fabric filter baghouse.

Siting: The facility is a steam electrical generating plant and is subject to the power plant siting provisions of Chapter 62-17, F.A.C.

Proposed Project

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the facility. The facility’s current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that “The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period.” Department records show that the original October 2005 construction permit application stated “Each boiler will be operated for a maximum of 5,000 hours per year.” The erroneous wording was adopted from the previously issued final AC permit 0850102-008-AC. The erroneous wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility’s Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required. Further details of the problem follow below.

Analysis of Error

Department records show that the original October 2005 construction permit application stated that the new emissions unit consisted of “two packaged watertube steam boilers with a combined maximum rated capacity of 350 MMBtu/hr when firing natural gas and 341 MMBtu/hr when firing propane. Each boiler

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

will be operated for a maximum of 5,000 hours per year.” Recent discussions with the applicant revealed that (1) each boiler can run independently, and (2) these combined maximum rated capacities were derived by adding the *individual* boiler maximum rated capacities of 175 MMBtu/hr/boiler (for natural gas) and 170.5 MMBtu/hr/boiler (for propane). The Technical Evaluation and Preliminary Determination that supported the earlier AC permit derived maximum potential to emit (PTE) pollutant emissions using the *combined* maximum rated capacity of 350 MMBtu/hr for all calculations. Therefore, the Department’s conclusion is that the proper hours limitation language for the auxiliary boilers is “each boiler is limited to a maximum of 5,000 hours per year.”

3. REGULATIONS THAT APPLY TO THE PROJECT

State Regulations

This project is subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The Florida Statutes authorize the Department of Environmental Protection to establish rules and regulations regarding air quality as part of the Florida Administrative Code (F.A.C.). This project is subject to the applicable rules and regulations defined in the following Chapters of the Florida Administrative Code. These include: 62-4 (Permitting Requirements); 62-204 (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference); 62-210 (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms); 62-212 (Preconstruction Review, PSD Review and BACT); 62-213 (Title V Air Operation Permits for Major Sources of Air Pollution); 62-296 (Emission Limiting Standards); and 62-297 (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures).

4. OTHER APPLICABLE REGULATIONS

The requirements already listed in the facility’s existing Title V Air Operation Permit No. 0850102-013-AV are comprehensive and sufficient for the future operation of the facility. The main additional requirement is for an air construction permit pursuant to Rules 62-4, 62-210 and 62-212.300, F.A.C., to proceed with the project.

PERMITTEE

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34596

Authorized Representative:

Mr. Gary E. Willer, General Manager

Air Permit No. 0850102-017-AC Facility ID No. 0850102 SIC No. 4931 Auxiliary Boilers Hours Correction Permit Expires: December 31, 2008

PROJECT AND LOCATION

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant (the facility). The facility is located in Martin County at 13303 SW Silver Fox Lane, Indiantown, Florida 34956.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices

Joseph Kahn, Director
Division of Air Resource Management

(Date)

SECTION 1. GENERAL INFORMATION

FACILITY AND PROJECT DESCRIPTION

The Indiantown Cogeneration Plant is a cogeneration facility which generates electricity for sale and exports steam to the Louis Dreyfus Citrus Processing 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. The facility includes one high-pressure pulverized coal main boiler (PC boiler) rated at 3,422 million British thermal units (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 natural gas (or propane) fired 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. The two identically sized packaged water-tube steam boilers have a combined rated maximum capacity of 350 MMBtu/hr. 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.

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the facility. The facility's current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that "The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Department records show that the original October 2005 construction permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." The erroneous wording was adopted from the previously issued final AC permit 1050102-008-AC. The erroneous wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility's Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required.

ID	Emission Unit Description
007	Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.

REGULATORY CLASSIFICATION

Title III: The facility is a potential major source of hazardous air pollutants (HAP).

NESHAP: The facility does not operate units subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 Code of Federal Regulations (CFR) 63.

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

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

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR).

CAM: The facility is subject to compliance assurance monitoring (CAM). Because continuous emissions monitors (CEMS) are used to demonstrate compliance with the applicable standards for NO_x

SECTION 1. GENERAL INFORMATION

and SO₂, a CAM plan is not required for either the selective catalytic reduction (SCR) system, or the spray dryer absorber. However, a CAM plan is required for the fabric filter baghouse.

Siting: The facility is subject to Power Plant Siting Case No. PA 90-31.

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete, and the Technical Evaluation and Preliminary Determination.

DRAFT

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Department. The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southeast District Office. The mailing address and phone number of the Southeast District Office are: 400 North Congress Avenue, West Palm Beach, Florida 33401, Telephone: 561/681-6600, Fax: 561/681-6755.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General Conditions); and Appendix C (Common State Regulatory Requirements).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

This section of the permit addresses the following emissions unit.

AIR RESOURCE MANAGEMENT SYSTEM (ARMS) Emissions Unit 007

Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.

{Permitting Note: The unit remains subject to the applicable requirements of current Title V Air Operation Permit No. 0850102-013-AV.}

PREVIOUS APPLICABLE REQUIREMENTS

1. Other Permits: Condition 2 of this permit replaces Condition 4 in air construction permit 0850102-008-AC, and Condition 3 replaces Condition 6 in air construction permit 0850102-008-AC. [Rule 62-4.070, F.A.C.]

EQUIPMENT AND PERFORMANCE RESTRICTIONS

2. Permitted Capacity: the combined heat input to the identically sized auxiliary boilers shall not exceed 350 MMBtu per hour while firing natural gas, or 341 MMBtu per hour while firing propane. The heat input to each auxiliary boiler shall not exceed 175 MMBtu per hour while firing natural gas, or 170.5 MMBtu per hour while firing propane. [Design, Rule 62-210.200, F.A.C. (Definition - PTE); and 0850102-008-AC, Specific Condition 4.]
3. Hours of Operation: The operation of each auxiliary boiler shall not exceed 5,000 hours during any consecutive 12-month period. The permittee shall calibrate, operate and maintain a monitoring system to measure and accumulate the amount of natural gas as well as propane fired and the hours of operation for each auxiliary boiler. [Rule 62-210.200, F.A.C. (Definitions - PTE), Rule 62-212.400 (2)(g), F.A.C. (PSD Avoidance); and 0850102-008-AC, Specific Condition 6.]

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

{Permitting Note: Unless otherwise specified by permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. **Plant Operation - Problems:** If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention:** The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. **Excess Emissions Allowed:** 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.]
4. **Excess Emissions Prohibited:** Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification:** In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program 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.]
6. **VOC or OS Emissions:** No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited:** No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(217), F.A.C.]
8. **General Visible Emissions:** No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions:** During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. **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 two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the 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. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. Required Sampling Time. 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. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
 - b. Minimum Sample Volume. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.[Rule 62-297.310(4), F.A.C.]
14. 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.]
15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: 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. [Rule 62-297.310(7)(a)9, F.A.C.]
17. 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 shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: 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. 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. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

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.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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), Florida Statutes, 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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 Florida Statutes 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 or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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

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 Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

Authorized Representative:

Mr. Gary E. Willer, General Manager

Air Permit No. 0850102-017-AC
Facility ID No. 0850102
SIC No. 4931
Auxiliary Boilers Hours Correction

Permit Expires: December 31, 2008

PROJECT AND LOCATION

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant (the facility). The facility is located in Martin County at 13303 SW Silver Fox Lane, Indiantown, Florida 34956.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices



Joseph Kahn, Director
Division of Air Resource Management



(Date)

FINAL DETERMINATION

PERMITTEE

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

PERMITTING AUTHORITY

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

PROJECT

Air Permit No. 0850102-017-AC
Indiantown Cogeneration Plant

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant in Indiantown, Martin County. It also establishes these changes as applicable Title V air operation permit conditions.

NOTICE AND PUBLICATION

The Department distributed an "Intent to Issue Permit" package on July 1, 2008. The applicant published the "Public Notice of Intent to Issue" in the Stuart News on July 23, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

CONCLUSION

The final action of the Department is to issue the permit with no changes.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL PERMIT

Electronically Sent – Received Receipt Requested.

In the Matter of an
Application for Permit by:

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

DEP File No. 0850102-017-AC
Indiantown Cogeneration Plant
Auxiliary Boilers Hours Correction


Authorized Representative:

Mr. Gary E. Willer, General Manager:
GaryWiller@Cogentrix.com

Enclosed is Final Air Construction Permit No. 0850102-017-AC that corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant in Indiantown, Martin County. It also establishes these changes as applicable Title V air operation permit conditions. The facility is located at 13303 SW Silver Fox Lane, Indiantown, Florida 34956. This permit is issued pursuant to Chapter 403, Florida Statutes.

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

Executed in Tallahassee, Florida.


for Trina L. Vielhauer, Chief
Bureau of Air Regulation

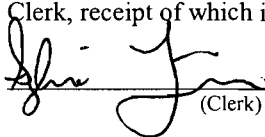
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the "Final Permit") was sent by electronic mail (with received receipt requested) before the close of business on 8/22/08 to the person(s) listed:

Gary E. Willer, ICLP: GaryWiller@Cogentrix.com
Nick Laryea, ICLP: NicholasLaryea@Cogentrix.com
Lee Hoefert, P.E., Southeast District Office: lee.hoefert@dep.state.fl.us
David A. Buff: dbuff@golder.com
Katy Forney, EPA Region 4: forney.kathleen@epa.gov

Clerk Stamp

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


(Clerk)

8/22/08
(Date)

SECTION 1. GENERAL INFORMATION

FACILITY AND PROJECT DESCRIPTION

The Indiantown Cogeneration Plant is a cogeneration facility which generates electricity for sale and exports steam to the Louis Dreyfus Citrus Processing 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. The facility includes one high-pressure pulverized coal main boiler (PC boiler) rated at 3,422 million British thermal units (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 natural gas (or propane) fired 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. The two identically sized packaged water-tube steam boilers have a combined rated maximum capacity of 350 MMBtu/hr. 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.

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the facility. The facility's current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that "The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Department records show that the original October 2005 construction permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." The erroneous wording was adopted from the previously issued final AC permit 1050102-008-AC. The erroneous wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility's Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required.

ID	Emission Unit Description
007	Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.

REGULATORY CLASSIFICATION

Title III: The facility is a potential major source of hazardous air pollutants (HAP).

NESHAP: The facility does not operate units subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 Code of Federal Regulations (CFR) 63.

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

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

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR).

CAM: The facility is subject to compliance assurance monitoring (CAM). Because continuous emissions monitors (CEMS) are used to demonstrate compliance with the applicable standards for NO_x

SECTION 1. GENERAL INFORMATION

and SO₂, a CAM plan is not required for either the selective catalytic reduction (SCR) system, or the spray dryer absorber. However, a CAM plan is required for the fabric filter baghouse.

Siting: The facility is subject to Power Plant Siting Case No. PA 90-31.

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; the draft permit package including the Department's Technical Evaluation and Preliminary Determination; and the Department's Final Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Department. The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southeast District Office. The mailing address and phone number of the Southeast District Office are: 400 North Congress Avenue, West Palm Beach, Florida 33401, Telephone: 561/681-6600, Fax: 561/681-6755.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General Conditions); and Appendix C (Common State Regulatory Requirements).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

This section of the permit addresses the following emissions unit.

AIR RESOURCE MANAGEMENT SYSTEM (ARMS) Emissions Unit 007

Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.
--

{Permitting Note: The unit remains subject to the applicable requirements of current Title V Air Operation Permit No. 0850102-013-AV.}

PREVIOUS APPLICABLE REQUIREMENTS

1. Other Permits: Condition 2 of this permit replaces Condition 4 in air construction permit 0850102-008-AC, and Condition 3 replaces Condition 6 in air construction permit 0850102-008-AC. [Rule 62-4.070, F.A.C.]

EQUIPMENT AND PERFORMANCE RESTRICTIONS

2. Permitted Capacity: The combined heat input to the identically sized auxiliary boilers shall not exceed 350 MMBtu per hour while firing natural gas, or 341 MMBtu per hour while firing propane. The heat input to each auxiliary boiler shall not exceed 175 MMBtu per hour while firing natural gas, or 170.5 MMBtu per hour while firing propane. [Design, Rule 62-210.200, F.A.C. (Definition - PTE); and 0850102-008-AC, Specific Condition 4.]
3. Hours of Operation: The operation of each auxiliary boiler shall not exceed 5,000 hours during any consecutive 12-month period. The permittee shall calibrate, operate and maintain a monitoring system to measure and accumulate the amount of natural gas as well as propane fired and the hours of operation for each auxiliary boiler. [Rule 62-210.200, F.A.C. (Definitions - PTE), Rule 62-212.400 (2)(g), F.A.C. (PSD Avoidance); and 0850102-008-AC, Specific Condition 6.]

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

{Permitting Note: Unless otherwise specified by permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: 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.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program 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.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(217), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. 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

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

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 two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the 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. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. *Required Sampling Time*. 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. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
 - b. *Minimum Sample Volume*. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.

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

14. 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

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

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.]

15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: 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. [Rule 62-297.310(7)(a)9, F.A.C.]
17. 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 shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: 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. 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. 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.

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

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.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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), Florida Statutes, 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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 Florida Statutes 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 or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

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

Livingston, Sylvania

From: Laryea, Nicholas [NicholasLaryea@cogentrix.com]
Sent: Friday, August 22, 2008 4:56 PM
To: Livingston, Sylvania
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

Thanks Sylvania
Nick

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: Willer, Gary; Laryea, Nicholas
Cc: Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

Click on the following link to access the permit project documents:
http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

8/25/2008

Livingston, Sylvania

From: Willer, Gary [GaryWiller@Cogentrix.com]
Sent: Monday, August 25, 2008 7:25 AM
To: Livingston, Sylvania
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: Willer, Gary; Laryea, Nicholas
Cc: Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

8/25/2008

Livingston, Sylvania

From: Buff, Dave [Duff@GOLDER.com]
Sent: Sunday, August 24, 2008 2:46 PM
To: Livingston, Sylvania
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

David A. Buff, P.E., Q. E. P.
Golder Associates Inc.
Phone: (352)336-5600 x 545
Fax: (352)336-6603 Mobile: (352)514-5600
E-Mail: duff@golder.com

Disclaimer Notice:

This e-mail transmission is confidential and may contain proprietary information for the express use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify the sender and delete all copies. Electronic media are susceptible to unauthorized modification, deterioration, and incompatibility. Accordingly, the electronic media version of any work product may not be relied upon.

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: garywiller@cogentrix.com; NicholasLaryea@Cogentrix.com
Cc: Hoefert, Lee; Buff, Dave; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of

8/25/2008

MEMORANDUM

To: Joseph Kahn

From: Trina L. Vielhauer

Subject: Indiantown Cogeneration Plant
Air Construction Permit No. 0850102-017-AC

Date: August 22, 2008

Attached is the final air construction permit for the subject facility. This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant

The Department distributed an "Intent to Issue Permit" package on July 1, 2008. The applicant published the "Public Notice of Intent to Issue" in the Stuart News on July 23, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

I recommend your signature.

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Friday, August 22, 2008 4:44 PM
To: 'garywiller@cogentrix.com'; 'NicholasLaryea@Cogentrix.com'
Cc: Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

Tracking:	Recipient	Delivery	Read
	 'garywiller@cogentrix.com'		
	 'NicholasLaryea@Cogentrix.com'		
	Hoefert, Lee	Delivered: 8/22/2008 4:44 PM	
	 'dbuff@golder.com'		
	'forney.kathleen@epa.gov'		
	Holtom, Jonathan	Delivered: 8/22/2008 4:44 PM	
	Cascio, Tom	Delivered: 8/22/2008 4:44 PM	
	Walker, Elizabeth (AIR)	Delivered: 8/22/2008 4:44 PM	

Recipient

Gibson, Victoria

Delivery

Delivered: 8/22/2008 4:44 PM

Read

Read: 8/22/2008 4:44 PM

Livingston, Sylvia

From: Willer, Gary [GaryWiller@Cogentrix.com]
Sent: Monday, August 25, 2008 7:25 AM
To: Livingston, Sylvia
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: Willer, Gary; Laryea, Nicholas
Cc: Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

10/20/2008

Livingston, Sylvania

From: Buff, Dave [DBuff@GOLDER.com]
Sent: Sunday, August 24, 2008 2:46 PM
To: Livingston, Sylvania
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

David A. Buff, P.E., Q. E. P.
Golder Associates Inc.
Phone: (352)336-5600 x 545
Fax: (352)336-6603 Mobile: (352)514-5600
E-Mail: dbuff@golder.com

Disclaimer Notice:

This e-mail transmission is confidential and may contain proprietary information for the express use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify the sender and delete all copies. Electronic media are susceptible to unauthorized modification, deterioration, and incompatibility. Accordingly, the electronic media version of any work product may not be relied upon.

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: garywiller@cogentrix.com; NicholasLaryea@Cogentrix.com
Cc: Hoefert, Lee; Buff, Dave; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

10/20/2008

Livingston, Sylvia

From: Laryea, Nicholas [NicholasLaryea@cogentrix.com]
Sent: Friday, August 22, 2008 4:56 PM
To: Livingston, Sylvia
Subject: RE: Indiantown Cogeneration Plant; 0850102-017-AC

Thanks Sylvia
Nick

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Friday, August 22, 2008 4:44 PM
To: Willer, Gary; Laryea, Nicholas
Cc: Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Indiantown Cogeneration Plant; 0850102-017-AC

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: INDIANTOWN COGENERATION, L.P.
Facility Name: INDIANTOWN COGENERATION PLANT
Project Number: 0850102-017-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction
Facility County: MARTIN

Processor: Tom Cascio

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

10/20/2008

Livingston, Sylvia

Subject: FW: Successful Mail Delivery Report

Attachments: Delivery report; Message Headers



Delivery report.txt
(490 B)

Message
Headers.txt (2 KB)

```
Received: from tlhexsprot2.floridadep.net
(tlhexsprot2.floridadep.net [199.73.152.8])
  by mseive02.rtp.epa.gov (Postfix) with ESMTP id 2374D1E42DE
  for <forney.kathleen@epa.gov>; Fri, 22 Aug 2008 16:43:54 -0400 (EDT)
Content-Transfer-Encoding: 7bit
Importance: normal
Priority: normal
Received: from tlhexsmb4.floridadep.net ([172.20.30.47]) by tlhexsprot2.floridadep.net
with Microsoft SMTPSVC(5.0.2195.6713); Fri, 22 Aug 2008 16:43:53 -0400
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1896
Content-Class: urn:content-classes:message
Return-Receipt-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
MIME-Version: 1.0
Content-Type: multipart/alternative;
  boundary="-----=_NextPart_001_01C90497.C99BED52"
Disposition-Notification-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
Subject: Indiantown Cogeneration Plant; 0850102-017-AC
Date: Fri, 22 Aug 2008 16:43:52 -0400
Message-ID: <864D0E673032DD47ABE8B4EE542DF7CAC0A991@tlhexsmb4.floridadep.net>
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Thread-Topic: Indiantown Cogeneration Plant; 0850102-017-AC
thread-index: AckEl8lnI791v/wuREeQ53B2NeWkLA==
From: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
To: <garywiller@cogentrix.com>,
  <NicholasLaryea@Cogentrix.com>
Cc: "Hoefert, Lee" <Lee.Hoefert@dep.state.fl.us>,
  <dbuff@golder.com>,
  <forney.kathleen@epa.gov>,
  "Holtom, Jonathan" <Jonathan.Holtom@dep.state.fl.us>,
  "Cascio, Tom" <Tom.Cascio@dep.state.fl.us>,
  "Walker, Elizabeth \ (AIR\)" <Elizabeth.Walker@dep.state.fl.us>,
  "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>
X-OriginalArrivalTime: 22 Aug 2008 20:43:53.0588 (UTC) FILETIME=[CA360340:01C90497]
```

-----Original Message-----

```
From: Mail Delivery System [mailto:MAILER-DAEMON@mseive02.rtp.epa.gov]
Sent: Friday, August 22, 2008 4:44 PM
To: Livingston, Sylvia
Subject: Successful Mail Delivery Report
```

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

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

The mail system

```
<forney.kathleen@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,
sent 48AF250A_26974_110136_1 4C3E11E42E7
```


Indiantown Cogeneration, L.P.

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, FL 34956

April 29th, 2008

772.597.6500
Fax: 772.597.6210

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

Via Federal Express

Subject: **DEP File No, 0850102-011 -AV**
Indiantown Cogeneration Plant

Dear Mr. Cascio:

Project No.: 0850102-017-AC | 0850102-018-AV

RECEIVED

APR 30 2008

BUREAU OF AIR REGULATION

Attached is an application for revisions to the Air Construction Permit & Title V Air Operation Permit for Indiantown Cogeneration.

Specifically, our June 4, 2007 comment letter on the prior operating permit revision stated:

Section III, EU-007, Condition F.7. pg 44 states "Hours of Operation. The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Our original October 2005 construction permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." We neglected to comment on this matter when the November 2005 draft permit was issued; we would like to take this opportunity to correct the operating hours to indicate 5,000 hours per year per boiler. Condition F.11. properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required.

And the Department's response in the Proposed Permit Determination Stated:

Although we understand that the requested change may correct an error in an earlier air construction permit, the change to operating hour limits for the auxiliary boilers must be made in an air construction permit. Therefore, no change will be made to the Title V permit revision.

This application for a revised air construction permit seeks to correct the operating hours limitation for the auxiliary boilers.

Also, the Department's response in the Proposed Permit Determination Stated:

New or modified NSPS requirements must first be adopted by the Department before they can be added to a facility's Title V permit.

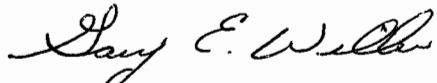
The Department has now adopted revisions to NSPS 40 CFR 60 Subpart Da; this application seeks to incorporate the revisions into the Title V permit for Indiantown Cogeneration.

Finally, this application incorporates the Hg Budget Part and Clean Air Interstate Rule (CAIR) Part forms submitted to the Department independently on April 7, 2008.

Page 2

Please contact Nick Laryea at 772-597-6500 extension 19 with any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Gary E. Willer". The signature is written in a cursive style with a large, stylized "G" and "W".

Gary Willer
General Manager

cc: Lee C. Hoefert-DEP South East District
AJ Jablonowski-Epsilon Associates
George Lipka, PE
Lauren Billheimer,-Cogentrix Energy
Nick Laryea,- ICLP
File # 2.1.2



Department of Environmental Protection

RECEIVED

APR 30 2008

Division of Air Resource Management

APPLICATION FOR AIR PERMIT - LONG FORM

BUREAU OF AIR REGULATION

I. APPLICATION INFORMATION

Air Construction Permit – Use this form to apply for any air construction permit at a facility operating under a federally enforceable state air operation permit (FESOP) or Title V air permit. Also use this form to apply for an air construction permit:

- For a proposed project subject to prevention of significant deterioration (PSD) review, nonattainment area (NAA) new source review, or maximum achievable control technology (MACT) review; or
- Where the applicant proposes to assume a restriction on the potential emissions of one or more pollutants to escape a federal program requirement such as PSD review, NAA new source review, Title V, or MACT; or
- Where the applicant proposes to establish, revise, or renew a plantwide applicability limit (PAL).

Air Operation Permit – Use this form to apply for:

- An initial federally enforceable state air operation permit (FESOP); or
- An initial/revised/renewal Title V air operation permit.

Air Construction Permit & Title V Air Operation Permit (Concurrent Processing Option) – Use this form to apply for both an air construction permit and a revised or renewal Title V air operation permit incorporating the proposed project.

To ensure accuracy, please see form instructions.

Identification of Facility

1. Facility Owner/Company Name: Indiantown Cogeneration, L.P.	
2. Site Name: Indiantown Cogeneration Plant	
3. Facility Identification Number: 0850102	
4. Facility Location... Street Address or Other Locator: 13303 SW Silver Fox Lane City: Indiantown County: Martin Zip Code: 34956	
5. Relocatable Facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6. Existing Title V Permitted Facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Application Contact

1. Application Contact Name: Nicholas Laryea	
2. Application Contact Mailing Address... Organization/Firm: Indiantown Cogeneration, L.P. Street Address: P.O. Box 1799 City: Indiantown State: FL Zip Code: 34956	
3. Application Contact Telephone Numbers... Telephone: (772) 597-6500 ext. Fax: (772) 597-6210	
4. Application Contact Email Address: NicholasLaryea@cogentrix.com	

Application Processing Information (DEP Use)

1. Date of Receipt of Application:	3. PSD Number (if applicable):
2. Project Number(s):	4. Siting Number (if applicable):

APPLICATION INFORMATION

Purpose of Application

This application for air permit is submitted to obtain: (Check one)

Air Construction Permit

- Air construction permit.
- Air construction permit to establish, revise, or renew a plantwide applicability limit (PAL).
- Air construction permit to establish, revise, or renew a plantwide applicability limit (PAL), and separate air construction permit to authorize construction or modification of one or more emissions units covered by the PAL.

Air Operation Permit

- Initial Title V air operation permit.
- Title V air operation permit revision.
- Title V air operation permit renewal.
- Initial federally enforceable state air operation permit (FESOP) where professional engineer (PE) certification is required.
- Initial federally enforceable state air operation permit (FESOP) where professional engineer (PE) certification is not required.

Air Construction Permit and Revised/Renewal Title V Air Operation Permit (Concurrent Processing)

- Air construction permit and Title V permit revision, incorporating the proposed project.
- Air construction permit and Title V permit renewal, incorporating the proposed project.

Note: By checking one of the above two boxes, you, the applicant, are requesting concurrent processing pursuant to Rule 62-213.405, F.A.C. In such case, you must also check the following box:

- I hereby request that the department waive the processing time requirements of the air construction permit to accommodate the processing time frames of the Title V air operation permit.

Application Comment

This application revises the Facility's existing Title V permit (0850102-013-AV) as noted below (following the format verbally requested by FLDEP on 2/21/2008):

1. The operation of emission unit 007 (two auxiliary boilers) will be restricted to 5,000 hours per year per boiler (rather than 5,000 hour per year for both boilers combined) as previously discussed with FLDEP in June 2007. Details are provided in Section III and Appendix A of this application.
2. Emission unit 001 (pulverized coal-fired main boiler) will incorporate the 2007 Florida adoption of revisions to 40 CFR 60 Subpart Da. These modifications are detailed in Appendix B to this application.
3. The application incorporates the Hg Budget Part and Clean Air Interstate Rule Part forms.

APPLICATION INFORMATION

Scope of Application

Emissions Unit ID Number	Description of Emissions Unit	Air Permit Type	Air Permit Proc. Fee
007	(2) Auxiliary Boilers	AC1D	N/A
007	(2) Auxiliary Boilers	AFMM	N/A
001	Pulverized coal fired main boiler	AFMM	N/A

Application Processing Fee

Check one: Attached - Amount: \$ _____ Not Applicable

APPLICATION INFORMATION

Owner/Authorized Representative Statement

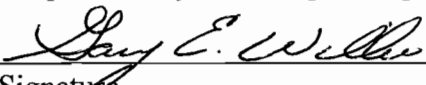
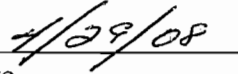
Complete if applying for an air construction permit or an initial FESOP.

1. Owner/Authorized Representative Name : Nicholas Laryea
2. Owner/Authorized Representative Mailing Address... Organization/Firm: Indiantown Cogeneration LP Street Address: P.O. Box 1799 City: Indiantown State: FL Zip Code: 34956
3. Owner/Authorized Representative Telephone Numbers... Telephone: (772) 597-6500 ext. Fax: (772) 597-6210
4. Owner/Authorized Representative Email Address: NicholasLaryea@cogentrix.com
5. Owner/Authorized Representative Statement: <i>I, the undersigned, am the owner or authorized representative of the facility addressed in this air permit application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof and all other requirements identified in this application to which the facility is subject. I understand that a permit, if granted by the department, cannot be transferred without authorization from the department, and I will promptly notify the department upon sale or legal transfer of the facility or any permitted emissions unit.</i>  Signature <u>4/29/2008</u> Date

APPLICATION INFORMATION

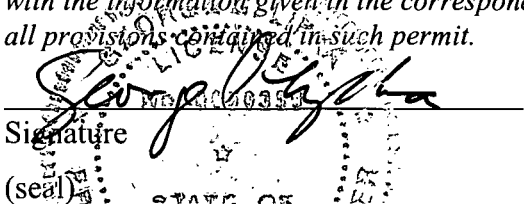
Application Responsible Official Certification

Complete if applying for an initial/revised/renewal Title V permit or concurrent processing of an air construction permit and a revised/renewal Title V permit. If there are multiple responsible officials, the "application responsible official" need not be the "primary responsible official."

1. Application Responsible Official Name: Gary Willer
2. Application Responsible Official Qualification (Check one or more of the following options, as applicable): <input type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input checked="" type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source.
3. Application Responsible Official Mailing Address... Organization/Firm: Indiantown Cogeneration, LP Street Address: P.O. Box 1799 City: Indiantown State: FL Zip Code: 34956
4. Application Responsible Official Telephone Numbers... Telephone: (772) 597-6500 ext. Fax: (772) 597-6210
5. Application Responsible Official Email Address: GaryWiller@cogentrix.com
6. Application Responsible Official Certification: <i>I, the undersigned, am a responsible official of the Title V source addressed in this air permit application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof and all other applicable requirements identified in this application to which the Title V source is subject. I understand that a permit, if granted by the department, cannot be transferred without authorization from the department, and I will promptly notify the department upon sale or legal transfer of the facility or any permitted emissions unit. Finally, I certify that the facility and each emissions unit are in compliance with all applicable requirements to which they are subject, except as identified in compliance plan(s) submitted with this application.</i>  Signature  Date

APPLICATION INFORMATION

Professional Engineer Certification

1. Professional Engineer Name: George S. Lipka Registration Number: 50359
2. Professional Engineer Mailing Address... Organization/Firm: EnviroBusiness Inc. Street Address: 21 B Street City: Burlington State: MA Zip Code: 01803
3. Professional Engineer Telephone Numbers... Telephone: (781) 273-2500 ext. Fax: (781) 273-3311
4. Professional Engineer Email Address: glipka@ebiconsulting.com
5. Professional Engineer Statement: <i>I, the undersigned, hereby certify, except as particularly noted herein*, that:</i> <i>(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this application for air permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and</i> <i>(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.</i> <i>(3) If the purpose of this application is to obtain a Title V air operation permit (check here <input type="checkbox"/> , if so), I further certify that each emissions unit described in this application for air permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance plan and schedule is submitted with this application.</i> <i>(4) If the purpose of this application is to obtain an air construction permit (check here <input type="checkbox"/> , if so) or concurrently process and obtain an air construction permit and a Title V air operation permit revision or renewal for one or more proposed new or modified emissions units (check here <input checked="" type="checkbox"/> , if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.</i> <i>(5) If the purpose of this application is to obtain an initial air operation permit or operation permit revision or renewal for one or more newly constructed or modified emissions units (check here <input type="checkbox"/> , if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.</i> Signature <u>George S. Lipka</u> Date <u>April 28, 2008</u> (seal) 

* Attach any exception to certification statement.

II. FACILITY INFORMATION

A. GENERAL FACILITY INFORMATION

Facility Location and Type

1. Facility UTM Coordinates... Zone East (km) 547.65 North (km) 2990.70		2. Facility Latitude/Longitude... Latitude (DD/MM/SS) 27/02/21 Longitude (DD/MM/SS) 80/30/53	
3. Governmental Facility Code: 0	4. Facility Status Code: A	5. Facility Major Group SIC Code: 49	6. Facility SIC(s): 4911
7. Facility Comment : A pulverized coal-fired cogeneration plant (330 MW)			

Facility Contact

1. Facility Contact Name: Nicholas Laryea
2. Facility Contact Mailing Address... Organization/Firm: Indiantown Cogeneration LP Street Address: P.O. Box 1799 City: Indiantown State: FL Zip Code: 34956
3. Facility Contact Telephone Numbers: Telephone: (772) 597-6500 ext. Fax: (772) 597-6210
4. Facility Contact Email Address: NicholasLaryea@cogentrix.com

Facility Primary Responsible Official

Complete if an "application responsible official" is identified in Section I. that is not the facility "primary responsible official."

1. Facility Primary Responsible Official Name: Gary Willer
2. Facility Primary Responsible Official Mailing Address... Organization/Firm: Indiantown Cogeneration LP Street Address: P.O. Box 1799 City: Indiantown State: FL Zip Code: 34956
3. Facility Primary Responsible Official Telephone Numbers... Telephone: (772) 597-6500 ext. Fax: (772) 597-6210
4. Facility Primary Responsible Official Email Address: GaryWiller@cogentrix.com

FACILITY INFORMATION

Facility Regulatory Classifications

Check all that would apply *following* completion of all projects and implementation of all other changes proposed in this application for air permit. Refer to instructions to distinguish between a “major source” and a “synthetic minor source.”

1. <input type="checkbox"/> Small Business Stationary Source	<input type="checkbox"/> Unknown
2. <input type="checkbox"/> Synthetic Non-Title V Source	
3. <input checked="" type="checkbox"/> Title V Source	
4. <input checked="" type="checkbox"/> Major Source of Air Pollutants, Other than Hazardous Air Pollutants (HAPs)	
5. <input type="checkbox"/> Synthetic Minor Source of Air Pollutants, Other than HAPs	
6. <input checked="" type="checkbox"/> Major Source of Hazardous Air Pollutants (HAPs)	
7. <input type="checkbox"/> Synthetic Minor Source of HAPs	
8. <input checked="" type="checkbox"/> One or More Emissions Units Subject to NSPS (40 CFR Part 60)	
9. <input checked="" type="checkbox"/> One or More Emissions Units Subject to Emission Guidelines (40 CFR Part 60)	
10. <input checked="" type="checkbox"/> One or More Emissions Units Subject to NESHAP (40 CFR Part 61 or Part 63)	
11. <input type="checkbox"/> Title V Source Solely by EPA Designation (40 CFR 70.3(a)(5))	
12. Facility Regulatory Classifications Comment:	

FACILITY INFORMATION

List of Pollutants Emitted by Facility

1. Pollutant Emitted	2. Pollutant Classification	3. Emissions Cap [Y or N]?
CO: Carbon Monoxide	A	N
NOX: Nitrogen Oxides	A	N
PM: Particulate Matter - Total	A	N
PM10: Particulate Matter –PM10	A	N
SO2: Sulfur Dioxide	A	N
VOC: Volatile Organic Compounds	B	N
PB: Lead	B	N
SAM: Sulfuric Acid Mist	B	N
FL: Fluoride	B	N
H114: Mercury Compounds	B	N
NH3: Ammonia	C (unknown)	N
H021: Beryllium Compounds	C (unknown)	N
H015: Arsenic Compounds (inorganic including arsine)	C (unknown)	N

FACILITY INFORMATION

B. EMISSIONS CAPS

Facility-Wide or Multi-Unit Emissions Caps

1. Pollutant Subject to Emissions Cap	2. Facility Wide Cap [Y or N]? (all units)	3. Emissions Unit ID No.s Under Cap (if not all units)	4. Hourly Cap (lb/hr)	5. Annual Cap (ton/yr)	6. Basis for Emissions Cap
7. Facility-Wide or Multi-Unit Emissions Cap Comment: NOT APPLICABLE					

FACILITY INFORMATION

C. FACILITY ADDITIONAL INFORMATION

Additional Requirements for All Applications, Except as Otherwise Stated

1. Facility Plot Plan: (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>4/24/07</u>
2. Process Flow Diagram(s): (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>4/24/07</u>
3. Precautions to Prevent Emissions of Unconfined Particulate Matter: (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>2/23/04</u>

Additional Requirements for Air Construction Permit Applications

1. Area Map Showing Facility Location: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable (existing permitted facility)
2. Description of Proposed Construction, Modification, or Plantwide Applicability Limit (PAL): Change operating limit to 5000 hours per year for <u>each</u> boiler (rather than both boilers combined.) <input type="checkbox"/> Attached, Document ID: _____
3. Rule Applicability Analysis: Previously submitted on 2/23/04 (no change) <input type="checkbox"/> Attached, Document ID: _____
4. List of Exempt Emissions Units (Rule 62-210.300(3), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable (no exempt units at facility)
5. Fugitive Emissions Identification: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
6. Air Quality Analysis (Rule 62-212.400(7), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
7. Source Impact Analysis (Rule 62-212.400(5), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
8. Air Quality Impact since 1977 (Rule 62-212.400(4)(e), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
9. Additional Impact Analyses (Rules 62-212.400(8) and 62-212.500(4)(e), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
10. Alternative Analysis Requirement (Rule 62-212.500(4)(g), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable

FACILITY INFORMATION

Additional Requirements for FESOP Applications

1. List of Exempt Emissions Units (Rule 62-210.300(3)(a) or (b)1., F.A.C.):
 Attached, Document ID: _____ Not Applicable (no exempt units at facility)

Additional Requirements for Title V Air Operation Permit Applications

1. List of Insignificant Activities (Required for initial/renewal applications only):
 Attached, Document ID: _____ Not Applicable (revision application)
2. Identification of Applicable Requirements (Required for initial/renewal applications, and for revision applications if this information would be changed as a result of the revision being sought):
 Attached, Document ID: _____
 Not Applicable (revision application with no change in applicable requirements)
3. Compliance Report and Plan (Required for all initial/revision/renewal applications):
 Attached, Document ID: _____
Note: A compliance plan must be submitted for each emissions unit that is not in compliance with all applicable requirements at the time of application and/or at any time during application processing. The department must be notified of any changes in compliance status during application processing. **NOT APPLICABLE**
4. List of Equipment/Activities Regulated under Title VI (If applicable, required for initial/renewal applications only):
 Attached, Document ID: _____
 Equipment/Activities On site but Not Required to be Individually Listed
 Not Applicable
5. Verification of Risk Management Plan Submission to EPA (If applicable, required for initial/renewal applications only) :
 Attached, Document ID: _____ Not Applicable
6. Requested Changes to Current Title V Air Operation Permit:
 Attached, Document ID: Appendix A Not Applicable

Additional Requirements Comment

--

EMISSIONS UNIT INFORMATION

Section [] of []

III. EMISSIONS UNIT INFORMATION

Title V Air Operation Permit Application - For Title V air operation permitting only, emissions units are classified as regulated, unregulated, or insignificant. If this is an application for Title V air operation permit, a separate Emissions Unit Information Section (including subsections A through I as required) must be completed for each regulated and unregulated emissions unit addressed in this application for air permit. Some of the subsections comprising the Emissions Unit Information Section of the form are optional for unregulated emissions units. Each such subsection is appropriately marked. Insignificant emissions units are required to be listed at Section II, Subsection C.

Air Construction Permit or FESOP Application - For air construction permitting or federally enforceable state air operation permitting, emissions units are classified as either subject to air permitting or exempt from air permitting. The concept of an "unregulated emissions unit" does not apply. If this is an application for air construction permit or FESOP, a separate Emissions Unit Information Section (including subsections A through I as required) must be completed for each emissions unit subject to air permitting addressed in this application for air permit. Emissions units exempt from air permitting are required to be listed at Section II, Subsection C.

Air Construction Permit and Revised/Renewal Title V Air Operation Permit Application - Where this application is used to apply for both an air construction permit and a revised/renewal Title V air operation permit, each emissions unit is classified as either subject to air permitting or exempt from air permitting for air construction permitting purposes and as regulated, unregulated, or insignificant for Title V air operation permitting purposes. **The air construction permitting classification must be used to complete the Emissions Unit Information Section of this application for air permit.** A separate Emissions Unit Information Section (including subsections A through I as required) must be completed for each emissions unit subject to air permitting addressed in this application for air permit. Emissions units exempt from air construction permitting and insignificant emissions units are required to be listed at Section II, Subsection C.

If submitting the application form in hard copy, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application must be indicated in the space provided at the top of each page.

EMISSIONS UNIT INFORMATION

Section [] of []

A. GENERAL EMISSIONS UNIT INFORMATION

Title V Air Operation Permit Emissions Unit Classification

1. Regulated or Unregulated Emissions Unit? (Check one, if applying for an initial, revised or renewal Title V air operation permit. Skip this item if applying for an air construction permit or FESOP only.)

The emissions unit addressed in this Emissions Unit Information Section is a regulated emissions unit.

The emissions unit addressed in this Emissions Unit Information Section is an unregulated emissions unit.

Emissions Unit Description and Status

1. Type of Emissions Unit Addressed in this Section: (Check one)

This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).

This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.

This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.

2. Description of Emissions Unit Addressed in this Section: (2) Auxiliary Boilers

3. Emissions Unit Identification Number: 007

4. Emissions Unit Status Code: A	5. Commence Construction Date:	6. Initial Startup Date: 8/24/06	7. Emissions Unit Major Group SIC Code: 49	8. Acid Rain Unit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
-------------------------------------	--------------------------------	-------------------------------------	---	--

9. Package Unit:
Manufacturer: Victory Energy Model Number: 23M Keystone

10. Generator Nameplate Rating: N/A MW

11. Emissions Unit Comment:

Two (2) packaged watertube steam boilers with a combined maximum rated capacity of 350 MMBtu/hr when firing natural gas and 341 MMBtu/hr when firing propane. Each boiler will be operated for a maximum of 5,000 hours per year.

EMISSIONS UNIT INFORMATION

Section [] of []

Emissions Unit Control Equipment

1. Control Equipment/Method(s) Description:

NO_x Control Equipment: Todd Combustion or Equivalent Low-NO_x Burners, and Flue Gas Recirculation, on each boiler

2. Control Device or Method Code(s): 205 and 026

EMISSIONS UNIT INFORMATION

Section [] of []

B. EMISSIONS UNIT CAPACITY INFORMATION

(Optional for unregulated emissions units.)

Emissions Unit Operating Capacity and Schedule

1. Maximum Process or Throughput Rate:
2. Maximum Production Rate:
3. Maximum Heat Input Rate: 350 million Btu/hr ¹
4. Maximum Incineration Rate: pounds/hr tons/day
5. Requested Maximum Operating Schedule: hours/day 24 days/week 7 weeks/year 5,000 hours/year*
6. Operating Capacity/Schedule Comment: *The operating restriction of 5,000 hours per year applies to <u>each</u> boiler separately. ¹ Maximum heat input rate is 350 MMBtu/hr when firing natural gas or 341 MMBtu/hr when firing propane. MMBtu/hr rate is total for both boilers.

EMISSIONS UNIT INFORMATION

Section [] of []

**C. EMISSION POINT (STACK/VENT) INFORMATION
(Optional for unregulated emissions units.)****Emission Point Description and Type**

1. Identification of Point on Plot Plan or Flow Diagram: 01		2. Emission Point Type Code: 1	
3. Descriptions of Emission Points Comprising this Emissions Unit for VE Tracking: (2) Auxiliary Boilers vented to common stack (Point 01).			
4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common: EU ID 007			
5. Discharge Type Code: V	6. Stack Height: 210 feet	7. Exit Diameter: 5 feet	
8. Exit Temperature: 551 °F	9. Actual Volumetric Flow Rate: 146,600 acfm @ 3% O ₂	10. Water Vapor: 18 %	
11. Maximum Dry Standard Flow Rate: 62,800 dscfm @ 3% O ₂		12. Nonstack Emission Point Height: feet	
13. Emission Point UTM Coordinates... Zone: 17 East (km): 547.65 North (km): 2990.70		14. Emission Point Latitude/Longitude... Latitude (DD/MM/SS) 27/02/21 Longitude (DD/MM/SS) 80/30/53	
15. Emission Point Comment:			

EMISSIONS UNIT INFORMATION

Section [] of []

D. SEGMENT (PROCESS/FUEL) INFORMATION

Segment Description and Rate: Segment 1_ of 2_

1. Segment Description (Process/Fuel Type): (2) Auxiliary Boilers/Natural Gas		
2. Source Classification Code (SCC): 10200601	3. SCC Units: Million Cubic Feet Natural Gas Burned	
4. Maximum Hourly Rate: 0.37	5. Maximum Annual Rate: 1,840	6. Estimated Annual Activity Factor:
7. Maximum % Sulfur:	8. Maximum % Ash:	9. Million Btu per SCC Unit: 950
10. Segment Comment: <u>Each</u> boiler limited to 5,000 hours per year firing natural gas or propane.		

Segment Description and Rate: Segment 2_ of 2_

1. Segment Description (Process/Fuel Type): (2) Auxiliary Boilers/Propane		
2. Source Classification Code (SCC): 10201002	3. SCC Units: Thousands Gallons Propane Burned	
4. Maximum Hourly Rate: 3.77	5. Maximum Annual Rate: 18,800	6. Estimated Annual Activity Factor:
7. Maximum % Sulfur: 0.007	8. Maximum % Ash:	9. Million Btu per SCC Unit: 90.5
10. Segment Comment: <u>Each</u> boiler limited to 5,000 hours per year firing natural gas or propane.		

EMISSIONS UNIT INFORMATION

Section [] of []

E. EMISSIONS UNIT POLLUTANTS

List of Pollutants Emitted by Emissions Unit

1. Pollutant Emitted	2. Primary Control Device Code	3. Secondary Control Device Code	4. Pollutant Regulatory Code
CO			EL
NOx	205	026	EL
PM			EL
PM ₁₀			EL
SO ₂			EL
VOC			WP

**F1. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION –
 POTENTIAL, FUGITIVE, AND ACTUAL EMISSIONS**

(Optional for unregulated emissions units.)

Potential, Estimated Fugitive, and Baseline & Projected Actual Emissions

Complete for each pollutant identified in Subsection E if applying for an air construction permit or concurrent processing of an air construction permit and a revised or renewal Title V permit. Complete for each emissions-limited pollutant identified in Subsection E if applying for an air operation permit.

1. Pollutant Emitted: CO	2. Total Percent Efficiency of Control:
3. Potential Emissions: 14.0 lb/hour 35.0 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year	
6. Emission Factor: 0.040 lb/MMBtu Reference: Manufacturer's Guarantee	7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years
10. Calculation of Emissions: CO (Hourly) = (0.040 lb/MMBtu)(350 MMBtu/hr) = 14.0 lb/hr CO (Annual) = (14.0 lb/hr)(5,000 hr/yr)/(2,000 lb/ton) = 35.0 ton/yr	
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.	

1. Pollutant Emitted: NOx	2. Total Percent Efficiency of Control:	
3. Potential Emissions: 14.0 lb/hour 35.0 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year		
6. Emission Factor: 0.040 lb/MMBtu Reference: Manufacturer's Guarantee		7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:	
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years	
10. Calculation of Emissions: NOx (Hourly) = (0.040 lb/MMBtu)(350 MMBtu/hr) = 14.0 lb/hr NOx (Annual) = (14.00 lb/hr)(5,000 hr/yr)/(2,000 lb/ton) = 35.0 ton/yr		
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.		

1. Pollutant Emitted: PM	2. Total Percent Efficiency of Control:	
3. Potential Emissions: 1.4 lb/hour 3.5 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year		
6. Emission Factor: 0.004 lb/MMBtu Reference: Manufacturer's Guarantee		7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:	
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years	
10. Calculation of Emissions: PM (Hourly) = (0.004 lb/MMBtu)(350 MMBtu/hr) = 1.4 lb/hr PM (Annual) = (1.4 lb/hr)(5,000 hr/yr)/(2,000 lb/ton) = 3.5 ton/yr		
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.		

1. Pollutant Emitted: PM ₁₀	2. Total Percent Efficiency of Control:
3. Potential Emissions: 1.4 lb/hour 3.5 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year	
6. Emission Factor: 0.004 lb/MMBtu Reference: Manufacturer's Guarantee	7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years
10. Calculation of Emissions: PM ₁₀ (Hourly) = (0.004 lb/MMBtu)(350 MMBtu/hr) = 1.4 lb/hr PM ₁₀ (Annual) = (1.4 lb/hr)(5,000 hr/yr)/(2,000 lb/ton) = 3.5 ton/yr	
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.	

1. Pollutant Emitted: SO ₂	2. Total Percent Efficiency of Control:	
3. Potential Emissions: 2.1 lb/hour 5.3 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year		
6. Emission Factor: 0.006 lb/MMBtu Reference: Estimated Fuel Sulfur Contents		7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:	
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years	
10. Calculation of Emissions: SO ₂ (Hourly) = (0.006 lb/MMBtu)(350 MMBtu/hr) = 2.1 lb/hr SO ₂ (Annual) = (2.1 lb/hr)(5,000 hr/yr / 2,000 lb/ton) = 5.3 ton/yr		
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.		

1. Pollutant Emitted: VOC	2. Total Percent Efficiency of Control:	
3. Potential Emissions: 0.70 lb/hour 1.8 tons/year	4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Range of Estimated Fugitive Emissions (as applicable): to tons/year		
6. Emission Factor: 0.002 lb/MMBtu Reference: Manufacturer's Guarantee		7. Emissions Method Code: 2
8.a. Baseline Actual Emissions (if required): tons/year	8.b. Baseline 24-month Period: From: To:	
9.a. Projected Actual Emissions (if required): tons/year	9.b. Projected Monitoring Period: <input type="checkbox"/> 5 years <input type="checkbox"/> 10 years	
10. Calculation of Emissions: $\text{VOC (Hourly)} = (0.0020 \text{ lb/MMBtu})(350 \text{ MMBtu/hr}) = 0.70 \text{ lb/hr}$ $\text{VOC (Annual)} = (0.70 \text{ lb/hr})(5,000 \text{ hr/yr}) / (2,000 \text{ lb/ton}) = 1.8 \text{ ton/yr}$		
11. Potential, Fugitive, and Actual Emissions Comment: Each boiler limited to 5,000 hours per year firing natural gas or propane. MMBtu/hr rate used in calculation is total for both boilers.		

**F2. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION -
 ALLOWABLE EMISSIONS**

Complete if the pollutant identified in Subsection F1 is or would be subject to a numerical emissions limitation.

Allowable Emissions Allowable Emissions 1_ of 6_ (CO)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 0.040 lb/MMBtu	4. Equivalent Allowable Emissions: 14.0 lb/hour 35.0 tons/year
5. Method of Compliance: Initial performance test (40 CFR 60.46b). Continuous emission monitoring system (40 CFR 60.48b).	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on manufacturer's guarantee firing either natural gas or propane.	

Allowable Emissions Allowable Emissions 2_ of 6_ (NOx)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 0.040 lb/MMBtu	4. Equivalent Allowable Emissions: 14.0 lb/hour 35.0 tons/year
5. Method of Compliance: Initial performance test (40 CFR 63.7520). Continuous emission monitoring system (40 CFR 63.7525).	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on manufacturer's guarantee firing either natural gas or propane.	

Allowable Emissions Allowable Emissions 3_ of 6_ (PM)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 1.4 lb/hr	4. Equivalent Allowable Emissions: 3.5 tons/year
5. Method of Compliance: Natural gas or propane firing only.	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on manufacturer's guarantee firing either natural gas or propane.	

Allowable Emissions Allowable Emissions 4_ of 6_ (PM₁₀)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 1.4 lb/hr	4. Equivalent Allowable Emissions: 3.5 tons/year
5. Method of Compliance: Natural gas or propane firing only.	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on manufacturer's guarantee firing either natural gas or propane.	

Allowable Emissions Allowable Emissions 5_ of 6_ (SO₂)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 2.1 lb/hour	4. Equivalent Allowable Emissions: 5.3 tons/year
5. Method of Compliance: Natural gas or propane firing only.	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on estimated fuel sulfur content for natural gas and propane.	

Allowable Emissions Allowable Emissions 6_ of 6_ (VOC)

1. Basis for Allowable Emissions Code: OTHER	2. Future Effective Date of Allowable Emissions:
3. Allowable Emissions and Units: 0.70 lb/hour	4. Equivalent Allowable Emissions: 1.8 tons/year
5. Method of Compliance: Natural gas or propane firing only.	
6. Allowable Emissions Comment (Description of Operating Method): Emissions based on manufacturer's guarantee firing either natural gas or propane.	

EMISSIONS UNIT INFORMATION

Section [] of []

G. VISIBLE EMISSIONS INFORMATION

Complete if this emissions unit is or would be subject to a unit-specific visible emissions limitation.

Visible Emissions Limitation: Visible Emissions Limitation 1_ of 1__

1. Visible Emissions Subtype: VE20	2. Basis for Allowable Opacity: <input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
3. Allowable Opacity: Normal Conditions: 20 % Exceptional Conditions: Maximum Period of Excess Opacity Allowed: min/hour	
4. Method of Compliance: EPA Method 9	
5. Visible Emissions Comment:	

EMISSIONS UNIT INFORMATION

Section [] of []

H. CONTINUOUS MONITOR INFORMATION

Complete if this emissions unit is or would be subject to continuous monitoring.

Continuous Monitoring System: Continuous Monitor 1__ of 6__

1. Parameter Code: CO ₂	2. Pollutant(s):
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: California Analytica Model Number: ZRH-1 Serial Number: N5B-3530 T	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment: Diluent monitor on Aux Boiler A as required under 40 CFR 60 Subpart Db.	

Continuous Monitoring System: Continuous Monitor 2__ of 6__

1. Parameter Code: O ₂	2. Pollutant(s):
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: California Analytica Model Number: ZRH-1 Serial Number: N5B-3533 T	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment: Diluent monitor on Aux Boiler B as required under 40 CFR 60 Subpart Db.	

H. CONTINUOUS MONITOR INFORMATION (CONTINUED)

Complete if this emissions unit is or would be subject to continuous monitoring.

Continuous Monitoring System: Continuous Monitor 3__ of 6__

1. Parameter Code: EM	2. Pollutant(s): NO _x
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: Thermo Electron Model Number: 42iHL Serial Number: 42iHL-0617417188	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment: NO _x monitor on Aux Boiler A as required under 40 CFR 60 Subpart Db.	

Continuous Monitoring System: Continuous Monitor 4__ of 6__

1. Parameter Code:	2. Pollutant(s): NO _x
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: Thermo Electron Model Number: 42iHL Serial Number: 42iHL-0617417188	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment: NO _x monitor on Aux Boiler B as required under 40 CFR 60 Subpart Db.	

EMISSIONS UNIT INFORMATION

Section [] of []

H. CONTINUOUS MONITOR INFORMATION (CONTINUED)

Complete if this emissions unit is or would be subject to continuous monitoring.

Continuous Monitoring System: Continuous Monitor 5__ of 6__

1. Parameter Code: EM	2. Pollutant(s): CO
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: Siemens Model Number: Ultramat/Oxymat 6E Serial Number: U5-116	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment:	

Continuous Monitoring System: Continuous Monitor 6__ of 6__

1. Parameter Code: EM	2. Pollutant(s): CO
3. CMS Requirement:	<input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
4. Monitor Information... Manufacturer: Siemens Model Number: Ultramat/Oxymat 6E Serial Number: U5-116	
5. Installation Date:	6. Performance Specification Test Date: 4/25/07
7. Continuous Monitor Comment:	

EMISSIONS UNIT INFORMATION

Section [] of []

I. EMISSIONS UNIT ADDITIONAL INFORMATION

Additional Requirements for All Applications, Except as Otherwise Stated

1. Process Flow Diagram (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date <u>4/24/07</u>
2. Fuel Analysis or Specification (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date <u>4/24/07</u>
3. Detailed Description of Control Equipment (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date <u>2/23/04</u>
4. Procedures for Startup and Shutdown (Required for all operation permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date <u>2/23/04</u> <input type="checkbox"/> Not Applicable (construction application)
5. Operation and Maintenance Plan (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date <u>2/23/04</u> <input type="checkbox"/> Not Applicable
6. Compliance Demonstration Reports/Records <input type="checkbox"/> Attached, Document ID: _____ Test Date(s)/Pollutant(s) Tested: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>8/15/07</u> Test Date(s)/Pollutant(s) Tested: <u>4/25/07 - NOx, CO, VOC, Visible Emissions</u> <input type="checkbox"/> To be Submitted, Date (if known): _____ Test Date(s)/Pollutant(s) Tested: _____ <input type="checkbox"/> Not Applicable <p>Note: For FESOP applications, all required compliance demonstration records/reports must be submitted at the time of application. For Title V air operation permit applications, all required compliance demonstration reports/records must be submitted at the time of application, or a compliance plan must be submitted at the time of application.</p>
7. Other Information Required by Rule or Statute <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable

EMISSIONS UNIT INFORMATION

Section [] of []

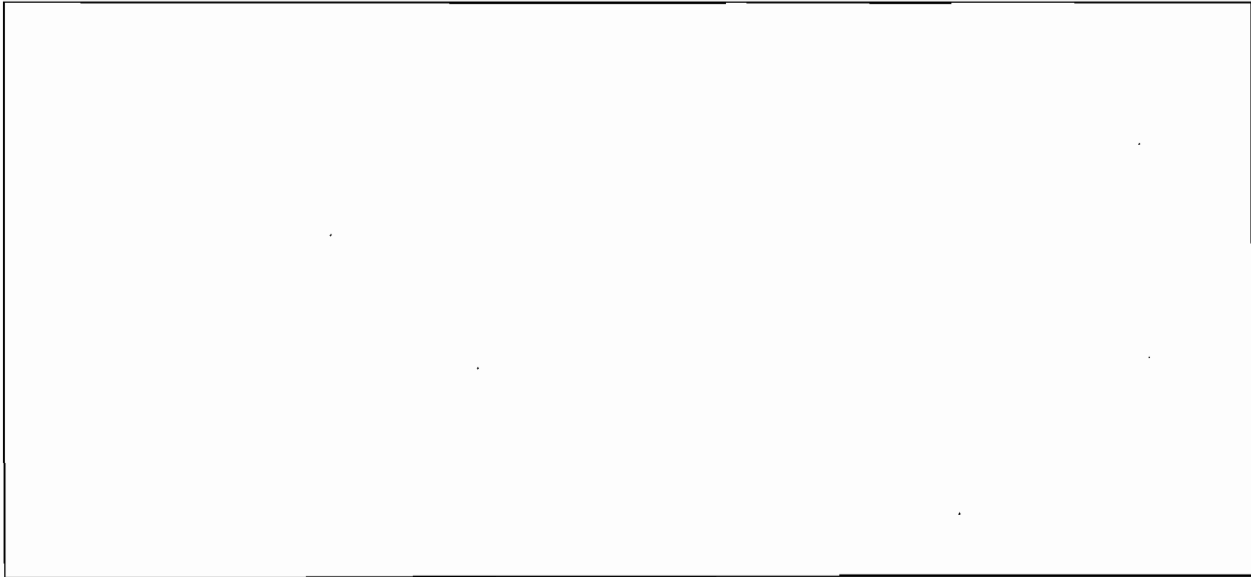
Additional Requirements for Air Construction Permit Applications

1. Control Technology Review and Analysis (Rules 62-212.400(10) and 62-212.500(7), F.A.C.; 40 CFR 63.43(d) and (e)) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
2. Good Engineering Practice Stack Height Analysis (Rule 62-212.400(4)(d), F.A.C., and Rule 62-212.500(4)(f), F.A.C.) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
3. Description of Stack Sampling Facilities (Required for proposed new stack sampling facilities only) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable

Additional Requirements for Title V Air Operation Permit Applications

1. Identification of Applicable Requirements <input type="checkbox"/> Attached, Document ID: _____
2. Compliance Assurance Monitoring <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
3. Alternative Methods of Operation <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
4. Alternative Modes of Operation (Emissions Trading) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
5. Acid Rain Part Application <input type="checkbox"/> Certificate of Representation (EPA Form No. 7610-1) <input type="checkbox"/> Copy Attached, Document ID: _____ <input type="checkbox"/> Acid Rain Part (Form No. 62-210.900(1)(a)) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Repowering Extension Plan (Form No. 62-210.900(1)(a)1.) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> New Unit Exemption (Form No. 62-210.900(1)(a)2.) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Retired Unit Exemption (Form No. 62-210.900(1)(a)3.) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Phase II NOx Compliance Plan (Form No. 62-210.900(1)(a)4.) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Phase II NOx Averaging Plan (Form No. 62-210.900(1)(a)5.) <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable

Additional Requirements Comment



Indiantown Cogeneration Facility Title V Permit Revision

Appendix A: Auxiliary Boiler (EU #007) Permit Modifications

The requested edits to the existing Title V permit, with regard to the Auxiliary Boilers (EU #007), are noted below. The portions to be revised are **bold and underlined**.

1. Performance Restriction F.7. (Hours of Operation) should state:

The operation of each auxiliary boiler shall not exceed 5,000 hours during any consecutive 12-month period. The permittee shall calibrate, operate and maintain a monitoring system to measure and accumulate the amount of natural gas as well as propane fired and the hours of operation for each auxiliary boiler.

2. Emission Limitations and Standards F.10. (Summary) should state:

The following table summarizes the emissions standards specified in this permit. Although these limits were not determined by BACT, they (along with other limitations described herein) form the basis for the Department's determination that PSD does not apply.

Pollutant	Emission Limit	Annual Emissions (based upon <u>two boilers</u> <u>operating 5000 hrs/yr each</u>)
NOx	0.040 lb/MMBtu	35 TPY
CO	0.040 lb/MMBtu	35 TPY
VOC	0.70 lb/hr	1.8 TPY
SO ₂	2.1 lb/hr	5.3 TPY
PM ₁₀	1.4 lb/hr	3.5 TPY

Indiantown Cogeneration, L.P.

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, FL 34956

772.597.6500
Fax: 772.597.6210

April 7, 2008

DEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Road
Tallahassee FL. 32399-2400

VIA FEDERAL EXPRESS

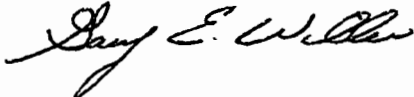
Re: Mercury Budget Program

Dear Sir or Madam:

Pursuant (40 CFR 60.4106, 60.4121, 60.4122, and Rule 62-296.480, FAC), I am submitting DEP Form No. 62-210-900(1)(c) Mercury Budget Part Form for the Indiantown Cogenerating Plant.

Please contact Nicholas Laryea at 772-597-6500, extension 19, if you have any questions.

Sincerely,



Gary E. Willer
General Manager

Enclosure

cc: Nicholas Laryea
Lauren Billheimer
Lee C. Hoefert
File # 2.1.5

Hg Budget Program

Instructions for

Hg Budget Part Form

(40 CFR 60.4106, 60.4121, 60.4122, and Rule 62-296.480, F.A.C.)

The Hg Budget Program requires the designated representative or alternate designated representative to submit a Hg Budget Part form for each source with a Hg Budget unit. A complete Certificate of Representation must be received by EPA before the Hg Budget Part form is submitted to the DEP.

DEFINITIONS:

- "CFR" - Code of Federal Regulations
- "DOE" - U.S. Department of Energy
- "EIA" - U.S. Energy Information Agency
- "F.A.C." - Florida Administrative Code
- "DEP" - Florida Department of Environmental Protection
- "Hg" - Mercury
- "ORIS" - Office of Regulatory Information Systems

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the DEP Bureau of Air Regulation at (850) 488-0114.

- STEP 1** Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4 digit number assigned by the EIA at the DOE to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit plant code (also assigned by EIA), use the plant code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 586-2402.
- STEP 2** For column "a," identify each Hg Budget unit at the Hg Budget source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements. For column "b" enter "X" if the unit will hold Hg allowance in accordance with 40 CFR 60.4106(c)(1). For columns "c" and "d," enter the expected commence commercial operation date and expected monitor certification deadline for each new unit in accordance with 40 CFR 60.4102 and 40 CFR 60.4170(b).
- STEP 3** Read the standard requirements.
- STEP 4** Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

Submission deadlines: See Rule 62-213.420, F.A.C.

Submit this form to:
DEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Rd
Tallahassee, FL 32399-2400

Hg Budget Part

For more information, see instructions and refer to 40 CFR 60.4106, 60.4121, 60.4122; and Rule 62-296.480, F.A.C.

This submission is: New Revised Renewal

STEP 1

Identify the source by plant name and ORIS or plant code

Plant Name: INDIANTOWN COGENERATION LIMITED PARTNERSHIP	State: Florida	ORIS or EIA Plant Code: 50976
---	-----------------------	---

STEP 2

In column "a" enter the unit ID# for every Hg Budget unit at the Hg Budget source.

In column "b" enter "X" if the unit will hold Hg allowances in accordance with 40 CFR 60.4106(c)(1).

For new units, enter the requested information in columns "c" and "d."

a	b	c	d
Unit ID#	Unit will hold Hg allowances in accordance with 40 CFR 60.4106(c)(1)	New Units Expected Commence Commercial Operation Date	New Units Expected Monitor Certification Deadline
01	X		

HG BUDGET TRADING PROGRAM

STEP 3

Read the standard requirements.

Hg Budget Part Requirements.

- (1) The Hg designated representative of each Hg Budget source and each Hg Budget at the source shall:
 - (i) Submit to the DEP a complete Hg Budget Part form under 40 CFR 60.4122 and Rule 62-296.480, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved]
- (2) The owners and operators of each Hg Budget and each Hg Budget unit at the source shall have a Hg Budget Part included in the Title V operating permit issued by the DEP under Rule 62-296.480, F.A.C., for the source and operate the source and the unit in compliance with such Hg Budget Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the Hg designated representative, of each Hg Budget source and each Hg Budget unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 60.4170 through 60.4176.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR 60.4170 through 60.4176 shall be used to determine compliance by each Hg Budget source with the following Hg Emission Requirements.

Hg Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each Hg Budget source and each Hg Budget unit at the source shall hold, in the source's compliance account, Hg allowances available for compliance deductions for the control period under 40 CFR 60.4154(a) in an amount not less than the ounces of total mercury emissions for the control period from all Hg Budget units at the source, as determined in accordance with 40 CFR 60.4170 through 60.4176.
- (2) A Hg Budget unit shall be subject to the requirements under paragraph (1) of the Hg Emission Requirements starting on the later of January 1, 2010, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 60.4170(b)(1) or (2).
- (3) A Hg allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the Hg Emission Requirements, for a control period in a calendar year before the year for which the Hg allowance was allocated.
- (4) Hg allowances shall be held in, deducted from, or transferred into or among Hg Allowance Tracking System accounts in accordance with 40 CFR 60.4160 through 60.4162.
- (5) A Hg allowance is a limited authorization to emit one ounce of mercury in accordance with the Hg Budget Trading Program. No provision of the Hg Budget Trading Program, the Hg Budget Part, or an exemption under 40 CFR 60.4105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A Hg allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR 60.4150 through 60.4162, every allocation, transfer, or deduction of a Hg allowance to or from a Hg Budget unit's compliance account is incorporated automatically in any Hg Budget Part of the source that includes the Hg Budget unit.

Excess Emissions Requirements.

- (1) If a Hg Budget source emits mercury during any control period in excess of the Hg Budget emissions limitation, then:
 - (i) The owners and operators of the source and each Hg Budget unit at the source shall surrender the Hg allowances required for deduction under 40 CFR 60.4154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
 - (ii) Each ounce of such excess emissions and each day of such control period shall constitute a separate violation of this 40 CFR Part 60, Subpart HHHH, the Clean Air Act, and applicable state law.
- (2) [Reserved.]

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the Hg Budget source and each Hg Budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
 - (i) The certificate of representation under 40 CFR 60.4113 for the Hg designated representative for the source and each Hg Budget unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 60.4113 changing the Hg designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR 60.4170 through 60.4176, provided that to the extent that 40 CFR 60.4170 through 60.4176 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Hg Budget Trading Program.
 - (iv) Copies of all documents used to complete a Hg Budget Part form and any other submission under the Hg Budget Trading Program or to demonstrate compliance with the requirements of the Hg Budget Trading Program.
- (2) The Hg designated representative of a Hg Budget source and each Hg Budget unit at the source shall submit the reports required under the Hg Budget Trading Program, including those under 40 CFR 60.4170 through 60.4176.

Plant Name (from Step 1) INDIANTOWN COGENERATION LIMITED PARTNERSHIP

Liability.

- (1) Each Hg Budget source and each Hg Budget unit shall meet the requirements of the Hg Budget Trading Program.
- (2) Any provision of the Hg Budget Trading Program that applies to a Hg Budget source or the Hg designated representative of a Hg Budget source shall also apply to the owners and operators of such source and of the Hg Budget units at the source.
- (3) Any provision of the Hg Budget Trading Program that applies to a Hg Budget unit or the Hg designated representative of a Hg Budget unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the Hg Budget Trading Program, a Hg Budget Part, or an exemption under 40 CFR 60.4105 shall be construed as exempting or excluding the owners and operators, and the Hg designated representative, of a Hg Budget source or Hg Budget unit from compliance with any other provision of the applicable, approved State Implementation Plan, a Federally enforceable permit, or the Clean Air Act.

**STEP 3,
Continued**

STEP 4

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

Certification (for designated representative or alternate designated representative only)

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

Name: GARY E. WILLER		Title: GENERAL MANAGER	
Company Owner Name: INDIANTOWN COGENERATION LIMITED PARTNERSHIP			
Phone: (772)-597-6500 Ext. 25		E-mail Address: GaryWiller@Cogentrix.com	
Signature <i>Gary E. Willer</i>		Date 4/7/08	

Indiantown Cogeneration, L.P.

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, FL 34956

772.597.6500
Fax: 772.597.6210

April 7, 2008

DEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Road
Tallahassee FL. 32399-2400

VIA FEDERAL EXPRESS

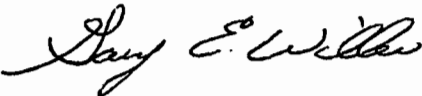
Re: Clean Air Interstate Rule (CAIR) Program

Dear Sir or Madam:

Pursuant (40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, 96.322 and Rule 62-296.470, FAC), I am submitting DEP Form No. 62-210-900(1)(b) CAIR Part Form for the Indiantown Cogenerating Plant.

Please contact Nicholas Laryea at 772-597-6500, extension 19, if you have any questions.

Sincerely,



Gary E. Willer
General Manager

Enclosure

cc: Nicholas Laryea
Lauren Billheimer
Lee C. Hoefert
File # 2.1.5

Clean Air Interstate Rule (CAIR) Program

Instructions for

CAIR Part Form

(40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, 96.322,
and Rule 62-296.470, F.A.C.)

The CAIR Program requires the designated representative or alternate designated representative to submit a CAIR Part form for each source with a CAIR unit. A complete Certificate of Representation must be received by EPA before the CAIR Part form is submitted to the DEP Bureau of Air Regulation.

DEFINITIONS:

"CAIR" – Clean Air Interstate Rule
"CFR" - Code of Federal Regulations
"DOE" - U.S. Department of Energy
"EIA" – U.S. Energy Information Agency
"F.A.C." - Florida Administrative Code
"DEP" - Florida Department of Environmental Protection
"NO_x" – Nitrogen oxides
"ORIS" - Office of Regulatory Information Systems
"SO₂" – Sulfur dioxide

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the DEP Bureau of Air Regulation at (850) 488-0114.

- STEP 1** Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4-digit number assigned by the EIA at the DOE to power plants owned by utilities. If the plant is not owned by a utility but has a 5-digit plant code (also assigned by EIA), use the plant code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 586-2402.
- STEP 2** For column "a," identify each CAIR unit at the CAIR source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements. For columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s). For columns "e" and "f," enter the expected commence commercial operation date(s) and expected monitor certification deadline(s) for new units in accordance with 40 CFR 96.102, 96.202, and 96.302; and 40 CFR 96.170(b), 96.270(b), and 96.370(b), respectively.
- STEP 3** Read the standard requirements.
- STEP 4** Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

Submission deadlines: See Rule 62-213.420, F.A.C.

Submit this form to: DEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Rd
Tallahassee, FL 32399-2400

Clean Air Interstate Rule (CAIR) Part

For more information, see instructions and refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321 and 96.322; and Rule 62-296.470, F.A.C.

This submission is: New Revised Renewal

STEP 1

Identify the source by plant name and ORIS or EIA plant code

Plant Name: INDIANTOWN COGENERATION LIMITED PARTNERSHIP	State: Florida	ORIS or EIA Plant Code: 50976
---	----------------	---

STEP 2

In column "a" enter the unit ID# for every CAIR unit at the CAIR source.

In columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s).

For new units, enter the requested information in columns "e" and "f."

a	b	c	d	e	f
Unit ID#	Unit will hold nitrogen oxides (NO _x) allowances in accordance with 40 CFR 96.106(c)(1)	Unit will hold sulfur dioxide (SO ₂) allowances in accordance with 40 CFR 96.206(c)(1)	Unit will hold NO _x Ozone Season allowances in accordance with 40 CFR 96.306(c)(1)	New Units Expected Commence Commercial Operation Date	New Units Expected Monitor Certification Deadline
01	X	X	X		

STEP 3

Read the standard requirements.

Plant Name (from STEP 1)
INDIANTOWN COGENERATION LIMITED PARTNERSHIP

CAIR NO_x ANNUAL TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved];
- (2) The owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

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

NO_x Emission Requirements.

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

Excess Emissions Requirements.

If a CAIR NO_x source emits NO_x during any control period in excess of the CAIR NO_x emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
 - (i) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR NO_x unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program.
 - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

**STEP 3,
Continued**

Liability.

- (1) Each CAIR NO_x source and each CAIR NO_x unit shall meet the requirements of the CAIR NO_x Annual Trading Program.
- (2) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source or the CAIR designated representative of a CAIR NO_x source shall also apply to the owners and operators of such source and of the CAIR NO_x units at the source.
- (3) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x unit or the CAIR designated representative of a CAIR NO_x unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source or CAIR NO_x unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR SO₂ TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-286.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved];
- (2) The owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR SO₂ source and each SO₂ CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO₂ source with the following CAIR SO₂ Emission Requirements.

SO₂ Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
- (2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO₂ Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
- (4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
- (5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR SO₂ allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO₂ unit.

Excess Emissions Requirements.

If a CAIR SO₂ source emits SO₂ during any control period in excess of the CAIR SO₂ emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

**STEP 3,
Continued**

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Department or the Administrator.

(i) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR SO₂ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.213 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

(2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

(1) Each CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program.

(2) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source or the CAIR designated representative of a CAIR SO₂ source shall also apply to the owners and operators of such source and of the CAIR SO₂ units at the source.

(3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit or the CAIR designated representative of a CAIR SO₂ unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR SO₂ Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR NO_x OZONE SEASON TRADING PROGRAM

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall:

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

(ii) [Reserved];

(2) The owners and operators of each CAIR NO_x Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO_x Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.

(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR NO_x Ozone Season source with the following CAIR NO_x Ozone Season Emissions Requirements.

NO_x Ozone Season Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total NO_x emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO_x Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1),(2), or (3) and for each control period thereafter.

(3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_x Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance was allocated.

(4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.

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

(6) A CAIR NO_x Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_x Ozone Season unit.

Plant Name (from STEP 1) **INDIANTOWN COGENERATION LIMITED PARTNERSHIP**
Excess Emissions Requirements.

STEP 3,
Continued

If a CAIR NO_x Ozone Season source emits NO_x during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:
 (1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
 (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
 - (i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Ozone Season Trading Program.
 - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program.
- (2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall submit the reports required under the CAIR NO_x Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

- (1) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit shall meet the requirements of the CAIR NO_x Ozone Season Trading Program.
- (2) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source or the CAIR designated representative of a CAIR NO_x Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO_x Ozone Season units at the source.
- (3) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season unit or the CAIR designated representative of a CAIR NO_x Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_x Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x Ozone Season source or CAIR NO_x Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

STEP 4

Certification (for designated representative or alternate designated representative only)

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

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

Name GARY E. WILLER		Title GENERAL MANAGER	
Company Owner Name INDIANTOWN COGENERATION LIMITED PARTNERSHIP			
Phone (772)-597-6500 Ext 25		E-mail Address GaryWiller@Cogentrix.com	
Signature <i>Gary E. Willer</i>		Date 4/7/08	

Indiantown Cogeneration Facility Title V Permit Revision

Appendix B: Pulverized Coal Fired Main Boiler (EU #001) Permit Modifications

The requested edits to the existing Title V permit, with regard to the Pulverized Coal Fired Main Boiler (EU #001), are noted below.

Under the subheading “Emission Limits and Standards”, please make the following modifications (a) through (j):

- a) **[Add New Provision]:**
Particulate Matter (PM) – All Fuels. 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, liquid, or gaseous fuel any gases that contain PM in excess of 13 ng/J (0.03 lb/MMBtu) heat input. [40 CFR 60.42da(a)(1)]
- b) **[Add New Provision]:**
Particulate Matter (PM) – 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 any gases that contain PM in excess of 1 percent of the potential combustion concentration (99 percent reduction). [40 CFR 60.42da(a)(2)]
- c) **[Add New Provision]:**
Particulate Matter (PM) – 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 solid fuel any gases that contain PM in excess of 30 percent of the potential combustion concentration (70 percent reduction). [40 CFR 60.42da(a)(3)]
- d) **[Add New Provision]:**
Particulate Matter (PM) – Visible Emissions. 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 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 60.42da(b)]
- e) **[The following provision replaces the existing provision 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:
 - a) 520 ng/J (1.20 lb/MMBtu) heat input and 30 percent of the potential combustion concentration (70 percent reduction).

- b) 30 percent of the potential combustion concentration (70 percent reduction), when emissions are less than 260 ng/J (0.60 lb/MMBtu) heat input.

Compliance with the emission limitation and percent reduction requirements under 40 CFR 60.43da are both determined on a 30-day rolling average basis. [40 CFR 60.43da(a)]

- f) **[The following provision replaces the existing provision A.15]:**
Sulfur Dioxide – Liquid or Gaseous Fuels. 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:

- a) 340 ng/J (0.80 lb/MMBtu) heat input and 10 percent of the potential combustion concentration (90 percent reduction).
- b) 100 percent of the potential combustion concentration (zero percent reduction) when emissions are less than 86 ng/J (0.20 lb/MMBtu) heat input.

Compliance with the emission limitation and percent reduction requirements under 40 CFR 60.43da are both determined on a 30-day rolling average basis. [40 CFR 60.43da(b)]

- g) **[The following provision replaces the existing provision A.16]:**
Compliance with the sulfur dioxide emission limitation and percent reduction requirements under Subpart Da are both determined on a 30-day rolling average basis. [40 CFR 60.43da(g)]

- h) **[The following provision replaces the existing provision A.17]:**
When different fuels are combusted simultaneously, the applicable sulfur dioxide standard is determined by proration using the following formula:

- (1) If emissions of SO₂ to the atmosphere are greater than 260 ng/J (0.60 lb/MMBtu) heat input:

$$E_S = \frac{(340x + 520y)}{100} \text{ and } \%P_S = 10$$

- (2) If emissions of SO₂ to the atmosphere are equal to or less than 260 ng/J (0.60 lb/MMBtu) heat input:

$$E_s = \frac{(340x + 520y)}{100} \quad \text{and} \quad \%P_s = \frac{(10x + 30y)}{100}$$

Where:

E_s = Prorated SO₂ emission limit (ng/J heat input);

$\%P_s$ = Percentage of potential SO₂ emission allowed;

x = Percentage of total heat input derived from the combustion of liquid or gaseous fuels (excluding solid-derived fuels); and

y = Percentage of total heat input derived from the combustion of solid fuel (including solid-derived fuels).

[40 CFR 60.43da(h)]

- i) Nitrogen Oxides (NO_x). 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 any gases that contain NO_x (expressed as NO₂) in excess of the following emission limits, based on a 30-day rolling average basis:

(1) NO_x emission limits:

Fuel Type	Emission Limit (ng/J)	Emission Limit (lb/MMBtu)
Gaseous Fuels	86	0.20
Liquid Fuels	130	0.30
Bituminous Coal	260	0.60

(2) NO_x reduction requirement:

Fuel Type	Percent reduction of potential combustion concentration
Gaseous Fuels	25
Liquid Fuels	30
Solid Fuels	65

[40 CFR 60.44da(a)]

- j) When two or more fuels are combusted simultaneously, the applicable standard is determined by proration using the following formula:

$$E_n = \frac{(86w + 130x + 260z)}{100}$$

Where:

En= Applicable standard for NOx when multiple fuels are combusted simultaneously (ng/J heat input);

w = Percentage of total heat input derived from the combustion of fuels subject to the 86 ng/J heat input standard;

x = Percentage of total heat input derived from the combustion of fuels subject to the 130 ng/J heat input standard;

z = Percentage of total heat input derived from the combustion of fuels subject to the 260 ng/J heat input standard

[40 CFR 60.44da(c)]

Under the subheading “Compliance Provisions”, please make the following modifications (k) – (o):

- k) **The existing provision A.23 (“The particulate matter emission standards...”) should be modified to remove references to 40 CFR 40.46a(c).**
- l) **The existing provision A.24 (“During emergency conditions in the principal company...”) should be deleted.**
- m) **The existing provision A.25 (“Compliance with the sulfur dioxide emission limitations...”) should be modified to remove references to 40 CFR 40.46a(e).**
- n) **The existing provision A.26 (“Compliance is determined by calculating the 24 hour daily block average...”) should be modified to remove references to 40 CFR 40.46a(g).**
- o) **The existing provision A.27 (“If the owner or operator has not obtained the minimum quantity of emission data...”) should be deleted.**

Under the subheading “Continuous Monitoring Requirements”, please make the following modifications (p) – (aa):

- p) **[The following provision replaces the existing provision A.29]:**
Opacity. The owner or operator of an affected facility, shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring the opacity of emissions discharged 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 SO₂ control system), alternate parameters indicative of the PM control system's performance and/or good combustion are monitored (subject to the approval of the Administrator). [40 CFR 60.49Da(a)]
- q) **[The following provision replaces the existing provision A.30]:**
Sulfur Dioxide. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring SO₂ emissions, except where natural gas is the only fuel combusted, as follows:
(1) Sulfur dioxide emissions are monitored at both the inlet and outlet of the SO₂ control device. [40 CFR 60.49Da(b)(1)]
- r) **[The following provision replaces the existing provision A.31]:**
Nitrogen Oxides. The owner or operator of an affected facility shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring NO_x emissions discharged to the atmosphere. [40 CFR 60.49Da(c)(1)]
- s) **[The following provision replaces the existing provision A.32]:**
The owner or operator of an affected facility shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring the oxygen (O₂) or carbon dioxide (CO₂) content of the flue gases at each location where SO₂ or NO_x emissions are monitored. [40 CFR 60.49Da(d)]
- t) **[The following provision replaces the existing provision A.33]:**
The CEMS required under 40 CFR 60.49da(a), (b), (c) and (d) are operated and data recorded during all periods of operation of the affected facility including periods of startup, shutdown, malfunction or emergency conditions, except for CEMS breakdowns, repairs, calibration checks, and zero and span adjustments. [40 CFR 60.49Da(e)]
- u) **[The following provision replaces the existing provision 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 CEMS, 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 60.49Da(h). [40 CFR 60.49Da(f)(1)]

v) **[The following provision replaces the existing provision A.35]:**

The 1-hour averages required under 40 CFR 60.13(h) are expressed in ng/J (lb/MMBtu) heat input and used to calculate the average emission rates under 40 CFR 60.48Da. The 1-hour averages are calculated using the data points required under 40 CFR 60.13(h)(2). [40 CFR 60.49Da(g)]

w) **[The following provision replaces the existing provision A.36]:**

When it becomes necessary to supplement CEMS data to meet the minimum data requirements in 40 CFR 60.49Da(f), the owner or operator shall use the reference methods and procedures as specified in this paragraph. Acceptable alternative methods and procedures are given in 40 CFR 60.49Da(j).

(1) Method 6 of 40 CFR 60 Appendix A 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 of 40 CFR 60 Appendix A 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 of 40 CFR 60 Appendix A 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 of 40 CFR 60 Appendix A shall be used to compute each 1-hour average concentration in ng/J (lb/MMBtu) heat input. [40 CFR 60.49Da(h)]

x) **[The following provision replaces the existing provision 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 60.49Da(j).

(1) Methods 3B, 6, and 7 of 40 CFR 60 Appendix A shall be used to determine O₂, SO₂, and NO_x concentrations, respectively.

(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 40 CFR 60 Appendix B.

(3) For affected facilities burning only fossil fuel, the span value for a CEMS for measuring opacity is between 60 and 80 percent. Span values for a CEMS measuring NO_x shall be determined using one of the following procedures:

(i) Except as provided under paragraph (3) of this provision, NO_x span values shall be determined as follows:

Fossil Fuel	Span Values for NO _x (ppm)
Gas	500
Liquid	500
Solid	1,000
Combination	$500(x + y) + 1,000z$.

Where:

x = Fraction of total heat input derived from gaseous fossil fuel,
y = Fraction of total heat input derived from liquid fossil fuel, and
z = Fraction of total heat input derived from solid fossil fuel.

(ii) As an alternative to meeting the requirements of paragraph (3)(i) of this provision, the owner or operator of an affected facility may elect to use the NO_x span values determined according to section 2.1.2 of 40 CFR 75 Appendix A.

(4) All span values computed under paragraph (3)(i) of this provision for burning combinations of fossil fuels are rounded to the nearest 500 ppm. Span values computed under paragraph (3)(ii) of this provision shall be rounded off according to section 2.1.2 of 40 CFR 75 Appendix A.

(5) For affected facilities burning fossil fuel, alone or in combination with non-fossil fuel and determining span values under paragraph (3)(i) of this provision, the span value of the SO₂ CEMS at the inlet to the SO₂ control device is 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the SO₂ control device is 50 percent of maximum estimated hourly potential emissions of the fuel fired. For affected facilities determining span values under paragraph (3)(ii) of this provision, SO₂ span values shall be determined according to section 2.1.1 of 40 CFR 75 Appendix A.

[40 CFR 60.49Da(i)]

y) **[The following provision replaces the existing provision A.38]:**

The owner or operator may use the following as alternatives to the reference methods and procedures specified in 40 CFR 60.49Da:

(1) For Method 6 of 40 CFR 60 Appendix A, Method 6A or 6B (whenever Methods 6 and 3 or 3B of 40 CFR 60 Appendix A data are used) or 6C of 40 CFR 60 Appendix A may be used. Each Method 6B of 40 CFR 60 Appendix A sample obtained over 24 hours represents 24 1-hour averages. If Method 6A or 6B of 40 CFR 60 Appendix A is used under 40 CFR 60.49da(i), the conditions under 40 CFR 60.48Da(d)(1) apply; these conditions do not apply under 40 CFR 60.49Da(h).

(2) For Method 7 of 40 CFR 60 Appendix A, Method 7A, 7C, 7D, or 7E of 40 CFR 60 Appendix A may be used. If Method 7C, 7D, or 7E of 40 CFR 60 Appendix A is used, the sampling time for each run shall be 1 hour.

(3) For Method 3 of 40 CFR 60 Appendix A, Method 3A or 3B of 40 CFR 60 Appendix A may be used if the sampling time is 1 hour.

(4) For Method 3B of 40 CFR 60 Appendix A, Method 3A of 40 CFR 60 Appendix A may be used.

[40 CFR 60.49Da(j)]

z) **[Add New Provision]:**

The owner or operator shall prepare and submit to the Administrator for approval a unit-specific monitoring plan for each monitoring system, at least 45 days before commencing certification testing of the monitoring systems. The owner or operator shall comply with the requirements in your plan. The plan must address the requirements in the following paragraphs (1) through (6):

(1) Installation of the CEMS sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of the exhaust emissions (e.g., on or downstream of the last control device);

(2) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems;

(3) Performance evaluation procedures and acceptance criteria (e.g., calibrations, relative accuracy test audits (RATA), etc.);

(4) Ongoing operation and maintenance procedures in accordance with the general requirements of 40 CFR 60.13(d) or 40 CFR 75 (as applicable);

(5) Ongoing data quality assurance procedures in accordance with the general requirements of 40 CFR 60.13 or 40 CFR 75 (as applicable); and

(6) Ongoing recordkeeping and reporting procedures in accordance with the requirements of 40 CFR 60, Subpart Da.

[40 CFR 60.49Da(s)]

aa) **[Add New Provision]:**

(1) Except as provided for under paragraphs (2), (3), and (4) of this provision, the SO₂, NO_x, CO₂, and O₂ CEMS required under paragraphs (b) through (d) of 40 CFR 60.49da shall be installed, certified, and operated in accordance with the applicable procedures in Performance Specification 2 or 3 of 40 CFR 60 Appendix B or according to the procedures in appendices A and B to 40 CFR 75. Daily calibration drift assessments and quarterly accuracy determinations shall be done in accordance with Procedure 1 of 40 CFR 60 Appendix F, and a data assessment report (DAR), prepared according to section 7 of Procedure 1 of 40 CFR 60 Appendix F, shall be submitted with each compliance report required under 40 CFR 60.51da., the owner or operator may elect to implement the following alternative data accuracy assessment procedures:

(2) As an alternative to meeting the requirements of paragraph (1) of this provision, an owner or operator may elect to may elect to implement the following alternative data accuracy assessment procedures. For all required CO₂ and O₂ CEMS and for SO₂ and NO_x CEMS with span values greater than 100 ppm, the daily calibration error test and calibration adjustment procedures described in sections 2.1.1 and 2.1.3 of appendix B to 40 CFR 75 may be followed instead of the CD assessment procedures in Procedure 1, section 4.1 of 40 CFR 60, Appendix F. If this option is selected, the data validation and out-of-control provisions in sections 2.1.4 and 2.1.5 of 40 CFR 75, Appendix B shall be followed instead of the excessive CD and out-of-control criteria in Procedure 1, section 4.3 of 40 CFR 60 Appendix F. For the purposes of data validation under 40 CFR 60 subpart Da, the excessive CD and out-of-control criteria in Procedure 1, section 4.3 of CFR 60 Appendix F shall apply to SO₂ and NO_x span values less than 100 ppm;

(3) As an alternative to meeting the requirements of paragraph (1) of this provision, an owner or operator may elect to may elect to implement the following alternative data accuracy assessment procedures. For all required CO₂ and O₂ CEMS and for SO₂ and NO_x CEMS with span values greater than 30 ppm, quarterly linearity checks may be performed in accordance with section 2.2.1 of 40 CFR 75, Appendix B, instead of performing the cylinder gas audits (CGAs) described in Procedure 1, section 5.1.2 of 40 CFR 60, Appendix F. If this option is selected: The frequency of the linearity checks shall be as specified in section 2.2.1 of 40 CFR 75, Appendix B; the applicable linearity specifications in section 3.2 of appendix A of 40 CFR 75 shall be met; the data validation and out-of-control criteria in section 2.2.3 of 40 CFR 75, Appendix B shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of 40 CFR 60, Appendix F; and the grace period provisions in section 2.2.4 of 40 CFR 75, Appendix B shall apply. For the purposes of data validation under 40 CFR 60 Subpart Da, the cylinder gas audits described in Procedure 1, section 5.1.2 of 40 CFR 60, Appendix F shall be performed for SO₂ and NO_x span values less than or equal to 30 ppm;

(4) As an alternative to meeting the requirements of paragraph (1) of this provision, an owner or operator may elect to may elect to implement the following alternative data accuracy assessment procedures. For SO₂, CO₂, and O₂

CEMS and for NO_x CEMS, RATAs may be performed in accordance with section 2.3 of 40 CFR 75, Appendix B instead of following the procedures described in Procedure 1, section 5.1.1 of 40 CFR 60, Appendix F. If this option is selected: The frequency of each RATA shall be as specified in section 2.3.1 of 40 CFR 75, Appendix B; the applicable relative accuracy specifications shown in Figure 2 in 40 CFR 75, Appendix B shall be met; the data validation and out-of-control criteria in section 2.3.2 of 40 CFR 75, Appendix B shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of 40 CFR 60, Appendix F; and the grace period provisions in section 2.3.3 of 40 CFR 75, Appendix B shall apply. For the purposes of data validation under 40 CFR 60 Subpart Da, the relative accuracy specification in section 13.2 of Performance Specification 2 in 40 CFR 60, Appendix B shall be met on a lb/MMBtu basis for SO₂ (regardless of the SO₂ emission level during the RATA), and for NO_x when the average NO_x emission rate measured by the reference method during the RATA is less than 0.100 lb/MMBtu;

(5) If the owner or operator elects to implement the alternative data assessment procedures described in paragraphs (2) through (4) of this provision, each data assessment report shall include a summary of the results of all of the RATAs, linearity checks, CGAs, and calibration error or drift assessments required by paragraphs (2) through (4) of this provision.

[40 CFR 60.49Da(w)]

Under the subheading “Test Methods and Procedures”, add the following provisions

(bb) – (gg):

bb) [Please delete the reference to 40 CFR 60.48a at the bottom of the table in Provision A.41.]

cc) [The following provision replaces the existing provision A.42]:

In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the methods in 40 CFR 60, Appendix A or the methods and procedures as specified in 40 CFR 60.50da, except as provided in 40 CFR 60.8(b). 40 CFR 60.8(f) does not apply to this provision for SO₂ and NO_x. Acceptable alternative methods are given in 40 CFR 60.50Da(e). [40 CFR 60.50Da(a)]

dd) [The following provision replaces the existing provision A.43]:

Particulate Matter: The owner or operator shall determine compliance with the PM standards in 40 CFR 60.42Da as follows:

(1) The dry basis F factor (O₂) procedures in Method 19 of 40 CFR 60, Appendix A shall be used to compute the emission rate of PM.

(2) For the particular matter concentration, Method 5 of 40 CFR 60, Appendix A shall be used.

(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 of 40 CFR 60, Appendix A shall be used to determine the O₂ concentration. The O₂ sample shall be obtained simultaneously with, and at the same traverse points as, the particulate run. If the particulate run has more than 12 traverse points, the O₂ traverse points may be reduced to 12 provided that Method 1 of 40 CFR 60, Appendix A is used to locate the 12 O₂ traverse points. If the grab sampling procedure is used, the O₂ concentration for the run shall be the arithmetic mean of the sample O₂ concentrations at all traverse points.

(3) Method 9 of 40 CFR 60, Appendix A and the procedures in 40 CFR 60.11 shall be used to determine opacity.

[40 CFR 60.50Da(b)]

ee) [The following provision replaces the existing provision A.44]:

Sulfur Dioxide: The owner or operator shall determine compliance with the SO₂ standards in 40 CFR 60.43Da as follows:

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

$$\%P_s = \frac{(100 - \%R_f)(100 - \%R_g)}{100}$$

Where:

%P_s = Percent of potential SO₂ emissions, percent;

%R_f = Percent reduction from fuel pretreatment, percent; and

%R_g = Percent reduction by SO₂ control system, percent.

(2) The procedures in Method 19 of 40 CFR 60, Appendix A 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 fly ash interactions. This determination is optional.

(3) The procedures in Method 19 of 40 CFR 60 Appendix A shall be used to determine the percent SO₂ reduction (%R_g) 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 of 40 CFR 60, Appendix A, 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 successive boiler operating days.

(4) The appropriate procedures in Method 19 of 40 CFR 60, Appendix A shall be used to determine the emission rate.

(5) The CEMS in 40 CFR 60.49Da(b) and (d) shall be used to determine the concentrations of SO₂ and CO₂ or O₂.
[40 CFR 60.50Da(c)]

ff) **[The following provision replaces the existing provision A.45]:**

Nitrogen Oxides: The owner or operator shall determine compliance with the NO_x standard in 40 CFR 60.44Da as follows:

(1) The appropriate procedures in Method 19 of 40 CFR 60 Appendix A shall be used to determine the emission rate of NO_x.

(2) The continuous monitoring system in 40 CFR 60.49Da(c) and (d) shall be used to determine the concentrations of NO_x and CO₂ or O₂.
[40 CFR 60.50Da(d)]

gg) **[The following provision replaces the existing provision A.46]:**

The owner or operator may use the following as alternatives to the reference methods and procedures specified in 40 CFR 60.50Da:

(1) For Method 5 or 5B of 40 CFR 60, Appendix A, Method 17 of 40 CFR 60, Appendix A may be used at facilities if the stack temperature at the sampling location does not exceed an average temperature of 160 °C (320 °F). The procedures of §2.1 and §2.3 of Method 5B of 40 CFR 60, Appendix A may not be used in Method 17 of 40 CFR 60, Appendix A.

(2) The F_c factor (CO₂) procedures in Method 19 of 40 CFR 60, Appendix A may be used to compute the emission rate of PM 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 60.50Da(e)]

Under the subheading “Recordkeeping and Reporting Requirements”, please make the following modifications (hh) – (ss):

hh) **[Add New Provision]:**

For SO₂, NO_x, PM, emissions, the performance test data from the initial and subsequent performance test and from the performance evaluation of the continuous monitors (including the transmissometer) are submitted to the Administrator.

[40 CFR 60.51Da(a)]

ii) **[The following provision replaces the existing provision A.56]:**

For SO₂ and NO_x the following information is reported to the Administrator for each 24-hour period.

- (1) Calendar date.
 - (2) The average SO₂ and NO_x emission rates (ng/J or lb/MMBtu) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and, description of corrective actions taken.
 - (3) Percent reduction of the potential combustion concentration of SO₂ 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 75 percent of the 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 for reasons 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 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 CEMS.
 - (9) Description of any modifications to CEMS which could affect the ability of the CEMS to comply with Performance Specifications 2 or 3.
- [40 CFR 60.51Da(b)]

jj) [The following provision replaces the existing provision A.57]:

If the minimum quantity of emission data as required by 40 CFR 60.49Da is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of 40 CFR 60.48Da(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 60.51Da(c)]

kk) **[The following provision replaces the existing provision A.58]:**

If any standards under 40 CFR 60.43Da 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 60.48Da(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/J) of the pollutant discharged; and
 - (vi) Actions taken to correct control system malfunction.

[40 CFR 60.51Da(d)]

ll) **The existing provision A.59 (“If fuel pretreatment credit toward the SO₂ emission standard...”) should be deleted.**

mm) **[The following provision replaces the existing provision A.60]:**

For any periods for which opacity, SO₂ or NO_x 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 affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

[40 CFR 60.51Da(f)]

nn) **[The following provision replaces the existing provision A.61]:**

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

- (1) The required CEMS 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 60.51Da(h)]

oo) **[The following provision replaces the existing provision A.62. The regulatory references are in accordance with provision A.9. of the existing permit]:**

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 PSD-FL-168, Specific Condition No. 8, and amendment clerked 4/13/98. 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 60.51Da(i) and PSD-FL-168]

pp) **[The following provision replaces the existing provision A.63]:**

The owner or operator of an affected facility shall submit the written reports required under 40 CFR 60.51Da and 40 CFR 60, subpart A to the Administrator semiannually for each six-month period. All semiannual reports shall be postmarked by the 30th day following the end of each six-month period.

[40 CFR 60.51Da(j)]

qq) **[Add New Provision]:**

The owner or operator of an affected facility may submit electronic quarterly reports for SO₂ and/or NO_x and/or opacity in lieu of submitting the written reports required under 40 CFR 60.51Da (b) and (i). The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of 40 CFR 60, Subpart Da was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.

[40 CFR 60.51Da(k)]

rr) **[Add New Provision]:**

The owner or operator of an affected facility subject to the emissions limitations in 40 CFR 60.45Da shall provide notifications in accordance with 40 CFR 60.7(a) and shall maintain records of all information needed to demonstrate compliance including performance tests, monitoring data, fuel analyses, and calculations, consistent with the requirements of 40 CFR 60.7(f).

[40 CFR 60.52Da]

ss) **The existing provision A.72 (“The owner or operator may use the following as alternatives to the reference methods...”)** should be deleted.