


MEMORANDUM

TO: Scott M. Sheplak, P.E.
FROM:  Joseph Kahn, P.E., Susan C. DeVore
DATE: September 19, 1997
RE: Intent package for DRAFT Permit No.: 0990042-001-AV
Florida Power and Light Company
Riviera Plant

Permit Clock: Today is ARMS Day 66
Default Date (Day 90): October 12, 1997

This permit is for the initial Title V air operation permit for the subject facility which is a municipal power plant with two boilers regulated under 62-296.405. Unregulated emissions units include painting, mobile equipment and a diesel generator.

Additional information was requested. A response was received on July 14, 1997. This application was complete on date the response was received, July 14, 1997. The original draft of July 16, 1997, was held pending resolution of the fuel sulfur issue. Written comments were received from the Palm Beach County Health Department.

This facility reported that each emissions unit was in compliance at the time of the application.

The facility had AO permits that allowed the co-firing of natural gas with fuel oil to meet the SO₂ limitation of 2.75 lb/mmBtu. This was changed in the Title V permit to require compliance with the SO₂ limit be demonstrated by CEMS. This facility is subject to NOx RACT.

I recommend that this Intent to Issue be sent out as attached.

STATEMENT OF BASIS

Title V DRAFT Permit No.: 0990042-001-AV
Florida Power & Light Company
Riviera Plant
Palm Beach County

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

This facility consists of two fossil fuel steam generators, Unit 3 and Unit 4, each rated at 300 megawatts (MW). The steam generators each burn a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from FPL operations, and expired fuel oil samples from FPL's Central laboratory, discharging pollutants through a stack 298 feet above ground level. Each unit is a Foster-Wheeler outdoor type boiler, equipped with low NOx burners and Research-Cottrell multiple cyclones with ash reinjection, with a General Electric steam turbine that drives an oil and hydrogen-cooled 300 MW class generator with capability of 315 MW.

The facility had at one time operated a 75 MW steam generating unit, Unit 2, which is no longer in service. This unit was last operated for power production in 1985. Its operating permit was surrendered by letter dated July 7, 1997.

These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 3 began commercial operation in 1962 and fossil fuel fired steam generator Unit 4 began commercial operation in 1963. These emissions units may inject additives such as magnesium oxide, magnesium hydroxide and related compounds into each boiler.

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

Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wecherell
Secretary

September 19, 1997

Ms. Jay Asaibene
Plant General Manager
Florida Power and Light Company
FPL Environmental Services Department
700 Universe Blvd.
Juno Beach, FL 33408

Re: DRAFT Title V Permit No.: 0990042-001-AV
Riviera Plant

Dear Ms. Asaibene:

One copy of the DRAFT Title V Air Operation Permit for the Riviera Plant located at 200-300 Broadway, Riviera Beach, Palm Beach County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" is also included.

The Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0872, Florida Statutes.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Susan DeVore at 850/488-1344.

Sincerely,

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

CHF/sd

Enclosures

cc: Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

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

In the Matter of an
Application for Permit by:

Florida Power and Light Company
700 Universe Blvd.
Juno Beach, FL 33408

DRAFT Permit No.: 0990042-001-AV
Riviera Beach
Palm Beach County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit (copy of DRAFT Permit enclosed) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power and Light Company, applied on June 12, 1996, to the permitting authority for a Title V air operation permit for the Riviera Plant located at 200-300 Broadway, Riviera Beach, Palm Beach County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." However, the Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0872, Florida Statutes.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the enclosed Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by

the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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 notice of intent. 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.

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

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

(a) The name, address, and telephone number of the petitioner;

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

(c) Each rule or portion of a rule from which a variance or waiver is requested;

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

(e) The type of action requested;

(f) The specific facts that would justify a variance or waiver for the petitioner;

(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,

(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

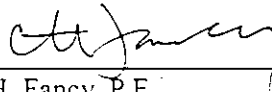
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

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 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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 401 M. Street, SW, Washington, D.C. 20460.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the DRAFT permit) and all copies were sent by certified mail before the close of business on 9/23/97 to the person(s) listed:

Ms. Jay Asaibene, FPL
Mr. William M. Reichel, FPL

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the DRAFT permit) were sent by U.S. mail on the same date to the persons listed:

Mr. Ronnie Adams, P.E., FPL
Mr. Kennard Kosky, P.E., Golder Associates
Mr. Richard G. Piper, FPL Environmental Services Department
Mr. Isidore Goldman, Southeast District Office
Mr. James Stormer, Palm Beach County Health Department

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT were sent by U.S. mail on the same date to the person listed:

Ms. Gail Kamaras, LEAF

Clerk Stamp

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

Barbara J. Boutwell 9/23/97
(Clerk) (Date)

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Ms. Jay Asaibene Plant General Manager Florida Power and Light Company FPL Environmental Services Dept. 700 Universe Boulevard Juno Beach, Florida 33408		4a. Article Number P 263 585 093	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery 9/25/97	
5. Received By: (Print Name) JOHN SHEFFER		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X <i>John Sheffer</i>			

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 263 585 093

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
MS. Jay Asaibene	
Street & Number	
700 Universe Boulevard	
Post Office, State, & ZIP Code	
Juno Beach, Florida 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
9/25/97 - DRAFT PERMIT	
FP&L - Riviera Plant	
ID#0990042-001-AV	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:
 Mr. William M. Reichel
 Florida Power and Light Company
 700 Universe Boulevard
 Juno Beach, Florida 33408

4a. Article Number
P 263 585 094

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

7. Date of Delivery
9/25/97

5. Received By: (Print Name)
John Shaffer

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

6. Signature: (Addressee or Agent)
X [Signature]

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt

P 263 585 094

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Mr. William M. Reichel	
Street & Number	
700 Universe Boulevard	
Post Office, State, & ZIP Code	
Juno Beach, Florida 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
9/23/97 - DRAFT PERMIT	
FP&L - Riviera Plant	
ID#0990042-001-AV	

PS Form 3800 April 1995

Florida Power & Light Company
Riviera Plant
Facility ID No.: 0990042
Palm Beach County

Initial Title V Air Operation Permit
DRAFT Permit No.: 0990042-001-AV

Permitting Authority:

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

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

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

September 19, 1997

Initial Title V Air Operation Permit
DRAFT Permit No.: 0990042-001-AV

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Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Permittee:

Florida Power & Light Company
Riviera Plant

DRAFT Permit No.: 0990042-001-AV

Facility ID No.: 0990042

SIC Nos.: 49, 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Riviera Plant. This facility is located at 200-300 Broadway, Riviera Beach, Palm Beach County; UTM Coordinates: Zone 17, 594.249 km East and 2960.632 km North; Latitude: 26° 45' 55" North and Longitude: 80° 03' 09" West.

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

Referenced attachments made a part of this permit:

Appendix U-1, List of Unregulated Emissions Units and/or Activities
Appendix E-1, List of Exempt Emissions Units and/or Activities
Appendix TV-1, Title V Conditions (version dated 8/11/97)
Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)
Table 297.310-1, Calibration Schedule (version dated 10/07/96)
Phase II Acid Rain Application/Compliance Plan received 12/6/95
Alternate Sampling Procedure: ASP Number 97-B-01
Order Granting Petition for Reduced Frequency of Particulate Testing

Effective Date: January 1, 1998

Renewal Application Due Date: July 5, 2002

Expiration Date: December 31, 2002

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/sms/sd

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of two fossil fuel steam generators, Unit 3 and Unit 4, each rated at 300 megawatts (MW) (315 MW gross capacity) output. The steam generators each burn a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from FPL operations, and expired fuel oil samples from FPL's Central laboratory, discharging pollutants through a stack 298 feet above ground level. Each unit is a Foster-Wheeler outdoor type boiler, equipped with low NOx burners and Research-Cotrell multiple cyclones with ash reinjection, with a General Electric steam turbine that drives an oil and hydrogen-cooled 300 MW class generator with capability of 315 MW.

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

The facility had at one time operated a 75 MW steam generating unit, Unit 2, which is no longer in service. This unit was last operated for power production in 1985. Its operating permit was surrendered by letter dated July 7, 1997.

Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).

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

E.U. ID No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

Unregulated Emissions Units and/or Activities	
005	Painting and solvent cleaning
006	Emergency diesel generator, and mobile equipment and engines

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

Subsection C. Relevant Documents.

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

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

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

Appendix H-1, Permit History/ID Number Changes

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

Table 2-1, Summary of Compliance Requirements

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 12, 1996

Additional Information Request dated April 24, 1997

Additional Information Response received July 14, 1997

Letter dated March 31, 1997, changing the Responsible Official

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not Federally Enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.** The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]
3. **General Particulate Emission Limiting Standards. General Visible Emissions Standard.** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. & 4, F.A.C.]
4. **Prevention of Accidental Releases (Section 112(r) of CAA).** If required by 40 CFR 68, the permittee shall submit to the implementing agency:
 - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
 - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. **Unregulated Emissions Units and/or Activities.** Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.
[Rule 62-213.440(1), F.A.C.]
6. **Exempt Emissions Units and/or Activities.** Appendix E-1, List of Exempt Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]
7. **General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The owner or operator shall:
 - a. Tightly cover or close all VOC or OS containers when they are not in use.
 - b. Tightly cover all open tanks which contain VOC or OS when they are not in use.
 - c. Maintain all pipes, valves, fittings, etc., which handle VOC or OS in good operating condition.
 - d. Immediately confine and clean up VOC or OS spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.[Rule 62-296.320(1)(a), F.A.C.]

8. Not Federally Enforceable. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- a. The facility constructs temporary sandblasting enclosures when necessary, in order to perform sandblasting on fixed plant equipment.
- b. Maintenance of paved areas as needed.
- c. Regular mowing of grass and care of vegetation.
- d. Limiting access to plant property by unnecessary vehicles.
- e. Bagged chemical products are stored in weather-tight buildings until they are used.
- f. Spills of powdered chemical products are cleaned up as soon as practicable.
- g. Vehicles are restricted to slow speeds on the plant site.

[Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application received June 12, 1996]

9. When appropriate, any recording, monitoring or reporting requirements that are time-specific shall be in accordance with the effective date of this permit, which define day one.

[Rule 62-213.440, F.A.C.]

10. Submittals. All reports, tests, notifications or other submittals required by this permit shall be submitted to the Palm Beach County Health Department's Air Section, and copies of those submittals shall be sent to the Department of Environmental Protection, Southeast District Office, Air Section. Addresses and telephone numbers are:

Palm Beach County Health Department
Air Section
PO Box 29
West Palm Beach, FL 33401
Phone: 561/355-3070

Department of Environmental Protection
Southeast District Office, Air Section
PO Box 15425
West Palm Beach, FL 33416
Phone: 561/681-6600

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

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Operating Permits Section
61 Forsyth Street
Atlanta, GA 30303
Phone: 404/562-9099
Fax: 404/562-9095

Section III. Emissions Unit(s) and Conditions.

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

E.U. ID No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

Fossil fuel fired steam generators Unit 3 and Unit 4 are each nominal 300 megawatt (315 MW gross capacity) (electric) steam generators designated as Riviera Plant Unit 3 and Unit 4, respectively. The emissions units are fired on a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from FPL operations, and expired fuel oil samples from FPL's Central laboratory. When firing fuel oil, the maximum heat input for each boiler is 3050 mmBtu per hour, and when firing natural gas, the maximum heat input for each boiler is 3260 mmBtu per hour.

Each emissions unit consists of a boiler which drives a turbine generator. Emissions are controlled with low NOx burners and multiple cyclones with ash reinjection. Each unit is equipped with a 298 foot stack.

{Permitting note(s): These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 3 began commercial operation in 1962 and fossil fuel fired steam generator Unit 4 began commercial operation in 1963. These emissions units may inject additives such as magnesium oxide, magnesium hydroxide and related compounds into each boiler.}

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

Essential Potential to Emit (PTE) Parameters

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

Unit No.	mmBtu/hr Heat Input*	Fuel Type
3	3260	Natural Gas
	3050	No. 2 or 6 Fuel Oil
4	3260	Natural Gas
	3050	No. 2 or 6 Fuel Oil

* When a blend of fuel oil and natural gas are burned, the heat input is prorated based upon the percent heat input of each fuel.

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C., Revised Operation Permits AO 50-206721 and AO 50-206722, Issued August 2, 1993]

A.2. Emissions Unit Operating Rate Limitation After Testing. Emissions units may be limited to the operating rate or conditions tested. See specific conditions A.25 and A.26 of this permit. [Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation. Fuels.

- a. Startup: The only fuels allowed to be burned are any combination of natural gas or fuel oil, except propane may be utilized for ignition of the main fuel.
- b. Normal: The only fuels allowed to be burned are any combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, on-specification used oil from FPL operations, and expired fuel oil samples from FPL's Central laboratory.

[Rule 62-213.410, F.A.C.; AO 50-206721, Specific Conditions 1 and 3; AO 50-206721, Specific Conditions 1 and 3]

A.4. Hours of Operation. The emissions units may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

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

A.5. Visible Emissions. Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall compliance test for particulate matter emissions annually.

[Rule 62-296.405(1)(a), F.A.C.; and OGC Case No. 83-0587 & 83-0588, Order dated April 24, 1984.]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

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

Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition.

[Rule 62-210.700(3), F.A.C., Note: these units have operational continuous opacity monitors.]

A.7. Particulate Matter. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.

[Rule 62-296.405(1)(b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

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

A.9. Sulfur Dioxide. Sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods. Compliance shall be based on the total heat input from all liquid and gaseous fuels burned. The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change, but shall not apply during malfunction provided best operational practices to minimize emissions are adhered to and the

duration of excess emissions are minimized and does not exceed two hours in any 24 hour period.

[Rules 62-213.440 and 62-296.405(1)(c)1.j., F.A.C.]

A.10. Nitrogen Oxides. Nitrogen oxides emissions shall not exceed 0.50 pounds per million Btu while firing natural gas, and 0.62 pounds per million Btu while firing oil. Compliance shall be demonstrated based on a 30-day rolling average as measured by a CEMS. The CEMS must meet the performance specifications contained in 40 CFR 60, Appendix B, or 40 CFR 75.

[Rules 62-296.570(4)(a)4. and (4)(b)3., F.A.C., Revised Operation Permits AO 50-206721 and AO 50-206722, Issued August 2, 1993]

Excess Emissions

A.11. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

A.12. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

A.13. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

A.14. Annual Tests Required. Except as provided in specific conditions A.17 through A.19 of this permit, emission testing for particulate emissions and visible emissions shall be performed annually, no later than September of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service.

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

A.15. Sulfur Dioxide. The owner or operator of the emission units shall demonstrate compliance with the sulfur dioxide limit of specific condition A.9 of this permit by the following:

- a. Through the use of a continuous emission monitoring system (CEMS) installed, calibrated, operated and maintained in accordance with the quality assurance requirements of 40 CFR 75, adopted and incorporated by reference in Rule 62-204.800, F.A.C. A Relative Accuracy Test Audit of the SO₂ CEMS shall be conducted no less than annually. Compliance shall be demonstrated based on a 3-hour rolling average.
- b. In the event the CEMS becomes temporarily inoperable or interrupted, the fuels and the maximum fuel oil to natural gas firing ratio that shall be used is limited to that which was last used to demonstrate compliance prior to the loss of the CEMS, or the emissions

units shall fuel switch and be fired with a fuel oil containing a maximum sulfur content of 2.5%, by weight, or less.

- c. When burning 100% fuel oil, the emissions units shall be fired with a fuel oil containing a maximum sulfur content of 2.5%, by weight, or less.

[Rules 62-213.440, 62-204.800 and 62-296.405(1)(c)3., F.A.C.]

A.16. Determination of Process Variables.

(a) **Required Equipment.** The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

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

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

A.17. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) **General Compliance Testing.**

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

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

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

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

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

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

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

(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

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

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

A.18. When VE Tests Not Required. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

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

[Rule 62-297.310(7)(a)4., F.A.C.]

A.19. When PM Tests Not Required. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

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

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

Test Methods and Procedures

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

A.20. Visible emissions. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition **A.21** of this permit.
[Rule 62-296.405(1)(e)1., F.A.C.]

A.21. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

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

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

[Rule 62-297.401, F.A.C.]

A.22. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17. Particulate testing shall be conducted in accordance with the requirements of specific conditions **A.25** and **A.26** of this permit.
[Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

A.23. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. The permittee may use the EPA test methods,

referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, **the permittee shall demonstrate compliance using CEMS for sulfur dioxide. See specific condition A.15 of this permit.**

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

A.24. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

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

A.25. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

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

A.26. Operating Conditions During Testing - PM and VE. Compliance testing during sootblowing and steady-state operation for particulate matter and visible emissions shall be conducted at least once annually, if liquid fuel is fired for more than 400 hours. A visible emissions test shall be conducted during one run of each particulate matter test. Testing shall be conducted as follows:

- a. **When Burning Fuel Oil Up To 2.5% Sulfur.** When only fuel oil containing less than or equal to 2.5% sulfur, by weight, is fired (or co-fired with natural gas) in an emissions unit, particulate matter and visible emissions tests during sootblowing and steady-state operation shall be performed on such emissions unit while firing solely fuel oil containing at least 90% of the average sulfur content of the fuel oils fired in the previous 12 month period, except that such test shall not be required to be performed during any year that testing is performed in accordance with specific condition **A.26.b.**
- b. **When Burning Fuel Oil Greater Than 2.5% Sulfur.** If fuel oil containing greater than 2.5% sulfur, by weight, is co-fired with natural gas in an emissions unit, particulate matter and visible emissions tests during sootblowing and steady-state operation shall be performed as soon as practicable, but in no event more than 60 days after firing such fuel oil, while co-firing such oil with the appropriate proportion of natural gas required to maintain SO₂ emissions between 90 to 100% of the SO₂ emission limit (corresponding to

2.475 and 2.75 lb/mmBtu heat input). Following successful completion of such PM and VE testing, further PM and VE testing shall not be required during the next 12 months unless fuel oil is fired that contains greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test. If fuel oil is co-fired containing greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test, additional PM and VE tests shall be performed as described above as soon as practicable, but in no event more than 60 days after firing such higher sulfur fuel oil.

[Rules 62-4.070(3), 62-213.440, 62-296.405(1)(c)3. and 62-297.310(7)(a)9., F.A.C.]

Record Keeping and Reporting Requirements

A.27. Fuel Records. The owner or operator shall create and maintain for each emission unit hourly records of the amount of each fuel fired, the ratio of fuel oil to natural gas if co-fired, and the heating value and sulfur content of each fuel fired. These records must be of sufficient detail to identify the testing requirements of specific condition A.27, and, when applicable, demonstrate compliance with the requirements of condition A.15, paragraphs b and c, of this permit. Fuel oil heating value and sulfur content shall be determined by taking a daily sample of the fuel fired, combining those samples into a monthly composite, and analyzing a representative sample of the composite. Analysis for sulfur content shall be performed using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s). Comparison of the as-fired fuel oil sulfur content shall be made and recorded monthly upon receipt of each monthly composite analysis.

[Rules 62-4.070(3), 62-213.410, 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

A.28. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

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

A.29. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

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

- (c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
- (d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached to this permit).
- (e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. [Rule 62-297.310(4), F.A.C.]

A.30. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

Record Keeping and Reporting Requirements

A.31. Excess Emissions - Malfunctions. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Palm Beach County Health Department, Air Section, in accordance with Rule 62-4.130, F.A.C. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Palm Beach County Health Department, Air Section.
[Rule 62-210.700(6), F.A.C.]

A.32. Excess Emissions - Reports. Submit to the Palm Beach County Health Department, Air Section, a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.
[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

A.33. Test Reports

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Palm Beach County Health Department, Air Section, on the results of each such test.
- (b) The required test report shall be filed with the Palm Beach County Health Department, Air Section, as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Palm Beach County Health Department, Air Section, to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.

4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe. the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 18. All measured and calculated data required to be determined by each applicable test procedure for each run.
 19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
 20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
 21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
- [Rules 62-213.440 and 62-297.310(8), F.A.C.]

A.34. Fuel Analyses Report. The owner or operator shall, by the fifteenth day of each month, submit to the Palm Beach County Health Department, Air Section, a report of fuel analyses that are representative of each fuel received in the preceding month. The report shall identify the quantity of each fuel received and document the heating value, the density or specific gravity, and the percent sulfur content by weight of each fuel.

[Rule 62-4.070(3) and 62-213.440, F.A.C., AO 50-206721 Specific Condition 3, AO 50-206722 Specific Condition 3]

Miscellaneous Conditions

A.35. Used Oil. Burning of on-specification used oil is allowed at this facility in accordance with all other conditions of this permit and the following additional conditions:

- a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a PCB concentration of less than 50 ppm, originating from FPL operations. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

Arsenic shall not exceed 5.0 ppm;
Cadmium shall not exceed 2.0 ppm;
Chromium shall not exceed 10.0 ppm;
Lead shall not exceed 100.0 ppm;
Total halogens shall not exceed 1000 ppm;
Flash point shall not be less than 100 degrees F.

- b. Quantity Limited: The maximum total quantity of used oil that may be burned in both emissions units is 1.5 million gallons in any consecutive 12-month period.
- c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.
- e. Testing Required: The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, and PCBs.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.

- f. Record Keeping Required: The owner or operator shall obtain, make and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]
- (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)

- (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
 - (3) Results of the analyses required above.
- g. Reporting Required: The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rule 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40 CFR 761, unless otherwise noted]

A.36. Burning of Expired Fuel Oil Samples. The burning of bottles made from high density polyethylene (HDPE) containing expired fuel oil samples from FPL facilities that were retained after analysis by FPL's Central Laboratory shall be permitted under the following conditions:

- a. The total annual amount of expired fuel oil samples burned shall not exceed 2.0 barrels of fuel oil.
- b. The total annual amount of HDPE shall not exceed 80 pounds.
- c. The owner or operator shall submit, with the Annual Operation Report form, the total amount of expired fuel oil samples and HDPE burned during the previous calendar year.

[Rule 62-4.070(3), F.A.C., AO 50-206721, AO 50-206722, and applicant request in Title V application received June 12, 1996]

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power and Light Company
ORIS code: 0619

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

The emissions unit(s) listed below are regulated under Acid Rain, Phase II.

E.U. ID No.	Brief Description
002*	Fossil Fuel Steam Generator, Unit 2*
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

* Note that Unit 2 is not permitted by this permit to operate. It is included in this section to account for allowance allocations assigned to Unit 2.

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

a. DEP Form No. 62-210.900(1)(a), dated July 1, 1995.
 [Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO₂) allowance allocations for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2000	2001	2002
002	ID No. 01 PRV2	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	92*	92*	92*
003	ID No. 02 PRV3	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	3542*	3542*	3542*
004	ID No. 03 PRV4	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	3514*	3514*	3514*

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

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

1. No permit revision shall be required for increase in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

3. Allowances shall be accounted for under the Federal Acid Rain Program.

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

A.4. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition No. 51., Appendix TV-1, Title V Conditions}

[Rule 62-214.420(11), F.A.C.]

A.5. Comments, notes, and justifications: None

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

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

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

E.U. ID

No.	Brief Description of Emissions Units and/or Activity
005	Painting and solvent cleaning
006	Emergency diesel generator, and mobile equipment and engines

Appendix E-1, List of Exempt Emissions Units and/or Activities

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Full Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., are also exempt from the permitting requirements of Chapter 62-213, F.A.C., provided such emissions units and activities also meet the exemption criteria of Rule 62-213.430(6)(b), F.A.C. The below listed emissions units and/or activities are hereby exempt pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Spent boiler chemical cleaning liquid evaporation
2. Natural gas metering area relief valves
3. Hydrazine mixing tank
4. Fuel oil storage tanks and related systems
5. Lube oil system
6. Oil/water separators and related equipment
7. Hazardous waste building
8. Paint/lube building
9. Misc. mobile vehicle operation

Appendix H-1, Permit History/ID Number Changes

Permit History (for tracking purposes):

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Extended Date ^{1, 2}	Revised Date(s)
003	Fossil Fuel Steam Generator, Unit 3	AO50-206721	03/06/92	03/15/97		
004	Fossil Fuel Steam Generator, Unit 4	AO50-206722	03/06/92	03/15/97		

ID Number Changes (for tracking purposes):

From: **Facility ID No.:** 50PMB500042

To: **Facility ID No.:** 0990042

Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

Appendix S
Permit Summary Tables

Table 1-1, Summary of Air Pollutant Emission Standards

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

Emissions Unit	Brief Description
003	Fossil Fuel Steam Generator, Unit 3, heat input of 3260 mmBtu/hr on natural gas and 3050 mmBtu/hr on fuel oil
004	Fossil Fuel Steam Generator, Unit 4, heat input of 3260 mmBtu/hr on natural gas and 3050 mmBtu/hr on fuel oil

Pollutant	Fuel(s)	Hours per Year	Allowable Emissions			Equivalent Emissions ¹		Regulatory Citations	See Permit Condition(s)
			Standard(s)	lb/hour	TPY	lb/hour	TPY		
VE Steady State	Oil, Natural Gas	8760	40% opacity					Rule 62-296.405(1)(a), F.A.C.	A.5
VE Soot Blowing or Load Change	Oil, Natural Gas	8760	60 % opacity (>60% opacity for not more than 4, six-minute periods)					Rule 62-210.700(3), F.A.C.	A.6
PM Steady State	Oil, Natural Gas	8760	0.1 lb/mmBtu			305	1,169	Rule 62-296.405(1)(b), F.A.C.	A.7
PM Soot Blowing or Load Change	Oil, Natural Gas	8760	0.3 lb/mmBtu			915	501	Rule 62-210.700(3), F.A.C.	A.8

Appendix S
Permit Summary Tables

Table 1-1, Continued

Emissions Unit	Brief Description
003	Fossil Fuel Steam Generator, Unit 3, heat input of 3260 mmBtu/hr on natural gas and 3050 mmBtu/hr on fuel oil
004	Fossil Fuel Steam Generator, Unit 4, heat input of 3260 mmBtu/hr on natural gas and 3050 mmBtu/hr on fuel oil

Pollutant	Fuel(s)	Hours per Year	Allowable Emissions			Equivalent Emissions ¹		Regulatory Citations	See Permit Condition(s)
			Standard(s)	lb/hour	TPY	lb/hour	TPY		
SO ₂	Oil, Natural Gas	8760	2.75 lb/mmBtu			8,388	36,737	Rules 62-213.440 & 62-296.405(1)(c)1.j., F.A.C.	A.9
NO _x	Oil	8760	0.62 lb/mmBtu			1,891	8,283	Rules 62-296.570(4)(a)4. & (b)3, F.A.C.	A.10
NO _x	Natural Gas	8760	0.50 lb/mmBtu			1,630	7,139	Rule 62-296.570(4)(b)3, F.A.C.	A.10

Notes:

¹ The "Equivalent Emissions" listed are for informational purposes only.

NA = not applicable

Appendix S
Permit Summary Tables

Table 2-1, Summary of Compliance Requirements

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

Emissions Unit	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date ¹	Minimum Compliance Test Duration	CMS ²	See Permit Condition(s)
SO ₂	Oil, Natural Gas	Continuous Emissions Monitor	Continuous			Yes	A.9, A.15 & A.23
NO _x	Oil, Natural Gas	Continuous Emissions Monitor	Continuous			Yes	A.10
PM	Oil, Natural Gas	Rule 62-296.405(1)(e)2	Annual	September	3 hours		A.22, A.25 & A.26
VE	Oil, Natural Gas	DEP Method 9	Annual	September	1 hour	Yes	A.20, A.21, A.25 & A.26
On-spec. Used Oil		Record Keeping and Analysis	As fired				A.35
Expired Fuel Oil Samples		Record Keeping					A.36

Notes:

¹ Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

² CMS = continuous monitoring system

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(version dated 02/05/97)**

Abbreviations and Acronyms:

°F: Degrees Fahrenheit
BACT: Best Available Control Technology
CFR: Code of Federal Regulations
DEP: State of Florida, Department of Environmental Protection
DARM: Division of Air Resource Management
EPA: United States Environmental Protection Agency
F.A.C.: Florida Administrative Code
F.S.: Florida Statute
ISO: International Standards Organization
LAT: Latitude
LONG: Longitude
MMBtu: million British thermal units
MW: Megawatt
ORIS: Office of Regulatory Information Systems
SOA: Specific Operating Agreement
UTM: Universal Transverse Mercator

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(continued)**

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC = old Air Construction Permit numbering

Appendix TV-1, the Title V Core Conditions, has been provided only to the applicant. The most recent version of these conditions may be obtained from the Department's Internet Web site at:

<http://www.dep.state.fl.us/air/>

If you do not have access to the Internet and would like a copy of Appendix TV, please contact Susan DeVore, Department of Environmental Protection, Division of Air Resources Management, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, 850/488-1344.

An electronic version of this permit is also available from the Department's Internet Web site above.

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

Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

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

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

(c) Sampling Ports.

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

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

(d) Work Platforms.

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

(e) Access to Work Platform.

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

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

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

(f) Electrical Power.

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

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

(g) Sampling Equipment Support.

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

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

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

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

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

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

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

TABLE 297.310-1
CALIBRATION SCHEDULE

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:

Florida Electric Power Coordinating Group, Inc.,)
Petitioner.)

ASP No. 97-B-01

ORDER ON REQUEST
FOR
ALTERNATE PROCEDURES AND REQUIREMENTS

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

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

FINDINGS OF FACT

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

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

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

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

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

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

6. Rule 297.310(7)(a)2., F.A.C., states, "The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision."

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

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

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

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

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

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

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

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

CONCLUSIONS OF LAW

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

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

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

ORDER

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

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

2. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup;

3. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(1)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup;

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

5. Pursuant to Rule 62-297.310(7), F.A.C., owners of affected fossil fuel steam generators may be required to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

6. Pursuant to Rule 62-297.310(8), F.A.C., owners of affected fossil fuel steam generators shall submit the compliance test report to the District Director of the Department district office having jurisdiction over the emissions unit and, where applicable, the Air Program Administrator of the appropriate Department-approved local air program within 45 days of completion of the test.

PETITION FOR ADMINISTRATIVE REVIEW

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

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

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

A petition must contain the following information:

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

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

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

A request for mediation must contain the following information:

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

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and

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

The agreement to mediate must include the following:

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

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

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

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

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

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

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

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

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

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

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

The petition must specify the following information:

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

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

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

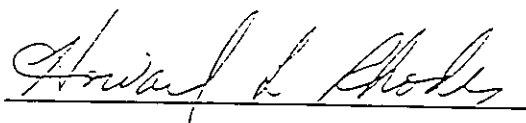
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

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

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

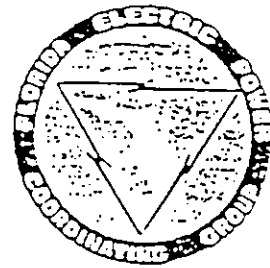
CERTIFICATE OF SERVICE

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

Clerk Stamp

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

Martha M. Wise 3-18-97
Clerk Date



January 28, 1997

Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 5505
Tallahassee, FL 32301

RECEIVED

JAN 28 1997

BUREAU OF
AIR REGULATION

RE: Comments Regarding Draft Title V Permits

Dear Mr. Fancy:

The Florida Electric Power Coordinating Group, Inc. (FCG), which is made up of 36 utilities owned by investors, municipalities, and cooperatives, has been following the implementation of Title V in Florida and recently submitted comments to you on draft Title V permit conditions by letter dated December 4, 1996. As indicated in that letter, representatives from the FCG would like to meet with you and other members of your air permitting staff to discuss some significant concerns that FCG member companies have regarding conditions that may be included in Title V permits issued by your office. While we will be discussing these issues with you and your staff in greater detail at that meeting, we would like to explain some of our concerns in this letter.

Primarily, the FCG members are concerned that the Title V permits may contain conditions that are much different in important respects than those conditions currently included in existing air permits. During the rulemaking workshops and seminars conducted by the Department to discuss the rules implementing the Title V permitting program, representations were made on several occasions that industry could expect to see permit conditions that were substantively similar to existing permit conditions and that primarily the format was changing. Representations were also made to industry that Title V did not impose additional substantive requirements beyond what was already required under the Department's rules. Based on the first draft Title V permit that we have reviewed, we are concerned that there may be some attempt to change the substantive requirements on existing facilities through the Title V permitting process, and we would like to discuss this with you at the meeting we have scheduled for January 30, 1997.

1. Federal Enforceability--The FCG has long been concerned about the designation of non-federally enforceable permit terms and conditions. We are concerned about this issue because the Department's first draft Title V permits have included language stating that *all* terms and conditions would become federally enforceable once the permit is issued. This approach is consistent with the Department's guidance memorandum dated September 13, 1996 (DARM-PER/V-18), but we understand that the Department may now intend to remove all references to

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Florida Department of Environmental Protection
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the federal enforceability of permit terms and conditions. We are also concerned about this approach because a Title V permit is generally federally enforceable and, without any designation of non-federally enforceable terms and conditions, the entire permit could be interpreted to be federally enforceable. As we stated in the December 4 letter as well as our letter dated October 11, 1996, all terms and conditions in a Title V permit do *not* become enforceable by the U.S. Environmental Protection Agency and citizens under the Clean Air Act simply by inclusion in a Title V permit. To make it clear which provisions in a Title V permit are not federally enforceable (which are being included because of state or local requirements only), it is very important to specifically designate those conditions as having no federally enforceable basis. Such a designation is actually required under the federal Title V rules, which provide that permitting agencies are to "specifically designate as not being federally enforceable under the Act any terms and conditions included in the permit that are not required under the Act or under any of its applicable requirements." 40 CFR § 70.6(b). We would like to discuss with you our concerns about this issue and to again specifically request that when Title V permits are issued by the Department, conditions having no federally enforceable basis clearly be identified as such.

2. PM Testing on Gas--The FCG understands that the Department may attempt to require annual particulate matter compliance testing while firing natural gas to determine compliance with the 0.1 lb/mmBtu emission limit established under Rule 62-296.405(1)(b), F.A.C. The FCG member companies feel strongly that compliance testing for particulate matter should not be required while firing natural gas. The Department has not historically required particulate matter compliance testing while firing natural gas, it is not required under the current permits for these units, and it should not be necessary since natural gas is such a clean fuel. Typically only *de minimis* amounts of particulate matter would be expected from the firing of natural gas, so compliance testing would not provide meaningful information to the Department, and the expense to conduct such tests is not justified. We understand that Department representatives suggested that industry could pursue an alternative test procedure under Rule 62-297.620, F.A.C., to allow a visible emissions test to be used in lieu of a stack test for determining compliance with the particulate matter limit. While certainly a visible emissions test would be preferable over a stack test, neither of these tests should be needed to demonstrate compliance with the particulate matter limit of 0.1 lb/mmBtu while burning natural gas. The FCG strongly urges that the Department reconsider its position on this issue and clarify that compliance testing for particulate matter while firing natural gas is not required.

3. Excess Emissions--By letter dated December 5, 1996, the U.S. Environmental Protection Agency (EPA) submitted a letter commenting on a draft Title V permit that had been issued by the Department and indicated some concern regarding excess emission provisions included in conditions that were quoted from Rule 62-210.700, F.A.C. Because the permit conditions cited simply quote the applicable provisions of the Department's rules regarding

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excess emissions and because these rules have been approved as part of Florida's State Implementation Plan, the permit conditions are appropriate to be included in the permit. We understand that the Department intends to include as applicable requirements in Title V permit conditions the provisions of Rule 62-210.700, F.A.C. If the Department receives any further adverse comments regarding the excess emissions rule under 62-210.700, F.A.C., we would appreciate your contacting us. Because this issue is so important to us, we would like to discuss it with you in greater detail at our meeting on January 30.

4. Compliance Testing for Combustion Turbines--While the Department's November 22, 1995, guidance regarding the compliance testing requirements for combustion turbines clearly states that the use of heat input curves based on ambient temperatures and humidities is to be included as a permit condition *only* if requested by a permittee, we understand that the Department may intend to include this requirement in Title V permits for all combustion turbines. As we are sure you recall, the FCG worked over a period of several months with the Department on the development of the guidance memorandum and it was clearly understood by FCG members that the heat input curves would not be mandated but would remain voluntary for any existing combustion turbine. It was also understood by FCG members that the requirement to conduct testing at 95 to 100 percent of capacity would be required *only* if the permit applicant requested the use of heat input curves. We understand that the Department may be interpreting the requirement to use heat input curves and to test at 95 to 100 percent of permitted capacity to be mandatory for *all* combustion turbines. We would like to clarify this with you during our meeting. Also, we would like to confirm that, regardless of whether a combustion turbine uses heat input curves or tests at 95 to 100 percent of permitted capacity, it is necessary to test at four load points and correct to ISO *only* to determine compliance with the nitrogen oxides (NOx) standard under New Source Performance Standard Subpart GG under 40 CFR § 60.332 and not annually thereafter.

5. Test Methods--The FCG is concerned about the possibility of the Department requiring a full permit revision to authorize the use of an approved test method not specifically identified in a Title V permit, even though the Department may have separately approved the use of the particular test method for a unit (i.e., through a compliance test protocol). It is the FCG's position that language should be included in all Title V permits indicating that other test methods approved by the Department may be used. Further, a full permit revision (including public notice) should *not* be necessary when a test method not previously identified in the permit is approved for use by a unit. The Department's subsequent approval of test methods should simply be included in the next permit renewal cycle. The FCG understands that the Department planned to confirm this approach with the U.S. Environmental Protection Agency Region IV, and we would like to discuss this issue with you at the January 30 meeting to learn of the agency's response.

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6. Quarterly Reports--The FCG understands that the Department may be interpreting the quarterly reporting requirements under Rule 62-296.405(1)(g), F.A.C., to apply regardless of whether continuous emissions monitors were required under the preceding Rule 62-296.405(1)(f), F.A.C. It is the FCG's position that quarterly reports are required under Rule 62-296.405(1)(g) only when continuous emissions monitors are required under the preceding paragraph (f). While this may not be entirely clear from the language of the rules, paragraphs (f) and (g) were originally included in a separate rule on "continuous emission monitoring requirements" where it was very clear that the requirements of paragraph (g) applied *only* if continuous emission monitoring was required under paragraph (f). Research indicates that Rule 17-2.710, F.A.C. (copy attached), where these provisions were originally located, was first transferred to Rule 17-297.500, F.A.C. (which later became Rule 62-297.500), later repealed in November of 1994, and ultimately replaced with what is now Rule 62-296.405(1)(f) and (g), F.A.C. To the extent that an emissions unit is not subject to Rule 62-296.405(1)(f) and is not required to install and operate continuous emissions monitors (e.g., oil- and gas-fired units), the quarterly reporting requirements of paragraph (g) should not apply.

7. Trivial Activities--As you may recall, in May of 1996, the FCG submitted to the Department a list of small, *de minimis* emissions units and activities that it considered to be "trivial," consistent with the list developed by EPA as part of the Title V "White Paper" and incorporated by reference by the Department in its March 15, 1996, guidance memorandum (DARM-PER/V-15-Revised). We never received a response from the Department and now understand that the Department may not have made a determination as to whether any of the emission units or activities on the list should qualify as "trivial." This is an important issue to the FCG because only "trivial" activities can be omitted from the Title V permit application and permit, and ultimately omitted from emission estimates in the annual air operation reports under Rule 62-210.370(3), F.A.C. The FCG remains hopeful that the Department will consider its request to determine that most, if not all, of the emission units and activities on the May, 1996, list to be "trivial." We would like to discuss a possible resolution of this issue with you and your staff at the January 30 meeting.

8. Permit Shield--The FCG continues to be concerned about the language in Conditions 5 and 20 of Appendix TV-1, Title V Conditions, which circumvents the permit shield provisions under Section 403.0872(15), Florida Statutes, and Rule 62-213.460, F.A.C. The FCG believes that these conditions should be deleted in their entirety. To the extent that the Department attempt to caveat the applicability of those conditions, the FCG believes that it is important to cite to not only the regulatory citation for the permit shield but the statutory citation as well.

Thank you again for considering the FCG's comments on the draft Title V permits. We very much appreciate the cooperation we have received from the Department throughout the

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Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
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Title V implementation process, and we look forward to our meeting later this week. If you have any questions in the meantime, please call me at 561-625-7661.

Sincerely,

Rich Piper

Rich Piper, Chair *new*
FCG Air Subcommittee

Enclosures

cc: Howard L. Rhodes, DEP
John Brown, DEP
Pat Comer, DEP OGC
Scott M. Sheplak, DEP
Edward Svec, DEP
FCG Air Subcommittee
Angela Morrison, HGSS

52601

AP-42
FIFTH EDITION
JANUARY 1995

COMPILATION
OF
AIR POLLUTANT
EMISSION FACTORS

VOLUME I:
STATIONARY POINT
AND AREA SOURCES

Office Of Air Quality Planning And Standards
Office Of Air And Radiation
U. S. Environmental Protection Agency
Research Triangle Park, NC 27711

January 1995

Exhibit 2

1.4 Natural Gas Combustion

1.4.1 General¹⁻³

Natural gas is one of the major fuels used throughout the country. It is used mainly for industrial process steam and heat production; for residential and commercial space heating; and for electric power generation. Natural gas consists of a high percentage of methane (generally above 80 percent) and varying amounts of ethane, propane, butane, and inerts (typically nitrogen, carbon dioxide, and helium). Gas processing plants are required for the recovery of liquefiable constituents and removal of hydrogen sulfide before the gas is used (see Section 5.3, Natural Gas Processing). The average gross heating value of natural gas is approximately 8900 kilocalories per standard cubic meter (1000 British thermal units per standard cubic foot), usually varying from 8000 to 9800 kcal/scm (900 to 1100 Btu/scf).

1.4.2 Emissions And Controls³⁻⁵

Even though natural gas is considered to be a relatively clean-burning fuel, some emissions can result from combustion. For example, improper operating conditions, including poor air/fuel mixing, insufficient air, etc., may cause large amounts of smoke, carbon monoxide (CO), and organic compound emissions. Moreover, because a sulfur-containing mercaptan is added to natural gas to permit leak detection, small amounts of sulfur oxides will be produced in the combustion process.

Nitrogen oxides (NO_x) are the major pollutants of concern when burning natural gas. Nitrogen oxide emissions depend primarily on the peak temperature within the combustion chamber as well as the furnace-zone oxygen concentration, nitrogen concentration, and time of exposure at peak temperatures. Emission levels vary considerably with the type and size of combustor and with operating conditions (particularly combustion air temperature, load, and excess air level in boilers).

Currently, the two most prevalent NO_x control techniques being applied to natural gas-fired boilers (which result in characteristic changes in emission rates) are low NO_x burners and flue gas recirculation. Low NO_x burners reduce NO_x by accomplishing the combustion process in stages. Staging partially delays the combustion process, resulting in a cooler flame which suppresses NO_x formation. The three most common types of low NO_x burners being applied to natural gas-fired boilers are staged air burners, staged fuel burners, and radiant fiber burners. Nitrogen oxide emission reductions of 40 to 85 percent (relative to uncontrolled emission levels) have been observed with low NO_x burners. Other combustion staging techniques which have been applied to natural gas-fired boilers include low excess air, reduced air preheat, and staged combustion (e. g., burners-out-of-service and overfire air). The degree of staging is a key operating parameter influencing NO_x emission rates for these systems.

In a flue gas recirculation (FGR) system, a portion of the flue gas is recycled from the stack to the burner windbox. Upon entering the windbox, the gas is mixed with combustion air prior to being fed to the burner. The FGR system reduces NO_x emissions by two mechanisms. The recycled flue gas is made up of combustion products which act as inerts during combustion of the fuel/air mixture. This additional mass is heated in the combustion zone, thereby lowering the peak flame temperature and reducing the amount of NO_x formed. To a lesser extent, FGR also reduces NO_x formation by lowering the oxygen concentration in the primary flame zone. The amount of flue gas recirculated is a key operating parameter influencing NO_x emission rates for these systems. Flue gas

recirculation is normally used in combination with low NO_x burners. When used in combination, these techniques are capable of reducing uncontrolled NO_x emissions by 60 to 90 percent.

Two post-combustion technologies that may be applied to natural gas-fired boilers to reduce NO_x emissions by further amounts are selective noncatalytic reduction and selective catalytic reduction. These systems inject ammonia (or urea) into combustion flue gases to reduce inlet NO_x emission rates by 40 to 70 percent.

Although not measured, all particulate matter (PM) from natural gas combustion has been estimated to be less than 1 micrometer in size. Particulate matter is composed of filterable and condensable fractions, based on the EPA sampling method. Filterable and condensable emission rates are of the same order of magnitude for boilers; for residential furnaces, most of the PM is in the form of condensable material.

The rates of CO and trace organic emissions from boilers and furnaces depend on the efficiency of natural gas combustion. These emissions are minimized by combustion practices that promote high combustion temperatures, long residence times at those temperatures, and turbulent mixing of fuel and combustion air. In some cases, the addition of NO_x control systems such as FGR and low NO_x burners reduces combustion efficiency (due to lower combustion temperatures), resulting in higher CO and organic emissions relative to uncontrolled boilers.

Emission factors for natural gas combustion in boilers and furnaces are presented in Tables 1.4-1, 1.4-2, and 1.4-3.⁶ For the purposes of developing emission factors, natural gas combustors have been organized into four general categories: utility/large industrial boilers, small industrial boilers, commercial boilers, and residential furnaces. Boilers and furnaces within these categories share the same general design and operating characteristics and hence have similar emission characteristics when combusting natural gas. The primary factor used to demarcate the individual combustor categories is heat input.

Table 1.4-1 (Metric And English Units). EMISSION FACTORS FOR PARTICULATE MATTER (PM)
FROM NATURAL GAS COMBUSTION^a

Combustor Type (Size, 10 ⁶ Btu/hr Heat Input) (SCC) ^b	Filterable PM ^c			Condensable PM ^d		
	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING
Utility/large industrial boilers (> 100) (1-01-006-01, 1-01-006-04)	16 - 80	1 - 5	B	ND	ND	NA
Small industrial boilers (10 - 100) (1-02-006-02)	99	6.2	B	120	7.5	D
Commercial boilers (0.3 - < 10) (1-03-006-03)	72	4.5	C	120	7.5	C
Residential furnaces (< 0.3) (No SCC)	2.8	0.18	C	180	11	D

^a References 9-14. All factors represent uncontrolled emissions. Units are kg of pollutant/10⁶ cubic meters natural gas fired and lb of pollutant/10⁶ cubic feet natural gas fired. Based on an average natural gas higher heating value of 8270 kcal/m³ (1000 Btu/scf). The emission factors in this table may be converted to other natural gas heating values by multiplying the given emission factor by the ratio of the specified heating value to this average heating value. ND = no data. NA = not applicable.

^b SCC = Source Classification Code.

^c Filterable PM is that particulate matter collected on or prior to the filter of an EPA Method 5 (or equivalent) sampling train.

^d Condensable PM is that particulate matter collected using EPA Method 202, (or equivalent). Total PM is the sum of the filterable PM and condensable PM. All PM emissions can be assumed to be less than 10 micrometers in aerodynamic equivalent diameter (PM-10).

Table 1.4-2 (Metric And English Units). EMISSION FACTORS FOR SULFUR DIOXIDE (SO₂), NITROGEN OXIDES (NO_x), AND CARBON MONOXIDE (CO) FROM NATURAL GAS COMBUSTION^a

Combustor Type (Size, 10 ⁶ Btu/hr Heat Input) (SCC) ^b	SO ₂ ^c			NO _x ^d			CO ^e		
	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING
Utility/large Industrial Boilers (> 100) (1-01-006-01, 1-01-006-04)									
Uncontrolled	9.6	0.6	A	8800	550 ^f	A	640	40	A
Controlled - Low NO _x burners	9.6	0.6	A	1300	81 ^f	D	ND	ND	NA
Controlled - Flue gas recirculation	9.6	0.6	A	850	53 ^f	D	ND	ND	NA
Small Industrial Boilers (10 - 100) (1-02-006-02)									
Uncontrolled	9.6	0.6	A	2240	140	A	560	35	A
Controlled - Low NO _x burners	9.6	0.6	A	1300	81 ^f	D	980	61	D
Controlled - Flue gas recirculation	9.6	0.6	A	480	30	C	590	37	C
Commercial Boilers (0.3 - <10) (1-03-006-03)									
Uncontrolled	9.6	0.6	A	1600	100	B	330	21	C
Controlled - Low NO _x burners	9.6	0.6	A	270	17	C	425	27	C
Controlled - Flue gas recirculation	9.6	0.6	A	580	36	D	ND	ND	NA
Residential Furnaces (<0.3) (No SCC)									
Uncontrolled	9.6	0.6	A	1500	94	B	640	40	B

^a Units are kg of pollutant/10⁶ cubic meters natural gas fired and lb of pollutant/10⁶ cubic feet natural gas fired. Based on an average natural gas fired higher heating value of 8270 kcal/m³ (1000 Btu/scf). The emission factors in this table may be converted to other natural gas heating values by multiplying the given emission factor by the ratio of the specified heating value to this average heating value. ND = no data. NA = not applicable.

^b SCC = Source Classification Code.

^c Reference 7. Based on average sulfur content of natural gas, 4600 g/10⁶ Nm³ (2000 gr/10⁶ scf).

Table 1.4-2 (cont.).

- ^d References 10,15-19. Expressed as NO_2 . For tangentially fired units, use $4400 \text{ kg}/10^6 \text{ m}^3$ ($275 \text{ lb}/10^6 \text{ ft}^3$). At reduced loads, multiply factor by load reduction coefficient in Figure 1.4-1. Note that NO_x emissions from controlled boilers will be reduced at low load conditions.
- ^e References 9-10,16-18,20-21.
- ^f Emission factors apply to packaged boilers only.

Table 1.4-3 (Metric And English Units). EMISSION FACTORS FOR CARBON DIOXIDE (CO₂) AND TOTAL ORGANIC COMPOUNDS (TOC) FROM NATURAL GAS COMBUSTION^a

Combustor Type (Size, 10 ⁶ Btu/hr Heat Input) (SCC) ^b	CO ₂ ^c			TOC ^d		
	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING	kg/10 ⁶ m ³	lb/10 ⁶ ft ³	RATING
Utility/large industrial boilers (> 100) (1-01-006-01, 1-01-006-04)	ND ^e	ND	NA	28 ^f	1.7 ^f	C
Small industrial boilers (10 - 100) (1-02-006-02)	1.9 E+06	1.2 E+05	D	92 ^g	5.8 ^g	C
Commercial boilers (0.3 - < 10) (1-03-006-03)	1.9 E+06	1.2 E+05	C	128 ^h	8.0 ^h	C
Residential furnaces (No SCC)	2.0 E+06	1.3 E+05	D	180 ^h	11 ^h	D

^a All factors represent uncontrolled emissions. Units are kg of pollutant/10⁶ cubic meters and lb of pollutant/10⁶ cubic feet. Based on an average natural gas higher heating value of 8270 kcal/m³ (1000 Btu/scf). The emission factors in this table may be converted to other natural gas heating values by multiplying the given factor by the ratio of the specified heating value to this average heating value.

^b SCC = Source Classification Code.

^c References 10,22-23.

^d References 9-10,18.

^e ND = no data.

^f Reference 8: methane comprises 17% of organic compounds.

^g Reference 8: methane comprises 52% of organic compounds.

^h Reference 8: methane comprises 34% of organic compounds.

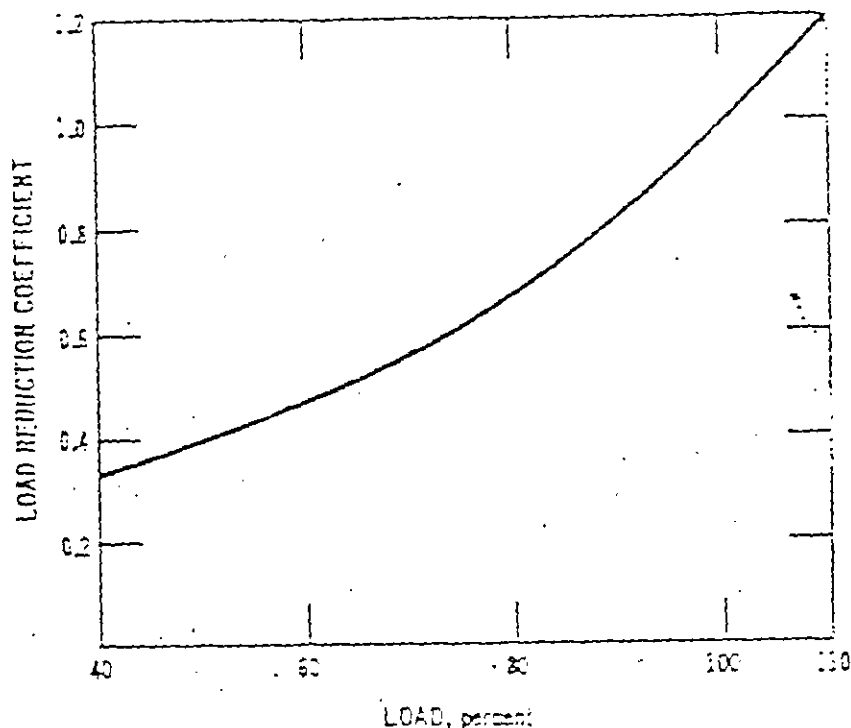
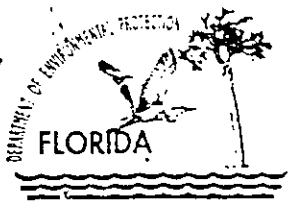


Figure 1.4-1. Load reduction coefficient as a function of boiler load.
(Used to determine NO_x reductions at reduced loads in large boilers.)

References For Section 1.4

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4. *Background Information Documents For Small Steam Generating Units*, EPA-450/3-87-000, U. S. Environmental Protection Agency, Research Triangle Park, NC, 1987.
5. *Fine Particulate Emissions From Stationary and Miscellaneous Sources in the South Coast Air Basin*, California Air Resources Board Contract No. A6-191-30, KVB, Inc., Tustin, CA, February 1979.
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14. N. F. Suprenant, et al., *Emissions Assessment of Conventional Stationary Combustion Systems, Volume V: Industrial Combustion Sources*, EPA Contract No. 68-02-2197, GCA Corporation, Bedford, MA, October 1980.
15. *Emissions Test on 200 HP Boiler at Kaiser Hospital in Woodland Hills*, Energy Systems Associates, Tustin, CA, June 1986.
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17. *Source Test For Measurements of Nitrogen Oxides and Carbon Monoxide Emissions From Boiler Exhaust at GAF Building Materials*, Pacific Environmental Services, Inc., Baldwin Park, CA, May 1991.
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19. *NO_x Emission Control Technology Update*, EPA Contract No. 68-01-6558, Radian Corporation, Research Triangle Park, NC, January 1984.
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Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

July 9, 1997

Certified Mail - Return Receipt Requested

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

Dear Mr. Piper:

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

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

Sincerely,

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

MDH:ym

cc: Dotty Diltz, FDEP
Pat Comer, FDEP

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:)

Florida Electric Power Coordinating Group, Inc.,)

ASP No. 97-B-01

Petitioner.)


ORDER CORRECTING SCRIVENER'S ERROR

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

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

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

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 10th day of July 1997.

Clerk Stamp

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

Martha Jewell Wise 7/10/97
Clerk Date

Phase II Permit Application

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

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Riviera Plant Plant Name	FL State	619 ORIS Code
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STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a Boiler ID#	Compliance Plan		d New Units Commence Operation Date	e New Units Monitor Certification Deadline
	b Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	c Repowering Plan		
PRV2	Yes	N/A	N/A	N/A
PRV3	Yes	N/A	N/A	N/A
PRV4	Yes	N/A	N/A	N/A
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)

STEP 4

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

Standard Requirements**Permit Requirements.**

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

Monitoring Requirements.

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

Sulfur Dioxide Requirements.

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

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

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

Plant Name (from Step 1) _____

Recordkeeping and Reporting Requirements (cont.)

- (iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

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

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

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

(There are no attachments to this document)

Name	William M. Reichel	
Signature	<i>William M. Reichel</i>	Date 12/4/95

Enter the source AIRS
and FINDS identification
numbers, if known

AIRS
FINDS

00093



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:

Petition for Reduction in Quarterly)	OGC Case Nos.: 83-0578
Particulate Emissions Compliance)	83-0577, 83-0576,
Testing;)	83-0585, 83-0586,
FLORIDA POWER AND LIGHT COMPANY,)	83-0587, 83-0588
)	83-0581, 83-0580
Petitioner.)	

ORDER GRANTING PETITION FOR REDUCED
FREQUENCY OF PARTICULATE TESTING

On September 16, 1983, the Petitioner, FLORIDA POWER AND LIGHT COMPANY, filed a Petition for Reduction in Quarterly Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1 for the following fossil fuel steam generating units:

- Port Everglades Plant Unit No. 2
- Port Everglades Plant Unit No. 3
- Port Everglades Plant Unit No. 4
- Turkey Point Plant Unit No. 1
- Turkey Point Plant Unit No. 2
- Riveria Plant Unit No. 3
- Riveria Plant Unit No. 4
- Manatee Plant Unit No. 1
- Manatee Plant Unit No. 2

Each of the units has a heat input exceeding 250 million Btu per hour.

The petition and supporting documentation submitted by the Petitioner indicate that between August 1979 and July 21, 1983, these units were afforded relief from the particulate standard contained in Florida Administrative Code Rule 17-2.600(5)(b)2 under the terms of a Department-issued variance. During the same period of time the Company elected to test quarterly as permitted under Rule 17-2.600(5)(b)1. Despite the existence of the variance, the tests results submitted during the last two years reveal that each of the above-listed units met the particulate emissions limitations contained in Rule 17-2.600(5)(b)2 of 0.1 pounds per million Btu heat input.

Florida Administrative Code Rule 17-2.600(5)(b)1 specifically provides that I may reduce the frequency of particulate testing

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To	Scott Sheplak	From	RICH PIPER
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	

00094

upon a demonstration that the particulate standard has been regularly met. The particulate standard referred to is the general standard found in the rule--0.1 parts per million Btu heat input--not a relaxed emission limit established by a variance.

The intent of Rule 17-2.600(5)(b)1 is to ensure that before the frequency of particulate testing is reduced, the source has established a record of complying with the requirements of Florida Administrative Code Chapter 17-2 relating to particulate matter emissions. Petitioner has documented that each of these units has a history of regularly complying with the particulate matter standard applicable to them.

IT IS ORDERED that the present petition is GRANTED. Under the terms of Rule 17-2.600(5)(b)1, Petitioner may reduce the frequency of particulate testing to an annual basis for each of the units named in this Order. If, however, any of the units fails to comply with the applicable particulate or visible emission standard, this Order will terminate upon written notice by the Department.

The Petitioner may request a hearing in accordance with Section 120.57, Florida Statutes, and Florida Administrative Code Chapters 17-1 and 28-5. The request for hearing must be filed (received) in the Office of General Counsel of the Department, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32301, within (14) days of receipt of this Order. Failure to file a request for hearing within this time shall constitute a waiver of Petitioner's right to request a hearing under Section 120.57, Florida Statutes.

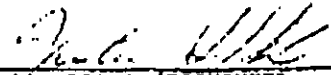
DONE and ORDERED this 24 day of April, 1984.

FILING AND ACKNOWLEDGEMENT

FPSJ, on this date, pursuant to §120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date


VICTORIA J. TSCHINKEL
Secretary

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
2600 Blair Stone Road
Tallahassee, Florida 32301
(904)486-4805

00095

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order Denying
Petition for Reduced Frequency of Particulate Testing and the
Order Granting Petition for Reduced Frequency of Particulate
Testing have been furnished by U.S. Mail to Peter C. Cunningham,
Esquire, Hopping Boyd Green and Sams, Post Office Box 6526,
Tallahassee, Florida 32314 this 25th day of April, 1984.

Nancy E. Wright

NANCY E. WRIGHT
Assistant General Counsel

State of Florida Department
of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301
904/488-9730