

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC No. _____

City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461

DRAFT Permit No.: 0990045-002-AV
Tom G. Smith Power Plant and
Lake Worth Water Treatment Plant
Palm Beach County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Lake Worth Utilities (Lake Worth) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including October 24, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. As good cause for granting this request, Lake Worth states the following:

1. On or about August 20, 1997, Lake Worth received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0990045-002-AV) for the Tom G. Smith Power Plant and Lake Worth Water Treatment Plant in Palm Beach County, Florida. Along with the Intent to Issue, Lake Worth received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."
2. By Order dated September 30, 1997, the Department granted Lake Worth an extension until October 17, 1997, to file a Petition for Administrative Proceedings.
3. Based on Lake Worth's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.
4. Lake Worth has corresponded and is continuing to correspond with the

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OCT 20 1997

BUREAU OF
AIR REGULATION

Department in an effort to resolve all issues.

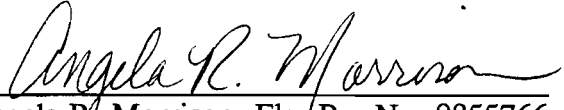
5. This request is filed simply as a protective measure to avoid waiver of Lake Worth's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing or formal mediation.

6. Scott Sheplak with the Department's Bureau of Air Regulation agreed to the extension to and until October 24, 1997, on behalf of the Department. Counsel for Lake Worth has attempted without success to contact Jeffrey Brown with the Department's Office of General Counsel regarding this request.

WHEREFORE, Lake Worth respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0990045-002-AV be formally extended to and including October 24, 1997.

Respectfully submitted this 17th day of October, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


Angela R. Morrison, Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

Attorney for CITY OF LAKE WORTH
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 17th day of October, 1997:

Clair H. Fancy, P.E.
Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Jeffrey Brown
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600



97998

Memorandum

To: Margaret Johnstone, City of Lake Worth Utilities
Sent Via Fax, 561-586-1702

From: Joe Kahn, DEP, Title V Section

Date: October 17, 1997

Re: City of Lake Worth Utilities Draft Permit Comments
Draft Permit No. 0990045-002-AV

Per your request this morning, following is the change I proposed to condition E.14 to address your comments about conditions B.1, C.1, and D.1. Susan DeVore and I will discuss this with you further at the teleconference today.

E.14. 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. Operation rate shall be determined by average fuel use during testing (to be determined by fuel flow meters or fuel tank measurements) and the latest fuel analysis available from the vendor or operator (for Btu content of the fuel used).

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

10/17/97

CITY OF LAKE WORTH

MARGARET JOHNSTONE, BILL MICHAEL, LWU

ANGELA MORRISON, H.G.S.S.

JOE KAHN, SUSAN DEVORE, DEP

- Δ "NER RATE" TO "HEAT INPUT RATE"
- MOVE TO E.5 NOT E.14.
- 5-3⁽⁰⁰⁾ HAS CEM THAT SHOWS "HEAT INPUT" RATE THAT IS OVERESTIMATED
- ADD STATEMENT THAT CEM WILL NOT BE USED TO DEMONSTRATE COMPLIANCE.

ABOVE OK.

WORKING ON PROPOSED PERMIT DETERMINATION.
MAY HAVE REVISIONS READY BY TODAY FOR
ALL COMMENTS.



CITY OF LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461-4298

UTILITIES
DEPARTMENT

(407) 586-1666
FAX (407) 586-1702

October 14, 1997

Mr. Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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OCT 16 1997
BUREAU OF
AIR REGULATION

Subject: Tom G. Smith Power Plant and Lake Worth Water Treatment Plant
Draft Title V Permit No. 0990045-002-AV
Palm Beach County, Florida

Dear Mr. Fancy:

Enclosed, please find the following documents which were discussed and basically agreed upon by DEP staff member Joseph Kahn, City of Lake Worth and our Legal Counsel during the September 29th conference call:

To replace the existing pages in our Title V Permit Application submittal.

- Three (3) original and one (1) copy of corrected page 2, Responsible Official Signature page
- Three (3) original and one (1) copy of corrected page 172, Emissions Unit Detail Information

Suggested Language changes to the Draft Title V Permit.

- Suggested changes to Condition E.2.:

The language received October 13th, via fax, from Mr. Joe Kahn has been reviewed and is acceptable to Lake Worth.


- Suggested changes to Emissions Unit(s) and Conditions B.1., C.1., and D.1.:

This language is offered to clarify the heat input rate regarding calculations and compliance demonstration methods

Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
October 14, 1997
Page 2

Lake Worth believes that these, along with the items DEP was to address, are the last remaining issues to be incorporated into a revised draft permit document. We look forward to reviewing the changes in the permit prior to issuance of a proposed permit. We intend to do so in a timely manner so that progress will continue forward.

If you have any questions or further comment, please do not hesitate to call me at 561-533-7384 or Bill Michael at 561-586-1703.


Sincerely,
CITY OF LAKE WORTH UTILITIES

Margaret Johnstone
Environmental Compliance Officer

cc: Howard L. Rhodes, DEP
Scott M. Sheplak, DEP
Joseph Kahn, DEP
Harvey F. Wildschuetz, Lake Worth Utilities Director
Bill Michael, Mechanical Systems Engineer

Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
October 14, 1997
Page 3

bcc: Angela Morrison, HGSS

Owner/Authorized Representative or Responsible Official

<p>1. Name and Title of Owner/Authorized Representative or Responsible Official: Harvey F. Wildschuetz/ Utilities Director</p>
<p>2. Owner/Authorized Representative or Responsible Official Mailing Address:</p> <p>Organization/Firm: City of Lake Worth Utilities Street Address: 1900 2nd Avenue North City:Lake Worth State: Florida Zip Code:33461</p>
<p>3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: (561)586-1665 Fax: (561)586 1702</p>
<p>4. Owner/Authorized Representative or Responsible Official Statement:</p> <p><i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i></p> <p> Signature</p> <p><u>10/13/97</u> Date</p>

* Attach letter of authorization if not currently on file.

**C. EMISSIONS UNIT DETAIL INFORMATION
(Regulated Emissions Units Only)**

Emissions Unit Details

1. Initial Startup Date: 1978		
2. Long-term Reserve Shutdown Date:		
3. Package Unit:		
Manufacturer:	Model Number:	
4. Generator Nameplate Rating: 29.5	MW	
5. Incinerator Information:		
Dwell Temperature:		°F
Dwell Time:		seconds
Incinerator Afterburner Temperature:		°F

Emissions Unit Operating Capacity

1. Maximum Heat Input Rate: 317.6	mmBtu/hr
2. Maximum Incineration Rate:	lb/hr tons/day
3. Maximum Process or Throughput Rate:	
4. Maximum Production Rate:	
5. Operating Capacity Comment (limit to 200 characters): GT-2/S-5 is nominally rated at 29.5 MW consisting of a gas turbine (GT2) nominally rated at 20 MW and a Heat Recovery Steam Generator (S5) nominally rated at 10 MW.	

B.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
007	111	Natural Gas
	111	No.6 Fuel Oil

The maximum operation heat input rates are based on a 24-hour average determined by dividing the total mmBtu heat input (midnight to midnight) by the total operating hours for the same period. Compliance with the limit shall be based on fuel use (to be determined by fuel flow meters or fuel tank measurements), the latest fuel analysis available from the vendor or operator (for Btu content of the fuel used), and daily operating logs (for hours of operation).

C.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
009	325.1	Natural Gas
	325.1	No.6 Fuel Oil
010	419.1	Natural Gas
	419.1	No.6 Fuel Oil

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D.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
006	435	No.2 Fuel Oil
011	317.6	Natural Gas
	317.6	No.2 Fuel Oil

The maximum operation heat input rates are based on a 24-hour average determined by dividing the total mmBtu heat input (midnight to midnight) by the total operating hours for the same period. Compliance with the limit shall be based on fuel use (to be determined by fuel flow meters or fuel tank measurements), the latest fuel analysis available from the vendor or operator (for Btu content of the fuel used), and daily operating logs (for hours of operation).

Suggested changes to Condition E.2:

E.2. (a) Applicable to Subsections A and D only: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit subject to either of these subsections shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

(b) Applicable to Subsections B and C only: Excess emissions resulting from malfunction of any emissions unit subject to either of these subsections shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

Memorandum

To: Margaret Johnstone, CLWU
Via Fax 561-586-1702

From: Joe Kahn, DEP, DARM, Title V Section

Date: October 13, 1997

Re: Suggested Changes to Conditions E.2 and E.3

After looking over your fax of October 8th, I suggest the following for the excess emissions:

E.2. (This condition is applicable only to emissions units 001 - 005, 006 and 011.) Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided (1) that best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

E.3. (This condition is applicable only to emissions units 007, 009 and 010.) 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.

Excess emissions resulting from malfunction shall be permitted provided (1) that best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1) & (2), F.A.C.]



CITY OF LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461-4298

Utilities Administration

FAX

To: Joe Kahn
DEF

Phone: _____

Fax phone: 904-922-6979

CC: _____

Date: 10-14-97

Number of pages including cover sheet: 8

From: Margaret Johnstone

Phone: (407) 586-1666

Fax phone: (407) 586-1702

REMARKS: Urgent For your review Reply ASAP Please comment

Joe - wanted to fax this out to you ASAP - will try for overnight letter to Clair Finney tonight (hard copy)

**CITY OF LAKE WORTH**

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461-4298

UTILITIES
DEPARTMENT

(407) 586-1886
FAX (407) 586-1702

October 14, 1997

Mr. Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Tom G. Smith Power Plant and Lake Worth Water Treatment Plant
Draft Title V Permit No. 0990045-002-AV
Palm Beach County, Florida

Dear Mr. Fancy:

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To replace the existing pages in our Title V Permit Application submittal.

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Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
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October 14, 1997
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If you have any questions or further comment, please do not hesitate to call me at 561-533-7384 or Bill Michael at 561-586-1703.


Sincerely,
CITY OF LAKE WORTH UTILITIES
Margaret Johnstone
Margaret Johnstone
Environmental Compliance Officer

cc: **Howard L. Rhodes, DEP**
Scott M. Sheplak, DEP
Joseph Kahn, DEP
Harvey F. Wildschuetz, Lake Worth Utilities Director
Bill Michael, Mechanical Systems Engineer

Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
October 14, 1997
Page 3

bcc: Angela Morrison, HGSS

Owner/Authorized Representative or Responsible Official

<p>1. Name and Title of Owner/Authorized Representative or Responsible Official: Harvey F. Wildschuetz/ Utilities Director</p>
<p>2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: City of Lake Worth Utilities Street Address: 1900 2nd Avenue North City:Lake Worth State: Florida Zip Code:33461</p>
<p>3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: (561)586-1665 Fax: (561)586 1702</p>
<p>4. Owner/Authorized Representative or Responsible Official Statement:</p> <p><i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i></p> <p> _____ Signature</p> <p><u>10/13/97</u> _____ Date</p>

* Attach letter of authorization if not currently on file.

Emissions Unit Information Section 6 of 9

**C. EMISSIONS UNIT DETAIL INFORMATION
(Regulated Emissions Units Only)**

Emissions Unit Details

1. Initial Startup Date: 1978		
2. Long-term Reserve Shutdown Date:		
3. Package Unit: Manufacturer:		Model Number:
4. Generator Nameplate Rating: 29.5		MW
5. Incinerator Information:		
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Emissions Unit Operating Capacity

1. Maximum Heat Input Rate: 317.6		mmBtu/hr
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B.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
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Memorandum

To: Margaret Johnstone, CLWU
Via Fax 561-586-1702

From: Joe Kahn, DEP, DARM, Title V Section

Date: October 13, 1997

Re: Suggested Changes to Conditions E.2 and E.3

After looking over your fax of October 8th, I suggest the following for the excess emissions:

E.2. (This condition is applicable only to emissions units 001 - 005, 006 and 011.) Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided (1) that best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

E.3. (This condition is applicable only to emissions units 007, 009 and 010.) 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.

Excess emissions resulting from malfunction shall be permitted provided (1) that best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
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*The City of Lake Worth Utilities
Administration*

Fax Transmittal

TO: Mr. Joe Kahn
Department of Environmental Protection

FROM: Margaret Johnstone
Environmental Compliance Officer

SUBJ: Suggested Language for Inclusion in Title V Draft Permit

DATE: October 8, 1997

Attached is the suggested language changes to the draft Title V permit which we discussed on our September 29th conference call. We continue to work in good faith to complete and provide you all the information necessary for your final review. We are still waiting on the revised application pages from Raytheon Engineers. As soon as we receive these pages I will submit to you a formal comment letter including all these items. We did, however, think it would be helpful to informally send you what we had completed as soon as we could.

I am sure we will be in contact with each other during the next few days. Please note I will be out of the office Thursday, October 9th. Give either myself or Bill Michael a call if you have any questions on these changes.

10/9/97 cc: Scott Sheplek
Joe Kahn

B.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
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(b) Applicable to Subsections B and C only: Excess emissions resulting from malfunction of any emissions unit subject to either of these subsections shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

10/9/97

9/29/97

CITY OF LAKE WORTH T/C
JOE KAMIN, SUSAN DEVORE, DEP
MARGARET JOHNSTONE, BILL MICHAEL, CLW
ANGELA MORRISON, HGSS

DISCUSS DEP LETTER OF SEPT. 23RD

HEAT INPUT

PTE LIMIT NOT REQUIRED PER A.M.

CAPACITY COULD BE LIMITED BY MW OUTPUT - LW WOULD PREFER MW - GROSS - LIMIT PER UNIT.

PROBLEMS W/ INCR. EFFICIENCY

POTENTIAL FOR TD HEAT INPUT FOR PURPOSES OF TESTING - ADD SPECIFIC LANGUAGE.

MW RATING OF COMBINED CYCLE UNIT
NEW PAGES & RD CERT COMING.

CMD. 6, SECT 4 ^{GNL} VOCs
DEL. b, c. ~~D~~ TO CLEANUP NOT "WANE"

ANNUAL TESTING

REM. DATES FROM ENF. CONDITIONS TO ALLOW MORE OPERATIONAL FLEXIBILITY. SCHEDULE FLEXIBILITY.

DISCUSS W/ STAFF.

CHANGING CONDITIONS, SECT. A, B, C, D

E.2 INTO TWO PARTS (A) - 2 HRS SECT A & D

(B) - UNLIM B & C

LW WILL SEND CLARIFYING LANGUAGE

FUEL SAMPLING

PROPOSED LANG. IS OK BUT NO NEED TO FIX

OK
FED. FISCAL
YEAR.

DISC.
w/ KAREN
SKINNER

PPSC END I.6 OF PPSC PA 74-05.

PPSC COULD BE CLARIFIED IF NO COST TO CITY.
INCL. "AUTOMATIC LANGUAGE" AT SAME TIME.

EXEMPT UNITS

WAITING FOR SCMT TO FORMALIZE LANGUAGE.

PBC COMMENTS

CAND. B.2, C.2, D.2

~~ENTER~~ MAX ... MAY BE LIMITED ... -DEL- ENTIRELY.

~~ENTER~~

C.13 IF A CEMS FOR NOX
TABLE FOR CEMS IF INSTALLED
YES FOR ACID RAIN

Scott

RECEIVED

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SEP 26 1997

BUREAU OF
AIR REGULATION

In the Matter of an
Application for Permit by:

OGC No. _____

City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461

DRAFT Permit No.: 0990045-002-AV
Tom G. Smith Power Plant and
Lake Worth Water Treatment Plant
Palm Beach County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Lake Worth Utilities (Lake Worth) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including November 17, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. As good cause for granting this request, Lake Worth states the following:

1. On or about August 20, 1997, Lake Worth received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0990045-002-AV) for the Tom G. Smith Power Plant and Lake Worth Water Treatment Plant in Palm Beach County, Florida. Along with the Intent to Issue, Lake Worth received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."
2. On September 2, 1997 Lake Worth requested an extension until October 3, 1997. While an order officially granting these requests has not yet been issued, representatives from the Department orally agreed to the extensions until October 3, 1997.
3. Based on Lake Worth's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

4. Lake Worth has corresponded and is continuing to correspond with the Department in an effort to resolve all issues.


5. This request is filed simply as a protective measure to avoid waiver of Lake Worth's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing or formal mediation.

6. Joseph Kahn with the Department's Bureau of Air Regulation agreed to the extension to and until November 17 on behalf of the Department. Counsel for Lake Worth has attempted without success to contact Jeffrey Brown with the Department's Office of General Counsel regarding this request.

WHEREFORE, Lake Worth respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0990045-002-AV be formally extended to and including November 17, 1997.

Respectfully submitted this 25th day of September, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


Angela R. Morrison, Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

Attorney for CITY OF LAKE WORTH
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 25th day of September, 1997:

Clair H. Fancy, P.E.
Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Jeffrey Brown
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600



97998



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 23, 1997

Ms. Margaret Johnstone
Environmental Compliance Officer
City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, FL 33461

Re: Comments on DRAFT Title V Permit
File No. 0990045-002-AV
City of Lake Worth Utilities, Palm Beach County

Dear Ms. Johnstone:

We received your comments dated September 10, 1997 on the Draft Title V permit for the City of Lake Worth Utilities. The following comments are in response to your comments, with additional comments where we identified additional changes required to the Draft permit. We included revised language where necessary to clearly show the revisions or changes to the permit. We often did not include the revised language when we agreed with the requested change. Nothing in the following changes will require the publication of a new Notice of Intent to Issue, nor will they prevent the issuance of the Proposed permit.

Address

The facility address will be corrected to 117 College Street.

Alternate Sampling Procedure

The Scrivener's Order dated July 9, 1997 correcting ASP 97-B-01 will be listed on the placard page.

Facility Description

The facility description will be revised as requested.

Heat Input Rates/Limits

The heat input rates are required to establish the capacity of each emissions unit for the purpose of limiting potential emissions and to define capacity for the purposes of compliance testing. It is appropriate to the Title V program to limit potential emissions since the Title V permit is not a mechanism to allow for any increase in emissions. Each individual emissions unit must be limited to achieve these objectives, so a facility cap is not possible. All permits issued by this office for electric utilities carry these capacity limitations. These capacity limitations have been reviewed by EPA and are considered federally enforceable limitations. Thus, we will not delete these limitations, nor will we mark them "not federally enforceable".

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

To clarify that the heat input limitation is not intended to limit the current electric power production capacity of the City, we will change the description of each unit to identify it is "nominally rated" at its MW rating.

Diesel Engine Generators

Although the application refers to these units as diesel generators, we will clarify the description as requested.

MW Rating of Combined Cycle Unit

The application describes the generator nameplate rating of this emissions unit as 20 MW (Section C, Emissions Unit Information Section 6 of 9, page 172) and the Department's database lists this unit as a 20 MW unit. The permit is based on that information, although the PPSC refers to the unit as a nominal 29.5 MW unit. The confusion may result from the steam generator being unfired. We will revise the description as requested upon receipt of a revised application page along with a certification from the RO. The revised description should be included in the Operating Capacity Comment, and the Generator Nameplate Rating should also be revised as needed.

General VOC Standards

Condition 6 will not be changed to remove subparagraphs a. through d. Although not required previously, these conditions are reasonable and are deemed necessary by this permit. Because not required previously, this condition is marked "Not Federally Enforceable".

Unconfined Particulate Matter

Paragraphs a., c. and e. will be revised as requested.

A note will be added to specific condition 7 to clarify that it effectively supersedes condition 57 of Appendix TV-1: "{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C. (condition 57 of Appendix TV-1, dated 8/11/97).}"

"Day One" for Recording and Reporting

This condition was added to all Title V permits issued out of Tallahassee at the request of EPA Region 4. It is meant to address any requirements that refer to a certain number of days after the effective date of the permit. Since this permit refers to calendar events, it would appear the condition is not applicable to this permit. The condition cannot, however, be removed or revised because EPA required it.

EPA Address

1. The address in the Draft permit is the address identified by EPA Region 4. Note that this condition was added to all Title V permits issued out of Tallahassee at the request of EPA Region 4 and the Region 4 staff did not identify a different address for acid rain submittals. Please check with EPA to determine the correct address for acid rain submittals to EPA Region 4.

Annual Testing

The City previously agreed to perform testing of its emissions units by February 28th of each year, and at least one previous Department permit (0990045-001-AO) recognized this agreement in its requirements. A date certain is placed into Department permits to ensure that a source does not fall delinquent on its requirements to test annually each federal fiscal year. The requirement to test annually no later than a given month is reasonable and we believe should remain in this permit. If the previous date is inappropriate, we may be able to accommodate a different date for annual testing.

While Subsection E is titled "Common Conditions", all conditions of the permit that are not in Appendix TV-1 are specific conditions, so the requested clarification is not precisely correct. The common conditions, in other words, are specific conditions of this permit. We propose to not make the requested change.

NOx Testing Requirements

As identified in previous Department permits, conditions A.4, B.12, C.15 and D.9 will be revised to include, "Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th)."

Fuel Consumption Records

Condition A.5.b. is intended to demonstrate that the units only burn diesel fuel in accordance with Condition A.1. This condition is not intended to require that separate records be made for fuel consumption of each unit. Specific condition A.5.b. will be changed to read, "The total fuel consumption of all five units combined each calendar month."

Common Conditions for Sections A, B, C and D

Specific condition E.2 will be amended to include startup, shutdown or malfunction of any emissions unit, to match the language of Rule 62-210.700(1), F.A.C. Specific condition E.3 will include the parenthetical language: (This condition does not apply to emissions units 001 - 005, 006 and 011.)

Specific conditions E.3, E.9, E.10, E.11 and E.18 will include clarifying language to identify applicability.

Specific conditions A.6 and D.10 will be changed to the following:

A.6/D.10. This emissions unit is also subject to conditions E.1 through E.19, **except for conditions E.3, E.10, E.11 and E.18, contained in Subsection E. Common Conditions.**

Conditions B.13 and C.17 will be changed to the following:

B.13. This emissions unit is also subject to conditions E.1 through E.19, **except for E.9 and E.18, contained in Subsection E. Common Conditions.**

C.17. This emissions unit is also subject to conditions E.1 through E.19, **except for E.9, contained in Subsection E. Common Conditions.**

Fuels

Note that the current language ("any combination") includes the combinations of 100% fuel or gas. However, this minor clarification will be added per your request.

Fuel Sampling and Analysis

You are correct in stating fuel quantity and density are not relevant to demonstrating compliance with the fuel sulfur limitations of this permit. However, condition I.6. of PPSC PA 74-05 requires record keeping for Units S-3, S-4 and GT-2/S-5 to enable calculations of sulfur dioxide emissions. Condition B.10 is not derived from the PPSC conditions and shall be revised to (note also that the ASTM methods have been updated to be consistent with other permits issued by this office):

B.10. Fuel Sampling & Analysis - Sulfur. For this emissions unit, the following fuel sampling and analysis protocol shall be used to demonstrate compliance with the fuel sulfur limitation of specific condition B.7 of this permit:

- a. Sample the as-fired fuel oil each day fuel oil is fired.
- b. Composite the daily samples and each month determine and record the as-fired fuel sulfur content, percent by weight, for liquid fuels using either ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 (or latest editions) to analyze a representative sample of the composited as-fired fuel oil.

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

Conditions C.12 and D.7 shall be revised as follows:

C.12./D.7. Fuel Sampling & Analysis - Sulfur. For each emissions unit, the following fuel sampling and analysis protocol shall be used to demonstrate compliance with the fuel sulfur limitation of specific condition **C.8/D.4** of this permit:

- a. Sample the as-fired fuel oil each day fuel oil is fired.
- b. Composite the daily samples and each month determine and record the as-fired fuel sulfur content, percent by weight, for liquid fuels using either ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 (or latest editions) to analyze a representative sample of the composited as-fired fuel oil. Each composite sample shall also be analyzed for heating value.
- c. Record monthly the amount of each fuel fired, and maintain records of the monthly analyses of the heating value of each fuel, and the percent sulfur content by weight of each fuel, to enable calculations of sulfur dioxide emissions.

[Rules 62-4.070(3) and 62-213.440, F.A.C., and PPSC PA 74-05]

The changes to conditions **C.12** and **D.7** will automatically cause condition I.6. of PPSC PA 74-05 to be revised to match.

Sootblowing/Load Change

The referenced excess opacity provisions (greater than 60%) are only available to units which have or are committed to have continuous opacity monitors, whether or not these monitors are required by some other rule such as the Acid Rain program. To resolve the uncertainty regarding these monitors for Unit S-4 we will change the last paragraph and note of specific condition C.5 as follows:

(The following paragraph is applicable to emissions unit 009 (Unit S-3) and will become applicable to emissions unit 010 (Unit S-4) only upon installation of an operational continuous opacity monitor at Unit S-4.) 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: Unit S-3 has an operational continuous opacity monitor. Unit S-4 may install an operational continuous opacity monitor in the future, and at that time be allowed visible emissions greater than 60% opacity pursuant to Rule 62-210.700(3), F.A.C., and specific condition C.5 of this permit.]

NOx CEM

The requested changes to specific condition C.16 to match the rule requirements and clarify that CEMS data need not be regularly submitted to the Department will be made.

Stack Sampling Facilities

The requested change to specific condition E.16 will be made. We agree with your conclusion that installation of permanent facilities will be burdensome at this facility.

Annual Statement of Compliance

To clarify that condition A.4 in the Acid Rain subpart is generally applicable, it will be moved to Section II, Facility-wide Conditions, and numbered condition 10.

Fast-Track Revisions of Acid Rain Parts

We agree that this rule is applicable regardless of its inclusion into the permit. However, we will include the following condition in the Acid Rain Section IV, which will replace the existing condition A.4 which is being moved as described above:

A.4. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described at Rule 62- 214.370(4), F.A.C., may request such change as provided in Rule 62- 213.413, Fast-Track Revisions of Acid Rain Parts.

Exempt Units

Changes that are made by the Department prior to the issuance of the final permit to Appendix E-1 will be incorporated into the City's permit. Changes made after that may be incorporated at the City's request as an administrative permit correction.

Federal Enforceability

Changes that are made by the Department prior to the issuance of the final permit of the permit to Appendix TV-1 will be incorporated into the City's permit. Changes made after that may be incorporated at the City's request as an administrative permit correction.

Permit History

The permit history has been revised to reflect the NOx RACT operation permit and the related PPSC revisions.

Summary Tables

Table 1-1 will not be changed as requested because the tables are not an enforceable part of this permit. Note that there is a note for all tables on page S6 of 10 that states that the "Equivalent Emissions" listed are for informational purposes only.

The frequency base date for Table 2-1 will not be deleted. The Department requires annual testing by this date as described above, and its purpose is evident to compliance staff.

Table 2-1 for emissions units 009 and 010 for sulfur dioxide CMS will be changed to "no^a" with the following footnote:

Note for EU 009 & 010:

a A continuous monitor for SO₂ is operated by the City for emissions unit 009. Compliance with the fuel sulfur limitation is not via the continuous monitor.

The pollutant column for Table 2-1 for emissions units 006 and 011 will be changed to note that the sulfur dioxide information is for emissions unit 011 only.

Palm Beach County Comments

We had additional comments from the Palm Beach County Health Department that will result in the following additional changes.

The Health Department commented that the listing of emissions units in Subsections A and B is redundant. We will revise the listing in Subsection A to the following:

This facility is an electric power generating plant and an adjacent potable water treatment facility and consists of:

Five 2000 kW diesel engine generators; Fossil Fuel Steam Generating Units 1 (S-1), 3 (S-3) and 4 (S-4); Gas Turbine # 1, (GT-1); and a Combined Cycle Unit, (GT-2/S-5).

We will revise the Health Department's ZIP code to 33402-0029 in specific condition 9 of Section II.

The Health Department would like a reference to the general VE standard for each regulated emissions unit that does not have a specific VE limit. We will add a note in Subsections A and D, respectively, under **Emission Limitations and Standards** as follows:

{Note: Emissions units 001 through 005 are also subject to the visible emissions standard of specific condition 3 of this permit.}

{Note: Emissions unit 006 is also subject to the visible emissions standard of specific condition 3 of this permit.}

The Health Department requests the reference to the operating rate limitation after testing be made more clear. Specific conditions B.2, C.2 and D.2 will be changed to, "The maximum heat input may be further limited as a result of stack testing. See specific condition E.14."

The Health Department agrees with monthly fuel compositing and recording fuel usage, density and sulfur content monthly. The Department and the City have agreed to continue monthly compositing and to record fuel usage, density and sulfur content on a monthly basis.

The Health Department commented that Unit S-4 must install a NOx monitor pursuant to the Acid Rain program, and that NOx monitor, when installed, should become the compliance method under the NOx RACT rule. The Department understands the City may pursue with EPA an exemption from the Acid Rain program for Unit S-4, but the Health Department's comment is valid. The Health Department, in another comment, requests that a description of the continuous monitors maintained for each unit be included in the description. The following changes will be made to Subsection C and Table 2-1.

{Permitting note(s): The emissions units are regulated under Acid Rain, Phase II, Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators The permittee reported it operates the following continuous monitors for Unit S-3: SO₂, NOx, CO₂, flow, visible emissions, and temperature.}

C.13. NOx Testing. Compliance with the NOx emission limitation shall be demonstrated by annual emission testing in accordance with EPA Test Method 7E, for emissions unit 010. If a continuous emission monitoring system (CEMS) is installed at emissions unit 010, compliance shall then be demonstrated by the CEMS. Compliance with the NOx emission limitation shall be demonstrated by a CEMS for emissions unit 009. See specific conditions **C.15** and **C.16**.
[Rule 62-296.570, F.A.C.]

C.15. Annual NOx Tests Required - Unit 4 (S-4, Emissions Unit 010). For emissions unit 010, emission testing for NOx shall be performed annually, no later than February 28th 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. Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th).

Should the owner or operator install a continuous emission monitoring system (CEMS) for NOx emissions at emission unit 010, compliance with the NOx limitation shall be demonstrated with the CEMS. Compliance shall be based on a 30-day rolling average. The CEMS shall be properly maintained and operated and shall meet the performance specifications of 40 CFR 60, Appendix B, or 40 CFR 75. The CEMS data shall be maintained on site for inspection by the Department.

[Rules 62-4.070(3), 62-213.410, F.A.C. and 62-296.570(4)(a)3. & 4.]

Table 2-1 for emissions units 009 and 010 will be changed to read, "Yes (for Acid Rain)" in the CMS column for SO₂, and the table for NOx for emissions unit 010 will be revised:

NOx (EU 010)	Oil, Natural Gas	EPA Test Method 7E (If CEMS installed see next row)	Annual	February 28th	3 hours	No	C.13 & C.15
NOx (EU 010)	Oil, Natural Gas	CEMS (If installed)	Continuous			Yes	C.13 & C.15

The Health Department commented on the fact that emissions unit 011 has a fuel sulfur limit established by applicable requirement, while emissions unit 006 does not, even though emissions unit 006 has a higher heat input rating. The Department made no changes as a result of this comment.

The Health Department questioned whether specific condition D.5 should include a means to prorate the emission limitation when a combination of fuels are fired, and what effect this might have on the compliance demonstration. (This, of course, is only applicable to emissions unit 011 which can fire a combination of fuels.) The Department and Health Department have subsequently agreed that no changes to this specific condition are necessary since the unit ordinarily burns natural gas and testing is required on both fuels when fuel oil is fired for less than 400 hours in a federal fiscal year.

In Table 1-1 for emissions units 006 and 011, under the Standard(s) column, the order of NOx standards for oil and gas will be reversed to maintain consistency with the Fuel(s) column:

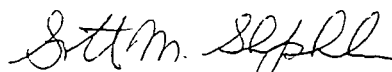
In Table 2-1 for emissions units 007, 009 and 010, and 006 and 011, the "Frequency" for units subject to sampling and analyzing for fuel sulfur will read, "Sampling - daily, analysis - monthly composite".

Department Changes

The Department identified another change that was needed. The citation for specific condition C.16 was amended to add the NOx RACT rule, Rule 62-296.570(4)(a)4, F.A.C.

Please advise if your comments have been adequately addressed, or if you have comments on the other changes so that we may proceed to the Proposed permit stage. If you should have any questions, please call Joseph Kahn, P.E., or Susan DeVore at 850/488-1344.

Sincerely,


 Scott M. Sheplak, P.E.
 Administrator, Title V Section

SMS/jk

copy to:

Mr. James Stormer, Palm Beach County Health Department
 Mr. Isidore Goldman, DEP, SE District, Air Section

Scott



CITY OF

LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461

RECEIVED

UTILITIES
DEPARTMENT

September 10, 1997

Clair H. Fancy, Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399

SEP 12 1997

BUREAU OF
AIR REGULATION

(561) 586-1666
FAX (561) 586-1702

RE: Tom G. Smith Power Plant and Lake Worth Water Treatment Plant
Draft Title V Permit No. 0990045-002-AV
Palm Beach County, Florida

Dear Mr. Fancy:

The City of Lake Worth Utilities received the above-referenced draft Title V permit on August 20, 1997. While the draft permit is largely consistent with the facility's current air operation permits and site certification, the draft permit includes certain conditions that should be revised or clarified, and certain important conditions appear to have been omitted. The issues that have been identified by Lake Worth regarding these conditions are included in an attachment.

We look forward to working with you and your staff in resolving these issues in a timely manner. Because the extension of time we have been granted expires relatively soon, we would appreciate receiving a response from the Department regarding the issues we have identified within the next two weeks. If you have any questions in the meantime, please do not hesitate to call me at 561-533-7384, or Bill Michael at 561-586-1703.

Sincerely,
CITY OF LAKE WORTH UTILITIES

Margaret Johnstone
Margaret Johnstone
Environmental Compliance Officer

cc: Howard L. Rhodes, DEP
Patricia Comer, DEP OGC
Scott M. Sheplak, DEP
Joseph Kahn, DEP
Harvey F. Wildschuetz, Utilities Director, Lake Worth Utilities
Bill Michael, Lake Worth Utilities

Clair H. Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
September 10, 1997
Page 2

bcc: Angela Morrison, HGSS
Raytheon

Tom G. Smith Power Plant and Lake Worth Water Treatment Plant
Draft Title V Permit No. 0990045-002-AV

City of Lake Worth Utilities' Comments

- **Address**--The facility address is 117 College Street, Lake Worth. It was incorrectly listed as 1900 2nd Avenue North, which is where correspondence should be sent. (Cover page)
- **Alternate Sampling Procedure**--To help clarify that the July 9, 1997 Scrivener's Order correcting an error in ASP No. 97-B-01 is part of the permit, the Scrivener's Order should be listed on the cover page of the permit, as an attachment to the permit.
- **Facility Description**--To more accurately describe the facilities covered by the Title V permit, Lake Worth suggests a slight rewording of the first sentence in Section I, Subsection A, Facility Description, as follows:

"This facility is an electric power generating plant and an ~~located~~ adjacent to a potable water treatment facility and consists of: . . ."

(Page 2 of 22)

- **Heat Input Rates/Limits**--Historically heat input rates for the emission units at the Tom G. Smith Power Plant have not been limited. Further, the Department's rules do not require the establishment of heat input limits for these units. While Lake Worth understands the Department's desire to establish the maximum capacity of units for purposes of determining potential to emit, there is no regulatory requirement to establish such limits for existing units in Title V permits. Lake Worth therefore requests that the Department delete all references to the heat input rates of these units as well as the proposed limits on such heat input rates under Section I, Subsections A and B; Subsection B and condition B.1; Subsection C and condition C.1; and Subsection D and condition D.1. If it is necessary to limit the capacity of these units, Lake Worth would consider the establishment of limits on the total net megawatt output of each of the units (007, 009, 010, 006, and 011). For example, Lake Worth would consider the inclusion of the following limit, as an example:

B.1 Permitted Capacity: The maximum net megawatt output limit is 7.5, for both natural gas and/or fuel oil use.

(Pages 2, 8, 10, and 13 of 22; Tables 1-1 and 2-1). Further, if conditions limiting the capacity of the units are included, such conditions should be marked "not federally enforceable" since there is no basis under the Clean Air Act for these limitations.

- **Diesel Engine Generators**--The descriptions of the five diesel engine generators should be slightly revised to more accurately describe the units, as follows:

"Five 2000 Kw diesel engine generators (Emissions Units 001-005);"

This change should be made throughout the permit, at the following locations: Page 2 of 22, Subsections A and B; page 6 of 22 (description); and Appendix S, Tables 1-1 and 2-1.

- **MW Rating of Combined Cycle Unit**--Throughout the permit, the description of the combined cycle unit (GT-2/S-5, Emissions Unit 011) should be revised to more accurately describe the unit and the MW output from each of the components, as follows:

"Combined Cycle Unit, (GT-2/S-5, Emissions Unit 011), consisting of a combustion turbine rated at a nominal 21 MW, and a non-fired heat recovery steam generator rated at a nominal 10 MW (for a total nominal rating of 31 MW) ~~rated at 20 MW, 317.6 mmBtu/hr,~~"

This change should be made on page 2 of 22, subsections A and B; page 13 of 22; and Appendix S, Tables 1-1 and 2-1.

- **General VOC Standards**--In condition 6 under the Section II (facility-wide conditions), the draft permit lists several specific requirements to minimize volatile organic compound (VOC) and organic solvent (OS) emissions. The Department has not previously issued an order deeming these particular requirements "necessary" at the Power Plant or Water Treatment Plant under Rule 62-296.320(1)(a), F.A.C. Lake Worth therefore respectfully requests that paragraphs a. through d. under condition 6 be deleted. The facility is not located within an ozone nonattainment area, and the VOC emissions from the facility are quite minor. Unless these requirements are justified, they should be deleted. (Page 4 of 22)

- **Unconfined Particulate Matter**--Condition 7 under Section II (facility-wide conditions) lists eight specific precautions that must be taken to prevent emissions of unconfined particulate matter at this facility. While two of these precautions were proposed by Lake Worth and are acceptable (paragraphs g. and h.), others should be deleted or revised. (Page 5 of 22)

Specifically, paragraph a. should be revised to clarify that the facility constructs temporary sandblasting enclosures when practical and necessary to prevent unconfined particulate emissions, rather than when necessary to perform sandblasting:

"When performing sandblasting on fixed plant equipment, the facility shall construct temporary sandblasting enclosures when practical and necessary, in order to prevent unconfined particulate emissions ~~perform sandblasting on fixed plant equipment.~~"

In addition, paragraph c. should be revised to delete the requirement to mow grass, which is not related to unconfined particulate emissions:

"Regular ~~mowing of grass and~~ care of vegetation."

Paragraph e. should be revised to delete the requirement to store bagged chemical products in "weather-tight" buildings. While bagged chemicals are stored in buildings, such buildings may not constitute "weather-tight" buildings under such a condition:

"Bagged chemical products shall be ~~are~~ stored in ~~weather-tight~~ buildings until they are used."

To clarify and explain that this specific condition 7 supersedes the general condition 57 in Appendix TV-1, Lake Worth requests that the following sentence be added to condition 7 (consistent with representations made to the Florida Electric Power Coordinating Group, Inc., of which Lake Worth is a member, at a meeting with the Department on August 5, 1997):

"This facility-wide specific condition 7, which implements Rule 62-296.320(4)(c), F.A.C., supersedes and effectively replaces general condition 57 included as part of Appendix TV-1."

- **"Day One" for Recording and Reporting**--Specific condition 8 under Section II states that the effective date of the permit will define "day one" for any recording, monitoring, or reporting requirements that are time-specific. It is unclear what is meant by this condition and what effect, if any, it would have on reporting requirements that are based on calendar months, calendar quarters, or calendar years. Lake Worth requests that this condition be revised to clarify what is meant by this condition. (Page 5 of 22)

- **EPA Address**--Currently, Lake Worth submits acid rain data to Region IV of the U.S. Environmental Protection Agency at a different street address in Atlanta than the one provided under condition 9 of Section II. This acid rain data is the only information required to be submitted to EPA. Lake Worth requests confirmation that the address listed in the permit is the correct address for submittal of acid rain data. (Page 5 of 22)

- **Annual Testing**--The draft permit conditions for the individual emission units attempt to require that annual testing be performed "no later than February 28 of each year." Because there is no basis for this requirement in the Department's rules, Lake Worth respectfully requests that this clause be deleted from the permit in conditions A.4, B.12, C.15, and D.9:

"emissions testing for . . . shall be performed annually, ~~no later than February 28th of each year,~~ except for . . ."

Further, to help clarify that conditions E.6 through E.8 are common conditions, Lake Worth requests that the conditions be referred to as such rather than as "specific conditions."

"Except as provided in common ~~specific~~ conditions E.6 through E.8 . . ."

(Pages 6, 9, 12, and 14 of 22)

- **NO_x Testing Requirements**--Consistent with Rule 62-296.570(4)(a)3, F.A.C., and the current permits for the facility, the Title V permit should include conditions in Subsections A, B, C, and D stating that "annual compliance testing while firing oil is unnecessary for units operating on oil for less than 400 hours in the current federal fiscal year." This language could be included in conditions A.4, B.12, C.15, and D.9 or as separate conditions within those sections of the permit.

- **Fuel Consumption Records**--Lake Worth requests that paragraph b. under condition A.5. be deleted. (Page 6 of 22) This paragraph requires that the amount of diesel fuel used each month be recorded for each of the five diesel generators separately. The number of hours of operation is recorded for the units on a monthly basis, and this provides sufficient information on the usage of these units. Because there is no limit on the quantity of fuel that may be used, because this condition is not required under the Department's regulations, and because this condition would create an unnecessary burden and expense, Lake Worth requests that it be deleted.

- **Common Conditions for Section A and Section D**--Conditions A.6 and D.10 provide that common conditions E.1 through E.19 all apply to the diesel engine generators and the combustion turbines. (Pages 7 and 14 of 22) Several of these common conditions, however, do not apply, and one should be revised. Specifically, condition E.3, which quotes Rule 62-210.700(2), F.A.C., applies only to existing fossil fuel fired steam generators, and does not apply to diesel engine generators or combustion turbines. The excess emission provisions under condition E.2 would therefore need to be revised and expanded to cover not only malfunctions but startup and shutdown as well, quoting directly from Rule 62-210.700(1), F.A.C.

As stated in the condition itself, condition E.10 does not apply to diesel engine generators or combustion turbines, and this should be clarified in conditions A.6 and D.10 as well. Since EPA Method 9 must be used for the annual visible emissions testing on the diesel engine generators and combustion turbines, condition E.11 regarding DEP Method 9 does not apply, and this should be clarified.

Condition E.18 applies only to units subject to emission limiting standards under Rule 62-296.405(1), F.A.C. Since this rule does not apply to the diesel engine generators or combustion turbines (it applies only to fossil-fuel fired steam generators with greater than 250 mmBtu/hour heat input), it should be clarified that condition E.18 does not apply to these units.

Conditions A.6 and D.10 should therefore be revised, and new conditions A.7 and D.11 should be added, as follows:

"A.6/D.10 This emissions unit is also subject to conditions E.1, E.4 through E.9, E.12 through E.17, through and E.19 contained in Subsection E. Common Conditions."

"A.7/D.11 Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emission shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration."

- **Fuels**--To clarify what Lake Worth believes to be the Department's intent to allow 100 percent natural gas and 100 percent fuel oil to be fired, Lake Worth requests that the following clarification be made to conditions B.3, C.3, and D.3:

"B.3/C.3. a. Startup: The only fuel(s) allowed to be burned are any combination of natural gas and/or number 6 fuel oil.

b. Normal: The only fuel(s) allowed to be burned are any combination of natural gas and/or number 6 fuel oil."

"D.3. b. Emissions unit 011: Only any combination of natural gas and/or number 2 fuel oil shall be fired in the combustion turbine."

(Pages 8, 10, and 13 of 22)

- **Fuel Sampling and Analysis**--Lake Worth requests that paragraph c. under conditions B.10, C.12, and D.7 be deleted as unnecessary. This paragraph of the draft condition requires that the amount of each fuel fired be recorded on a daily basis, along with the density of each fuel, and the percent sulfur content by weight of each fuel. The amount of each fuel fired daily and the density of those fuels are not related to any regulatory requirement or other condition of the permit. Further, the sulfur content of the oil is measured on a monthly, composite basis, and therefore the percent sulfur content is not available on a daily basis. The sulfur content of gas is not limited or measured. The quantity and density of the fuels used might be related to sulfur dioxide emission limits on a pound-per-mmBtu basis, but are not related to sulfur content limits on oil, which apply to the Lake Worth units. Because this condition is not required under the Department's rules and would add an unnecessary burden and expense, Lake Worth requests that it be deleted. (Pages 9, 12, and 14 of 22)

- **Common Conditions Under Section B**--Lake Worth requests that the Department clarify in condition C.13 that common condition E.9 does not apply to the units covered under Subsection B. Further, because these units are subject to Rule 62-296.406 rather than 62-296.405, condition E.18 also does not apply; condition B.13 should therefore be revised to clarify this as well.

"This emissions unit is also subject to conditions E.1 through E.8, E.10 through E.17, and E.19 contained in Subsection E. Common Conditions."

(Page 9 of 22)

- **Sootblowing/Load Change**--To clarify that unit S-4 is not currently required to install a continuous opacity monitor under the acid rain program (because it is currently not operational and could qualify as a natural gas unit), Lake Worth requests that the note under condition C.5 be changed as follows:

"[Rule 62-210.700(3), F.A.C., Note: unit S-3 has an operational continuous opacity monitor, and unit S-4 may in the future be is required to install an operational continuous opacity monitor to comply with federal acid rain requirements.]"

(Page 11 of 22)

- **NO_x CEM**--To be consistent with Rule 62-296.570(4)(c), F.A.C., Lake Worth requests that condition C.16 be revised to recognize the exception for startup, shutdown, and malfunctions. Further, to be consistent with Rule 62-296.570 and the current permits for Unit 3 (Emissions Unit 009), Lake Worth requests that condition C.16 clarify that the CEMS data is not required to be submitted to the Department unless specifically requested.

"Compliance shall be based on a 30-day rolling average, excluding periods of startup, shutdown, or malfunction as provided by Rule 62-210.700, F.A.C. . . . The CEMS data shall be maintained on site for inspection by the Department and need not be submitted to the Department unless specifically requested."

(Page 12 of 22)

- **Common Conditions Under Section C**--Lake Worth requests that condition C.17 be revised to clarify that condition E.9 does not apply to the units subject to Subsection C.

"This emissions unit is also subject to conditions E.1 through E.8 and E.10 through E.19 contained in Subsection E. Common Conditions."

(Page 12 of 22)

- **Stack Sampling Facilities**--Lake Worth requests clarification that temporary stack sampling facilities can be used on the units at the Tom G. Smith Power Plant, due to the historically low utilization of these units and the historically limited use of fuel oil. While common condition E.16 attaches Appendix SS-1, which quotes the Department's Rule 62-297.310(6), F.A.C., a clarification in condition E.16 that temporary stack sampling facilities may be used

would be helpful to eliminate the potential inference that could be drawn from the language that permanent stack sampling facilities are needed. Specifically, Lake Worth suggests the following language be added to condition E.16:

"Temporary stack sampling facilities under Rule 62-297.310(6)(b), F.A.C., may be used in lieu of permanent facilities."

These units are relatively small and stack tests are typically not required to be conducted on an annual basis. When testing is required at the plant, temporary stack testing facilities have successfully been used. The burden and expense of constructing permanent facilities is not justified and is not required under the Department's rules. The additional language being requested would simply clarify this in the permit. (Page 20 of 22)

- **Annual Statement of Compliance**--In condition A.4 of the acid rain part of the permit, page 22 of 22, the draft permit states that the annual statement of compliance required under Title V must be submitted within 60 days after the end of the calendar year. This condition cross-references the general requirement to submit the statement under general condition 51 of Appendix TV-1. Because this is a generally applicable requirement under Title V and is not specifically related to the acid rain part of the permit, it may be more logical to include the timing requirements for annual compliance statements as part of general condition 51 of Appendix TV-1 rather than in acid rain condition A.4.

- **Fast-Track Revisions of Acid Rain Parts**--To confirm that the provisions of Rule 62-213.413, F.A.C. (regarding fast-track revisions of acid rain parts) apply, Lake Worth requests that a reference to this rule be included in the acid rain part of the permit (on page 22 of 22). While Lake Worth believes that this rule will apply regardless of its inclusion in the permit, a sentence explaining that these provisions apply may help prevent confusion in the future. Other permit revision procedures under Chapter 62-213, F.A.C., were included in Appendix TV-1, and a reference to the fast-track revision procedures would be consistent with that approach.

- **Exempt Units**--Based on our understanding of the outcome of the meeting between the Florida Electric Power Coordinating Group, Inc. (FCG), and the Department on August 5, 1997, we understand that the Department has agreed to include additional language from Rule 62-213.430(6)a), F.A.C., in Appendix E-1 clarifying that exempt emission units or activities that are added to a Title V source after issuance of the Title V permit shall be incorporated into the permit at the next renewal, provided that such units are eligible for exemption. Please add this language to Appendix E-1.

- **Federal Enforceability**--Lake Worth is concerned that several of the general conditions listed under Appendix TV-1 are not appropriately marked "not federally enforceable." The FCG is continuing to pursue this issue with the Department, and Lake Worth requests that any changes to Appendix TV-1 made as a result of these negotiations be incorporated into its

permit as well. Lake Worth specifically requests that the Department mark condition 1, 3, 4, 10, 11, 12, 17, and 23 as "not federally enforceable" since the Department's rules which form the bases of these conditions have not been approved as part of Florida's State Implementation Plan.

- **Permit History**--In the permitting history for Emissions Unit 011, Lake Worth noted that the most recent revision dated March 27, 1996, had been omitted.

- **Summary Tables**--Under Appendix S, Permit Summary Tables, Table 1-1, Lake Worth requests that the "equivalent emissions" column be deleted. If the Department continues to include this column, Lake Worth requests that a footnote be added to clarify that this information is provided for informational purposes only and is not to be interpreted as emission "limits."

Also, under Table 2-1, the column entitled "frequency base date" should be deleted since it is not required under the Department's rules and its purpose is not explained within the table.

Under Table 2-1 for Emission Units 009 and 010, a "yes" was included in the column for continuous monitoring system for sulfur dioxide. Because the frequency of sampling is on an "as-fired" and not a "continuous" basis, Lake Worth requests that a "no" be inserted in the CMS column.

For Emission Units 006 and 011, Table 2-1 states that fuel sampling and analysis is required for sulfur dioxide. Because this sampling and analysis is required only for unit 011 and not 006, Lake Worth requests that this clarification be made in the pollutant column.



CITY OF LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461-4298

Utilities Administration FAX

To: Joseph Kahn
DEP

Phone: 904-488-1344

Fax phone: 904-922-6979

CC: _____

Date: 9-11-97

Number of pages including cover sheet: 11

From: Margaret Johnstone

Phone: (407) 586-1666

Fax phone: (407) 586-1702

REMARKS: Urgent For your review Reply ASAP Please comment

Fax copy of comments to Draft Title V Permit
Hard copies for all DEP Personnel listed
Send Express Mail 9-10-97 to Mr. Fancy.
Please review we will set up a time
for conference call when ready.
Thank you.

Scott

RECEIVED

SEP 05 1997

BUREAU OF
AIR REGULATION

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC No. _____

City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461

DRAFT Permit No.: 0990045-002-AV
Tom G. Smith Power Plant and
Lake Worth Water Treatment Plant
Palm Beach County

_____ /

REQUEST FOR EXTENSION OF TIME

4/26
not
10/3

By and through undersigned counsel, City of Lake Worth Utilities (Lake Worth) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including October 3, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. As good cause for granting this request, Lake Worth states the following:

1. On or about August 20, 1997, Lake Worth received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0990045-002-AV) for the Tom G. Smith Power Plant and Lake Worth Water Treatment Plant in Palm Beach County, Florida. Along with the Intent to Issue, Lake Worth received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. Based on Lake Worth's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

3. Lake Worth is in the process of developing a letter to the Department describing these issues and suggesting changes to the draft permit.

4. Representatives of Lake Worth intend to discuss this matter with staff of the Department's Bureau of Air Regulation in the near future in an effort to resolve all issues.

5. This request is filed simply as a protective measure to avoid waiver of Lake Worth's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing or formal mediation.

6. Joseph Kahn with the Department's Bureau of Air Regulation agreed to a 30-day extension on behalf of the Department. Counsel for Lake Worth has attempted without success to contact W. Douglas Beason with the Department's Office of General Counsel regarding this request.

WHEREFORE, Lake Worth respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0990045-002-AV be formally extended to and including October 3, 1997.

Respectfully submitted this 29th day of August, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


Angela R. Morrison, Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

Attorney for CITY OF LAKE WORTH
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 29th day of August, 1997:

Clair H. Fancy, P.E.
Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

W. Douglas Beason
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600



97998



CITY OF

LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461

UTILITIES
DEPARTMENT

(561) 586-1666
FAX (561) 586-1702

August 28, 1997

RECEIVED

AUG 29 1997

**BUREAU OF
AIR REGULATION**

Mr. Joseph Kahn, P.E.
Florida Department of Environmental Protection
Division of Air Resources Management, Title V
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Proof of Publication for Intent to Issue Title V Air Operation Permit for
Tom G. Smith Power Plant and Lake Worth Water Treatment Plant

Dear Mr. Kahn:

Please find enclosed a copy of the proof of publication of the public notice of intent to issue Title V air operation permit for the above facility. The public notice ran in the *Palm Beach Post* on Monday, August 25, 1997.

If you have any questions or require additional information, please do not hesitate to call me at (561) 533-7384.

Sincerely,
CITY OF LAKE WORTH UTILITIES

Margaret Johnstone
Environmental Compliance Officer

enclosure

cc: Harvey Wildschuetz, Utilities Director
William Michael, Mechanical Systems Engineer
Angela Morrison, Hopping, Green, Sams & Smith

9/2/97

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

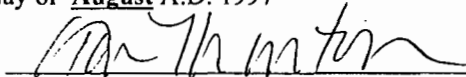
STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Chris Bull** who on oath says that she is **Classified Advertising Manager** of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a **Notice** in the matter of **Intent to Issue Title V Air Operation Permit** in the --- Court, was published in said newspaper in the issues of **August 25, 1997**.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

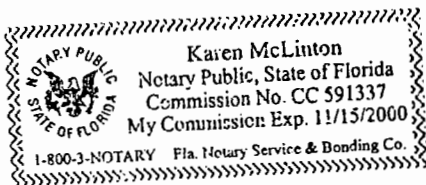


Sworn to and subscribed before me this 25 day of August A.D. 1997



Personally known XX or Produced Identification _____

Type of Identification Produced _____



NO. 370734
PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V DRAFT Permit No. 0890048-002-AV
Tom G. Smith Power Plant and Lake Worth Water Treatment Plant
Palm Beach County
The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Lake Worth Utilities for the Tom G. Smith Power Plant and Lake Worth Water Treatment Plant located at 117 South College Street, Lake Worth, Palm Beach County, Florida. The applicant's name and address are: Lake Worth Utilities, 1900 2nd Avenue North, Lake Worth, FL 33461.
The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the 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 Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. 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 unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (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: 850/489-9736; Fax: 850/487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the 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 applicable 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 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 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

- 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, 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 delay 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 410 M. Street, SW, Washington, D.C. 20460. A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive,
Suite 4
Tallahassee, Florida 32301
Telephone: 850/489-1344
Fax: 850/922-6979

Affected District
/Local Program
DEP Southeast District
400 North Congress Avenue
West Palm Beach, FL 33401
Telephone: 561/681-6600
Fax: 561/681-6755

Palm Beach County
Health Department
901 Evernia Street,
P.O. Box 29
West Palm Beach, FL 33401
Telephone: 561/355-3070
Fax: 561/355-2442

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplek, P.E., at the above address, or call 850/489-1344, for additional information.

PUB: The Palm Beach Post
August 25, 1997

PALM BEACH NEWSPAPERS, INC.
The Palm Beach Post
2751 S. Dixie Hwy., West Palm Beach, FL 33405
Phone: (561) 820-3106 Fax: (407) 820-4345

Legal Advertising Invoice

Acct # 241542

Legal Advertising Deadlines

Ad # 370734

<u>Publish Date</u>	<u>Deadline</u>
Monday	Friday 3PM
Tuesday	Friday 3PM
Wednesday	Monday 3PM
Thursday	Monday 3PM
Friday	Wednesday 3PM
Saturday	Thursday 3PM
Sunday	Thursday 3PM

Description: Notice: Intent to Issue
Title V Air Operation Permit

Size: 21"

Amount: \$441.00

Published: August 25, 1997

City of Lake Worth
1900 2nd Ave. N.
Lake Worth, FL 33461



August 22, 1997

RECEIVED

AUG 29 1997

**BUREAU OF
AIR REGULATION**

Joe Kahn, P.E.
Title V Permitting Section
Bureau of Air Regulation - DEP
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Comments on Title V Draft Permit, City of Lake Worth Utilities

Dear Mr. Kahn:

The Health Department has reviewed this Draft Permit and offers the following minor comments:

Page 2

Why describe the emissions units in Subsection A when they are fully described in the following Subsection B?

Page 5

The Health Department's P.O. Box zip code is 33402-0029.

Page 6

Our compliance inspectors would like the general visible emissions standard of 20% opacity stated for each permitted, regulated unit if it applies. We realize this is a repeat of the facility-wide conditions, but it would make it more clear.

Page 8

B.2 I suggest adding, "The maximum heat input may be further limited as a result of stack testing. See specific condition E.14."

B.10 I think it's great to sample daily and analyze the composite samples monthly to show compliance with the limit on sulfur content. I also think it would be reasonable to allow them to record the fuel usage, density, and sulfur content monthly rather than daily.

Page 12

C.13 Both of these units are subject to NO_x RACT and the Acid Rain Program. Acid Rain requires the installation of a NO_x CEM, so both units should demonstrate compliance by monitor, not testing. Change EU-010 to be the same as EU-009.

C.15 Typo: Delete second "28th".

Page 13

D.4 EU-011 has a sulfur limit of 0.35% by weight, the result of a previous permit applicable requirement. EU-006 has no such applicable requirement, although it has about a 35% higher heat input rating.... interesting.

Page 14

D.5 Should this condition include prorating the emission limit based on proportional amounts of fuel if combinations of natural gas and oil are burned? How would this affect testing requirements?

Appendix S

EU-006,011: I suggest under the column of "Fuels" switching the order of oil/gas to gas/oil to be consistent with the rest of the table.

Also suggest the following for "Frequency" for units subject to sampling and analyzing:

Frequency
Sampling - daily
Analysis - monthly composite

Other Comments:

We realize there is an ongoing debate on whether or not CEMs required by the Acid Rain Program can be used to determine compliance with other applicable standards. We also realize that this data may be used as "credible evidence" and therefore may not need to be specifically stated in the permit as the appropriate compliance method. However, our inspectors believe it would be helpful if any required CEMs were described for each emission unit under the appropriate subsection. For example:

EU-009 Fossil Fuel Steam Generating Unit 3 (S-3) rated at 26.5 MW, 325.1 mmBtu/hr, capable of burning any combination of natural gas and number 6 fuel oil, with emissions exhausted through a 113 foot stack.

Continuous monitors for SO₂, NO_x, and opacity are required by the Acid Rain Program.

In summary, it was a finely crafted document. I put it on my "must read" list. If you have any questions about these comments, please contact me at the number below.

Sincerely,

For the Division Director
Environmental Health & Engineering



Jeffery F. Koerner, P.E.
Air Permitting Supervisor
Air Pollution Control Section - PBCHD
Phone: (561) 355-4549
Fax: (561) 355-2442



RECEIVED

JUL 31 1997

BUREAU OF
AIR REGULATION

Tom G. Smith Municipal Power Plant

&

Lake Worth Water Treatment Plant

Title V Permit Application



CITY OF

LAKE WORTH

1900 2ND AVENUE NORTH
LAKE WORTH, FLORIDA 33461

UTILITIES
DEPARTMENT

(561) 586-1666
FAX (561) 586-1702

July 30, 1997

Mr. Scott M. Sheplak, P.E.
Administrator Title V Section
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Title V Air Permit Application Request for Additional Information
File No. 0990045-002-AV
Tom G. Smith Municipal Power Plant & Lake Worth Water Treatment Plant

Dear Mr. Sheplak:

The City of Lake Worth Utilities submits for your review, in hard copy format, our response to your request for additional information regarding the initial Title V Permit Application for the Tom G. Smith Municipal Power Plant and Lake Worth Water Treatment Plant, Lake Worth, Florida. The responses to your comments are listed in the order they were presented in your May 5, 1997 letter. Revised permit application pages are included only where additional information is needed.

If you have any questions, please direct them to Margaret Johnstone at (561) 533-7384 or William Michael at (561) 586-1703 of this office.

Sincerely,
CITY OF LAKE WORTH UTILITIES

Harvey F. Wildschuetz, Utilities Director
Designated Representative

Attachments

cc: Mr. James Stormer, Palm Beach County Health Department
Kevin D. McGee, Raytheon Environmental Services
Margaret Johnstone, Environmental Compliance Officer
William Michael, Mechanical Systems Engineer
Shannon Bates, Power Resources Superintendent

RESPONSE TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION COMMENTS

FACILITY INFORMATION

1. Rule 62-275.410, F.A.C., "Air Quality Areas - Ozone Nonattainment", is listed as one of the applicable regulations throughout the permit application. Please note that this rule is not applicable, since Palm Beach County is now classified as an attainment area (maintenance area) for ozone. (This rule was also appealed on March 13, 1996.) Please confirm this rule is not applicable to your facility.

RESPONSE: With the change in classification to ozone attainment, this rule is not applicable to our facility. Therefore, please remove 62-275.410, F.A.C. from our application as an applicable regulation

- 2 In Section C, page 13, Facility Pollutants, VOCs and HAPs are identified as regulated pollutants, but do not appear to be regulated by rule or previous permits. Note that unregulated pollutants that are not major should not be identified here. Please clarify.

RESPONSE: These pollutants are not regulated by permit or rule and should not have been included. Please disregard the VOC, Pb and HAP listing in this table.

3. In Section E, page 15, Facility Supplemental Information, "not applicable" is marked in number 4. Please provide precautions to prevent emissions of unconfined particulate matter. Some, such as paving and maintenance of roads, parking areas and yards, should be applicable to your facility. Please review the list in Rule 62-296.320(4)(c)3, F.A.C., for suggestions of applicable precautions.

RESPONSE: All roads within the facility are paved and they are routinely swept with a wet vacuum truck. One area behind the water treatment plant is used as a lime backwash residue holding area. In the event this area becomes dusty, it will be watered to minimize unconfined particulate matter generation.

EMISSIONS UNIT INFORMATION

Diesel Generators

1. Please provide the manufacturer and model number for the diesel generators, if available.

RESPONSE: The manufacturer of the diesel generator is the Electric Motor Division (EMD) of General Motors (GM). The model number of each engine is 567D4. The five engines together are called an MP36 power pack.

2. Are the potential to emit and fuel usage information for the diesel generators units 1-5 reported for each unit or for all of the units combined? In Section B, page 18, information is listed for each unit, and in Section F, page 25, the information appears to be for each unit. However, since all of the diesel generators were listed together in Emission Unit Information Section 1 of 9, we expected emission calculations to be for all. Please verify that emission calculations submitted are for each unit.

RESPONSE: The potential to emit and fuel usage information for the diesel generator units reflect one unit. The emissions for all five units is five times each emission level presented in the calculations.

Boilers

3. The application, in Section F, pages 55, 84 and 117, identifies that number 5 fuel oil is used in the boilers, while the fuel analyses provided are for number 6 fuel oil. Please clarify that number 6 fuel oil is used.

RESPONSE: The fuel used in the boilers is number 6 fuel oil. The Number 5 on pages 55, 84 and 117 should be changed to Number 6.

4. Is soot blowing conducted on units S-3 and S-4? If so, please describe the typical frequency.

RESPONSE: Soot blowing is conducted on unit S-3 but not S-4 since it is not in service at this time. Soot blowing is conducted once a day and only when burning fuel oil. The typical frequency of soot blowing is less than three hours within a 24 hour period.

5. Please provide more information on unit S-4 about the temporary shutdown (refer to Section B, page 109). Please clarify the length of time and dates this unit will be shut down. When are the continuous monitors planned for installation?

RESPONSE: Unit S-4 has been in shutdown status since 1989. It will be shut down until generation requirements of our system dictates its need. The continuous emission monitors installation will precede startup and normal operation of unit S-4.

6. In Section L, page 138, number 14 indicates for unit S-4, "unit is temporarily shutdown; form to follow after restart of unit". The Acid Rain Application, Phase II is included in Attachment N and does have information for unit S-4. Please clarify.

RESPONSE: Section L, page 138, number 14 should be revised to include Attachment N and disregard the "unit is temporarily shutdown; form to follow after restart of unit" statement.

Combined Cycle Turbine/Steam Unit

7. Please identify when the EU-006, CC-1 (GT-2/S-5) commenced construction. Depending on the date construction commenced, 40 CFR 60, Subpart GG may be applicable to this unit. Please review this rule and determine if this rule is applicable.

RESPONSE: 40 CFR 60, Subpart GG specifies a construction commencement date of October 3, 1977. GT-2/S-5 unit started operation in April 1978. The exact date of commencement of construction is unknown. We have record that the foundation for GT-2 was poured prior to February of 1977, hence commencement of construction started prior to February of 1977. Since the commencement of construction date precedes October 3, 1977, Subpart GG does not apply.

Fuel Oil Tanks

8. Based on the information provided for tank 12, it appears the tank is subject to the record keeping provisions of 40 CFR 60 Subpart Kb. Please review and revise the list of applicable regulations (page 228) for Section D, Emissions Unit Information Section 9 of 9, or provide additional information to clarify why Subpart Kb does not apply.

RESPONSE: Subpart Kb does apply to tank 12. Tank 12 has been included in emission unit 8 (section 8 of 9) that includes Tanks 10 and 11. Emission unit 9 (section 9 of 9) includes Tank 8 only. The pages affected by the revision are included (pages 3, 213, 217, 218, 219, 224, 225, 229, 230, and 231).

ATTACHMENTS

1. Most of the activities listed in Attachment G proposed for exemption appear to be trivial activities; some, such as those associated with the lime system at the water plant, may be unregulated emission units. Please review these activities and propose for exemption only those activities that are stationary sources of air pollution that qualify for exemption under the provisions of Rule 62-213.430(6), F.A.C., pursuant to Rule 62-213.420(3)(m), F.A.C. Please identify unregulated emission units and indicate any that emit pollutants with potential emissions greater than the threshold levels specified in Rule 62-213.420(3)(c)3 and 4, F.A.C. Please revise and resubmit Attachment G and list only unregulated emission units and exempt activities. Please do not list trivial activities at all on this revised list.

RESPONSE: Attachment G was revised and all activities allowed presumptively omitted from part 70 permit applications, were deleted. The remaining activities were segregated into those activities that are either exempt or nonregulated.

2. Please note that Attachment H, Alternate Modes of Operation, does not list all of the information required by Rule 62-213.415, F.A.C. If trading of emissions is requested, then please submit all of the information required by rule: the emission cap requested, specific modes of operation and emissions plan per the requirements of Rule 62-213.415(1) & (2)b & c, F.A.C.

Note that flexible use of your acid rain allowances does not need to be requested as an alternate mode of operation. If that is the only purpose of this attachment, it may be omitted from the application and the preceding information need not be submitted. Please advise if this is the case.

RESPONSE: The purpose of Attachment H was to make use of acid rain allowances. Since this is not the appropriate avenue for their use, Attachment H and any mention of alternate mode of operation is withdrawn.

ATTACHMENT G
UNREGULATED EMISSION UNITS AND EXEMPT ACTIVITIES
(REVISED 7/97)

1. Dust Collector Hopper Discharge Valve

Exemption Basis: This unit should be exempt based on the minimal amount of material passing through the valve, the small frequency of usage, and work practices that precludes the generation of fugitive emissions.


This valve is used to remove ash from Unit S-3 following the use of oil. Oil has historically been used very sparingly in the S-3 unit (i.e. <1% oil use annually), therefore, very little ash is generated. The hopper is emptied on an as needed basis. Historically, when emptied, the ash fills on average, four 55 gallon drums/year. To minimize fugitive emissions generation, prior to opening the valve, the outlet is connected to a hose which is inserted into a fabricated hood connected to the 55 gallon drum. This design precludes the generation of fugitive emissions.

2. Liquid Propane Gas Emergency Generator

Exemption Basis Rule 62-210.300(3)(a)(20) F.A.C. This unit has historically burned much less than 4.4 million scf/yr and will continue to do so in the future.

**ATTACHMENT H
ALTERNATE MODES OF OPERATION
(REVISED 7/97)
DELETED**

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official: Harvey F. Wildschuetz/ Utilities Director
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: City of Lake Worth Utilities Street Address: 1900 2nd Avenue North City:Lake Worth State: Florida Zip Code:33461
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: (561)586-1665 Fax: (561)586 1702
4. Owner/Authorized Representative or Responsible Official Statement: <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>  _____ Signature _____ Date 7/30/97

* Attach letter of authorization if not currently on file.

Scope of Application

This Application for Air Permit addresses the following emissions unit(s) at the facility. An Emissions Unit Information Section (a Section III of the form) must be included for each emissions unit listed.

Emissions Unit ID	Description of Emissions Unit	Permit Type
1	MU-1 through MU-5 ; 5- 2000 kW Diesel Generators (001-005)	
2	S-1; Fossil Fuel Steam Generating Unit #1 (007)	
3	S-3; Fossil Fuel Steam Generating Unit #3 (009)	
4	S-4; Fossil Fuel Steam Generating Unit #4 (010)	
5	GT-1; Gas Turbine #1 (006)	
6	CC1 (GT-2/S-5); Combined Cycle Combustion Turbine 2/Steam Unit 5 (011)	
7	T-3, T-4, T-5, T-6 fuel Oil Storage Tanks; 5000 gallon and 950 gallon Lube Oil Storage Tanks and Fuel Oil Fittings and Pumps	
8	T-10, T-11, and T-12 Fuel Oil Storage Tanks	
9	T-8 Fuel Oil Storage Tanks	

**B. GENERAL EMISSIONS UNIT INFORMATION
(Regulated and Unregulated Emissions Units)**

Emissions Unit Description and Status

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters): Fuel Oil Storage Tanks 10, 11 and 12 Tank 10 is fixed roof 20,134 gallons capacity, constructed in 05/92 Tank 11 is fixed roof 20,134 gallons capacity, constructed in 05/92 Tank 12 is fixed roof 140,798 gallons capacity, constructed in 05/92		
2. Emissions Unit Identification Number: [] No Corresponding ID [] Unknown		
3. Emissions Unit Status Code:	4. Acid Rain Unit? [] Yes [] No	5. Emissions Unit Major Group SIC Code:
6. Emissions Unit Comment (limit to 500 characters): 		

Emissions Unit Control Equipment

A.

1. Description (limit to 200 characters):
2. Control Device or Method Code:

**E. EMISSION POINT (STACK/VENT) INFORMATION
(Regulated Emissions Units Only)**

Emission Point Description and Type

1. Identification of Point on Plot Plan or Flow Diagram: T-10, T-11, and T-12
2. Emission Point Type Code: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4
3. Descriptions of Emissions Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point):
4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common:
5. Discharge Type Code: <input type="checkbox"/> D <input type="checkbox"/> F <input type="checkbox"/> H <input checked="" type="checkbox"/> P <input type="checkbox"/> R <input type="checkbox"/> V <input type="checkbox"/> W
6. Stack Height: feet
7. Exit Diameter: feet
8. Exit Temperature:77 °F

Emissions Unit Information Section 8 of 9

9. Actual Volumetric Flow Rate:	acfm
10. Percent Water Vapor :	%
11. Maximum Dry Standard Flow Rate:	dscfm
12. Nonstack Emission Point Height: 31	feet
13. Emission Point UTM Coordinates: Zone:17 East (km):592.8 North (km): 2943.7	
14. Emission Point Comment (limit to 200 characters): The VOC potential emissions from tanks 10 and 11 are 63 lb/yr each. Tanks 10 and 11 are identical. The VOC potential emissions from tank 12 are 392 lb/yr.	

**F. SEGMENT (PROCESS/FUEL) INFORMATION
(Regulated and Unregulated Emissions Units)**

Segment Description and Rate: Segment _____ of _____

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters): Working loss and breathing loss from fixed roof storage tanks.	
2. Source Classification Code (SCC):	
3. SCC Units: 1000 gallons throughput	
4. Maximum Hourly Rate:	5. Maximum Annual Rate:
6. Estimated Annual Activity Factor: See Segment Comment Section	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters): 40301021 Distillate Fuel #2 Fixed Roof Working Loss 40301019 Distillate Fuel #2 Fixed Roof Breathing Loss Tanks 10 and 11 Capacity = 20,134 gallons each Tank 12 Capacity = 140,785 gallons	

III. EMISSIONS UNIT INFORMATION

A separate Emissions Unit Information Section (including subsections A through L as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application. Some of the subsections comprising the Emissions Unit Information Section of the form are intended for regulated emissions units only. Others are intended for both regulated and unregulated emissions units. Each subsection is appropriately marked.

**A. TYPE OF EMISSIONS UNIT
(Regulated and Unregulated Emissions Units)**

Type of Emissions Unit Addressed in This Section

1. Regulated or Unregulated Emissions Unit? Check one:

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

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

2. Single Process, Group of Processes, or Fugitive Only? Check one:

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

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

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

**B. GENERAL EMISSIONS UNIT INFORMATION
(Regulated and Unregulated Emissions Units)**

Emissions Unit Description and Status

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters): Fuel Oil Storage Tank 8 Tank 8 is fixed roof 387,580 gallons capacity, constructed in 01/67		
2. Emissions Unit Identification Number: [] No Corresponding ID [] Unknown		
3. Emissions Unit Status Code:	4. Acid Rain Unit? [] Yes [] No	5. Emissions Unit Major Group SIC Code:
6. Emissions Unit Comment (limit to 500 characters):		

Emissions Unit Control Equipment

A.

1. Description (limit to 200 characters):
2. Control Device or Method Code:

**E. EMISSION POINT (STACK/VENT) INFORMATION
(Regulated Emissions Units Only)**

Emission Point Description and Type

1. Identification of Point on Plot Plan or Flow Diagram: T-8	
2. Emission Point Type Code: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4	
3. Descriptions of Emissions Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point):	
4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common:	
5. Discharge Type Code: <input type="checkbox"/> D <input type="checkbox"/> F <input type="checkbox"/> H <input checked="" type="checkbox"/> P <input type="checkbox"/> R <input type="checkbox"/> V <input type="checkbox"/> W	
6. Stack Height:	feet
7. Exit Diameter:	feet
8. Exit Temperature:77	°F

Emissions Unit Information Section 9 of 9

9. Actual Volumetric Flow Rate:	acfm
10. Percent Water Vapor :	%
11. Maximum Dry Standard Flow Rate:	dscfm
12. Nonstack Emission Point Height: 31	feet
13. Emission Point UTM Coordinates: Zone:17 East (km):592.8 North (km): 2943.7	
14. Emission Point Comment (limit to 200 characters): The VOC potential emissions from tank 8 are 12 lb/yr.	

**F. SEGMENT (PROCESS/FUEL) INFORMATION
(Regulated and Unregulated Emissions Units)**

Segment Description and Rate: Segment 1 of 1

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters): Working loss from fixed roof storage tanks.	
2. Source Classification Code (SCC): See Comments Section Below	
3. SCC Units: 1000 gallons throughput	
4. Maximum Hourly Rate:	5. Maximum Annual Rate:
6. Estimated Annual Activity Factor: See Segment Comment Section	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters): 40301075 Residual Oil #6 Fixed Roof Tank Working Loss Tank 8 Capacity = 387,580 gallons #6 Fuel Oil	



Barbara

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

May 5, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Harvey F. Wildschuetz, Utilities Director
Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, FL 33461

Re: Request for Additional Information Regarding Initial Title V Permit Application
File No. 0990045-002-AV
Tom G. Smith Power Plant & Lake Worth Water Treatment Plant, Palm Beach County

Dear Mr. Wildschuetz:

Your initial Title V permit application for the Tom G. Smith Power Plant & Lake Worth Water Treatment Plant was "timely and complete" for purposes of the initial Title V application submission (see Rule 62-213.420(1)(a)1. and (b)2., F.A.C.).

However, in order to continue processing your application, the Department will need the below additional information pursuant to Rule 62-213.420(1)(b)3., F.A.C., and Rule 62-4.070(1), F.A.C. The additional information requested is organized by topic.

Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

Facility Information

1. Rule 62-275.410, F.A.C., "Air Quality Areas - Ozone Nonattainment", is listed as one of the applicable regulations throughout the permit application. Please note that this rule is not applicable, since Palm Beach County is now classified as an attainment area (maintenance area) for ozone. (This rule was also repealed on March 13, 1996.) Please confirm this rule is not applicable to your facility.
2. In Section C, page 13, Facility Pollutants, VOCs and HAPs are identified as regulated pollutants, but do not appear to be regulated by rule or previous permits. Note that unregulated pollutants that are not major should not be identified here. Please clarify.
3. In Section E, page 15, Facility Supplemental Information, "not applicable" is marked in number 4. Please provide precautions to prevent emissions of unconfined particulate matter.

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

P 263 584 963

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to <i>Harvey F. Wildschuetz</i> Street & Number <i>1900 2nd Ave. North</i> Post Office, State, & ZIP Code <i>Lake Worth, FL 33461</i>	Postage \$	Certified Fee	Special Delivery Fee	Restricted Delivery Fee	Return Receipt Showing to Whom & Date Delivered	Return Receipt Showing to Whom, Date, & Addressee's Address	TOTAL Postage & Fees \$	Postmark or Date <i>05-06-97</i>
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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, and 4a & b.
- 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):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mr. Harvey F. Wildschuetz
Utilities Director
Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461

4a. Article Number
P 263 584 963

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

7. Date of Delivery
5-8, 1997

5. Signature (Addressee)

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

6. Signature (Agent)

Harvey F. Wildschuetz

PS Form 3811, December 1991 *U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Some, such as paving and maintenance of roads, parking areas and yards, should be applicable to your facility. Please review the list in Rule 62-296.320(4)(c)3, F.A.C., for suggestions of applicable precautions.

Emissions Unit Information

Diesel Generators

1. Please provide the manufacturer and model number for the diesel generators, if available.
2. Are the potential to emit and fuel usage information for the diesel generators units 1-5 reported for each unit or for all of the units combined? In Section B, page 18, information is listed for each unit, and in Section F, page 25, the information appears to be for each unit. However, since all of the diesel generators were listed together in Emission Unit Information Section 1 of 9, we expected emission calculations to be for all. Please verify that emission calculations submitted are for each unit.

Boilers

3. The application, in Section F, pages 55, 84 and 117, identifies that number 5 fuel oil is used in the boilers, while the fuel analyses provided are for number 6 fuel oil. Please clarify that number 6 fuel oil is used.
4. Is soot blowing conducted on units S-3 and S-4? If so, please describe the typical frequency.
5. Please provide more information on unit S-4 about the temporary shutdown (refer to Section B, page 109). Please clarify the length of time and dates this unit will be shut down. When are the continuous monitors planned for installation?
6. In Section L, page 138, number 14 indicates for unit S-4, "unit is temporarily shutdown; form to follow after restart of unit". The Acid Rain Application, Phase II is included in Attachment N and does have information for unit S-4. Please clarify.

Combined Cycle Turbine/Steam Unit

7. Please identify when the EU-006, CC-1 (GT-2/S-5), commenced construction. Depending on the date construction commenced, 40 CFR 60, Subpart GG may be applicable to this unit. Please review this rule and determine if this rule is applicable.

Fuel Oil Tanks

8. Based on the information provided for tank 12, it appears the tank is subject to the record keeping provisions of 40 CFR 60 Subpart Kb. Please review and revise the list of applicable regulations (page 228) for Section D, Emissions Unit Information Section 9 of 9, or provide additional information to clarify why Subpart Kb does not apply.

Attachments

1. Most of the activities listed in Attachment G proposed for exemption appear to be trivial activities; some, such as those associated with the lime system at the water plant, may be unregulated emission units. Please review these activities and propose for exemption only those activities that are stationary sources of air pollution that qualify for exemption under the provisions of Rule 62-213.430(6), F.A.C., pursuant to Rule 62-213.420(3)(m), F.A.C. Please identify unregulated emission units and indicate any that emit pollutants with potential emissions greater than the threshold levels specified in Rules 62-213.420(3)(c)3 and 4, F.A.C. Please revise and resubmit Attachment G and list only unregulated emission units and exempt activities. Please do not list trivial activities at all on this revised list.
2. Please note that Attachment H, Alternate Modes of Operation, does not list all of the information required by Rule 62-213.415, F.A.C. If trading of emissions is requested, then please submit all of the information required by rule: the emissions cap requested, specific modes of operation and emissions plan per the requirements of Rule 62-213.415(1) & (2)b & c, F.A.C.

Note that flexible use of your acid rain allowances does not need to be requested as an alternate mode of operation. If that is the only purpose of this attachment, it may be omitted from the application and the preceding information need not be submitted. Please advise if this is the case.

Other

1. Note that we may regroup and re-identify emission unit numbers to match their present identification in the Department's data management system. (This note is provided for your information only. No response is required to this item.)

Responsible Official (R.O.) Certification Statement: Rule 62-213.420, F.A.C. requires that all Title V permit applications must be certified by a responsible official. Due to the nature of the information requested above, your response should be certified by the responsible official. Please complete and submit a new R.O. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

Professional Engineer (P.E.) Certification Statement: Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Please complete and submit a new P.E. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

The Department must receive a response from you within 90 (ninety) days of receipt of this letter, unless you (the applicant) request additional time under Rule 62-213.420(1)(b)6.,

Mr. Harvey F. Wildschuetz

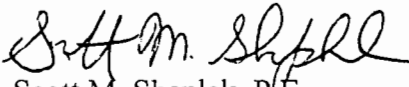
May 5, 1997

Page 4 of 4

F.A.C. Please provide the requested information as soon as possible in order for use to meet the December 31, 1997 issuance deadline for Acid Rain sources. A copy of your response should be sent to Mr. James Stormer, Palm Beach County Health Department, PO Box 29, West Palm Beach, FL 33401.

If you should have any questions, please call Joseph Kahn, P.E. or Susan DeVore at 904/488-1344.

Sincerely,



Scott M. Sheplak, P.E.

Administrator, Title V Section

SMS/sd

enclosure

copy to:

Mr. Albert D. Magley, Jr., P.E., Raytheon Engineers & Constructors, Inc.

Mr. William C. Michael, Lake Worth Utilities

Mr. Isidore Goldman, Southeast District Office

Mr. James Stormer, Palm Beach County Health Department

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official:
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: Street Address: City: State: Zip Code:
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: () - Fax: () -
4. Owner/Authorized Representative or Responsible Official Statement: <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i> _____ Signature _____ Date

* Attach letter of authorization if not currently on file.

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Signature

Date

(seal)

* Attach any exception to certification statement.

Date: 4/25/97 9:55:46 AM
From: Ajaya Satyal WPB
Subject: Lake Worth Utilities 0990045

I reviewed the compliance file for the referenced facilities and offer my comments:

1. All the units are in compliance at this time.
2. For Steam Generating Unit 1, 3, and 4, there is a requirement to do a VE during soot blowing (if utilized). I don't remember a soot blowing VE in this facility. Please see if we should make it little clear.
3. For Nox emissions, the compliance method for Steam Generating unit S1 is by method 7E annual test. Steam Generating Unit S3 is an unit subject to acid rain and should show compliance by 30 days rolling average. Unit S4 is also subject to acid rain even though the unit is shut down for repair at this time. Also, allowable sulfur content in the fuel oil for S1 in the existing permit was not specified.
4. Diesel generators (5). Just VE requirement and Nox Test requirement. These are 2 MW peaking units (identical) and are required to test for NoX by 7E annually.
5. Gas Turbine #1. Nox test and VE okay, sulfur content allowed not clear.
6. Gas Turbine combined, CGT-2/S-5. VE okay, Nox test okay.
7. Please see that quarterly report for fuel analysis continues. Also, Sulfur content for fuel No.6 and No.2 used be specified for the emission units utilizing the fuel.

—only FOR 3 & 4
AO SD-169444

These comments are from the existing compliance file review, I have not seen the application package (Jeff is out today). Call me or drop a line, if you need any assistance.
Thanks.

Section IV. This section is the Acid Rain Part.

Acid Rain Part, Phase II

Operated by: City of Lake Worth

ORIS code: 673

Effective:

The emissions units listed below are regulated under Acid Rain Part, Phase II.

E.U.

<u>ID No.</u>	<u>Description</u>
01	Boiler
02	Boiler

1. The Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

- a. DEP Form No. 62-210.900(1)(a), dated 07/01/95.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

2. Sulfur dioxide (SO₂) allowance allocations and nitrogen oxide (NO_x) requirements for each Acid Rain unit:

	Year	2000	2001	2002	2003
ID No. 01 S3	SO₂ allowances, under Table 2, 3, or 4 of 40CFR 73	9*	9*		
	NO_x limit	**	**		
ID No. 02 S4	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	80*	80*		
	NO_x limit	**	**		

*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, 3, or 4 of 40 CFR 73.

**By January 1, 1999, this Part will be reopened to add Nox requirements in accordance with the regulations implementing section 407 of the Clean Air Act.

3. Comments, notes, and justifications: None.

File

Florida Department of
Environmental Protection

Memorandum

TO: James E. Stormer, Palm Beach

FROM: Bruce Mitchell *[Signature]*

DATE: April 23, 1997

SUBJECT: Completeness Review of an Application Package for a Title V Operation Permit
City of Lake Worth: 0990045-002-AV

Enclosed is an application package for a Title V operation permit that is being processed in Tallahassee. Please review the package for completeness and respond in writing by May 26 1997, if you have any comments. Otherwise, no response is required.

It is very important to verify the compliance statement regarding the facility, since we do not have a readily effective means of determining compliance at the time the application was submitted. Please advise if you know of any emissions unit(s) that were not in compliance at that time and provide supporting information. You should have a copy on file of the original initial Title V permit application submittal. Also, please do not write on these documents.

If there are any questions, please call the project engineer, Joe Kahn, at 904/488-1344 or SC: 278-1344.

RBM/bjb

Enclosure

cc: *Joe Kahn*
Reading File

7. Not Federally Enforceable. Unconfined Particulate Matter. 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. When performing sandblasting on fixed plant equipment, the facility shall construct temporary enclosures when practical and necessary, in order to prevent unconfined particulate emissions.
- b. Maintenance of paved areas as needed.
- c. Regular care of vegetation.
- d. Limiting access to plant property by unnecessary vehicles.
- e. Bagged chemical products shall be stored in buildings until they are used.
- f. Spills of powdered chemical products are cleaned up as soon as practicable.
- g. Sweeping paved roads with a wet vacuum truck.
- h. Watering, if necessary, the lime backwash residue holding area.

[Rule 62-296.320(4)(c)2., F.A.C.; Items 7.g. & h. proposed by applicant in the Additional Information Response received July 31, 1997]

{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C. (condition 57 of Appendix TV-1, dated 8/11/97).}

8. 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.]

9. 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 33402-0029
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

For Acid Rain submittals, submittals should be sent to:

United States Environmental Protection Agency

Region 4

Air, Pesticides & Toxics Management Division

Acid Rain Section

61 Forsyth Street

Atlanta, GA 30303

10. 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.]

Date: 4/22/97 11:16:50 AM
From: Jeffery Koerner WPB
Subject: City of Lake Worth Utilities

Joe,

I did a "quicky" review of their Title V application. Here are my comments:

1. EU-001: Diesel Peaking Units

Are the emissions being reported for each unit or for all units combined? {Application states 21 mmBTU/hr EACH, so I get:

$(21 \text{ mmBTU/hr}) (1000 \text{ gal}/140 \text{ mmBTU}) = 150 \text{ gal/hr}$
 $(150 \text{ gal/hr}) (8760 \text{ hr/yr}) = 1,314,000 \text{ gal/yr}$ for a single unit

However, I think they used this figure to calculate the potential emissions for EU-001 which represents five units.}

2. EU-002: Steam Generating Unit (S-1)

Is this unit really subject to Rule 62-296.406, F.A.C.? {This rule would force a canned BACT determination for PM and SO2 which is currently using a fuel with less than 0.05% sulfur by weight. They use fuel oil with 2.25% sulfur by weight, maximum. The unit was built in 1961.}

PREVIOUS PERMITS 406(i) w/o (e),(s) REQMS.

3. EU-003: Steam Generating Unit (S-3)

Will compliance with the SO2 emission limiting standard (ELS) be by continuous monitor (CM) or fuel analysis or both? {The application states that compliance will be by fuel analysis, but also requests a allowable of 2.475 lb SO2/mmBTU. If this limit is included, will the CM be used to determine compliance?}

Will the opacity monitor be used to determine compliance with the visible emissions standard? Or EPA Method 9? {Acid rain requires the installation of an opacity monitor.}

4. EU-004: Steam Generating Unit #S-4

Same questions apply as for #S-3.

How long has this unit been on "extended forced outage"? Are major modifications (reconstruction) being performed that may subject this unit to NSPS Subpart Da? When is it scheduled to return to service? When are the continuous monitors planned for installation?

N/A PER 60.2 of 60.14

5. EU-005: Gas Turbine #GT-1

No comments. {Looks like it was built before the NSPS applicability date for Subpart GG.}

6. EU-006: Combined Cycle Gas Turbine #CC-1 (GT-2/S-5)

Is this unit subject to NSPS Subparts Da or GG (or both)? {I'm having trouble making up my mind.} *NO.*

7. EU-007, 008, 009: Fuel Storage Tanks

No comment. {The application states that EU-008 is subject NSPS

Subpart Kb which looks right. The application is silent on EU-007 and 009 which is probably OK also. My only question would be on the EU-009's 140,785 gallon fuel oil tank built in 1992. It doesn't look like any of the Subpart K's apply, but that doesn't seem to make sense to me.}

8. OTHER COMMENTS

I plead ignorance on the Acid Rain requirements - I assume the applicant has correctly determined applicability - #S-3 and S-4 are identified as acid rain units.

It would probably be helpful to have all of the air permits for this facility to write the permit. I didn't see copies of them included with the application. I checked ARMS for old AC permits and only found the power plant siting permit PA-74-05 which was only for S-5, right? The other permits were all AO permits. Here's a list:

099-0045-001-AO: Joe's NOx RACT modification for A-1, S-3, S-4, GT-1, and MU-1 thru MU-5.

AO50-091730, AO50-169444: S-1, S-3, and S-4

AO50-089334, AO50-172357: MU-1 thru MU-5

AO50-143296, AO50-219177: GT-1

Looks like this one should go pretty quick since there's not a bunch of conflicting AC permit conditions.

Jeff

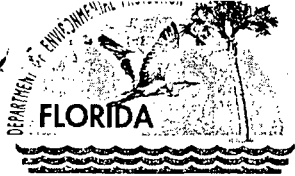
*DISCUSSED WITH JEFF, JOE, SUSAN
BY PRONE 4/30/97, 2:00 PM.*

Date: 4/21/97 2:34:31 PM
From: Joseph Kahn TAL
Subject: Lake Worth Utilities
To: Ajaya Satyal WPB
CC: Susan DeVore TAL

AJ,

Susan and I are processing the Title V application for Lake Worth Utilities. Jeff should have a copy of the application. Please let me know if you have any comments, particularly regarding the compliance statement. Please advise if any emission units or activities were not in compliance when the application was submitted and provide details. Feel free to call me or Susan at 904-488-1344 (SC 278-1344). Thanks.

-Joe



Department of Environmental Protection

FILE

JAN 31 1996

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

CERTIFIED MAIL

2359641697

1/31/96

Mr. Harvey Wildschuetz, Utilities Director
City of Lake Worth
Utilities Department
1900 2nd Avenue North
Lake Worth, FL 33461-4298

DEP File No. 0990045-001-AO
Palm Beach County
Project: Lake Worth Utilities
S1, S3, S4, MU 1 - MU 5, GT-1

RE: Modification of Air Permits, Permit Numbers AO 50-169444, AO 50-172357, AO 50-219177, Issued December 13, 1989, January 18, 1990, and November 6, 1992, Respectively

Dear Mr. Wildschuetz:

We have reviewed your request for a modification of the above permits. Pursuant to that request, the permits are changed as follows:

For each of the above permits, specific conditions 1 and 4 shall be superseded by this modification. The following specific condition shall apply in addition to all other conditions of the above permits.

For permit number AO 50-169444 (units S-1, S-3, S-4) the following specific condition shall be added:

10. The permittee shall comply with the following emission limiting standards for NO_x. [F.A.C. Rule 62-296.570]

Emissions of NO_x from units S-1, S-3, and S-4 shall not exceed 0.50 lb./million Btu while firing natural gas or while firing fuel oil.

Compliance with the NO_x emission limiting standards shall be demonstrated as follows: [F.A.C. Rule 62-296.570]

Unit S-3 is equipped with a continuous emission monitoring system (CEMS) for NO_x. Compliance for unit S-3 shall be demonstrated based on a 30-day rolling average. The CEMS shall be properly maintained and operated and shall meet the performance specifications of 40 CFR 60, Appendix B, or 40 CFR 75. The CEMS data shall be maintained on-site for inspection by the Department, and shall be retained for a minimum of five years from the date of the record. The CEMS data need not be submitted regularly to the Department.

Compliance for units S-1 and S-4 shall be demonstrated by annual emission testing in accordance with EPA Test Method 7E. Emission testing shall be completed by February 28th of each year. Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th). The permittee shall submit to the Palm Beach County Public Health Unit, Air Section, and to the Department of Environmental Protection, Southeast District Office, Air Program, written confirmation that testing while firing oil is not required, in lieu of submitting an emission test report, for each unit that is not tested each year.

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

Printed on recycled paper.

All required emission testing shall be performed no later than February 28th 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 return to service.

Compliance testing shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emissions unit is not tested at permitted capacity, the emission unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emissions unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity. [F.A.C. Rule 62-297.310(2)]

For permit number AO 50-219177 (unit GT-1) the following specific condition shall be added:

10. The permittee shall comply with the following emission limiting standards for NO_x. [F.A.C. Rule 62-296.570]

Emissions of NO_x from unit GT-1 shall not exceed 0.50 lb./million Btu while firing natural gas and 0.90 lb./million Btu while firing fuel oil.

Compliance with the NO_x emission limiting standards shall be demonstrated as follows: [F.A.C. Rule 62-296.570]

Compliance for unit GT-1 shall be demonstrated by annual emission testing in accordance with EPA Test Method 7E. Emission testing shall be completed by February 28th of each year. Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th). The permittee shall submit to the Palm Beach County Public Health Unit, Air Section, and to the Department of Environmental Protection, Southeast District Office, Air Program, written confirmation that testing while firing oil is not required, in lieu of submitting an emission test report, for each unit that is not tested each year.

All required emission testing shall be performed no later than February 28th 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 return to service.

Compliance testing shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emissions unit is not tested at permitted capacity, the emission unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emissions unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity. [F.A.C. Rule 62-297.310(2)]

For permit number AO 50-172357 (units MU 1 - MU 5) the following condition shall be added:

9. The permittee shall comply with the following emission limiting standards for NO_x. [F.A.C. Rule 62-296.570]

Emissions of NO_x from the diesel generator units MU 1 through MU 5 shall not exceed 4.75 lb./million Btu.

Compliance with the NO_x emission limiting standards shall be demonstrated as follows: [F.A.C. Rule 62-296.570]

Compliance for units MU 1 through MU 5 shall be demonstrated by annual emission testing in accordance with EPA Test Method 7E. Emission testing shall be completed by February 28th of each year. Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th). The permittee shall submit to the Palm Beach County Public Health Unit, Air Section, and to the Department of Environmental Protection, Southeast District Office, Air Program, written confirmation that testing while firing oil is not required, in lieu of submitting an emission test report, for each unit that is not tested each year.

All required emission testing shall be performed no later than February 28th 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 return to service.

Compliance testing shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emissions unit is not tested at permitted capacity, the emission unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emissions unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity. [F.A.C. Rule 62-297.310(2)]

This letter must be attached to the original permits and becomes part of those permits.

This letter constitutes final agency action unless a person substantially affected by this action requests an administrative hearing pursuant to Section 120.57, Florida Statutes (F.S.). The petition must be filed within 14 days from receipt of this letter. The petition must comply with the requirements of Florida Administrative Code (F.A.C.) Rule 28-5.201 and be filed pursuant to F.A.C. Rule 62-103.155(1) in the Office of General Counsel of the Department of Environmental Protection at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions which are not filed in accordance with the above provisions will not be accepted by the Department. If a formal proceeding pursuant to Section 120.57(1) is requested, at such formal hearing all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order or hearing officer's recommended order, and to be represented by counsel. If an informal proceeding is requested, the agency will, in accordance with its rules of procedure, give affected persons or parties or their counsel an opportunity, at a convenient time and place, to present to the agency or hearing officer written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction, pursuant to Section 120.57(2), F.S. The hearing process is designed to formulate agency action. Accordingly, the Department's final action as a result of a hearing may be different from the position taken by it in this stage. Therefore any person who may wish to contest the Department's ultimate permitting decision must petition for hearing within the fourteen day period described above. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

This modification is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to F.A.C. Rule 62-103.070. Upon timely filing of a petition or a request for an extension of time this modification will not be effective until further Order of the Department.

FILE

When the Order (modification) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 modification is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

I. Goldman

1/31/96

Isidore Goldman, P.E.
District Air Program Administrator
Southeast District

Date

IG/jk

cc: James Stormer, PBCPHU

Scott Sheplak, DEP/BAR

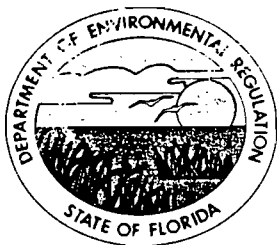
CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before the close of business on JAN 31 1996 to the listed persons.

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

Jinda C. Blaser
Clerk

JAN 31 1996
Date



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

FILE

PERMITTEE:

Mr. N. Keith Nicholson
City of Lake Worth Utilities
112 College Street
Lake Worth, Florida 33460

I.D. NUMBER: 50/PMB/50/0045
PERMIT/CERTIFICATION NUMBER: AO 50-169444 *
DATE OF ISSUE: DEC. 13 1989
EXPIRATION DATE: December 17, 1994
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W
UTM: Zone 17; 592.8 Km. E; 2943.7 Km. N
PROJECT: City of Lake Worth Utilities
Fossil Fuel Steam Generating
Units 1, 3 and 4

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of :

- a) Fossil Fuel Steam Generating Unit 1, rated at 7,500 KW (111 million BTU/hr.), capable of burning a mix of natural gas and #6 fuel oil operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 60 feet above ground level through a 5-foot diameter stack.
- b) Fossil Fuel Steam Generating Unit 3, nominally rated at 25,200 KW (325 million BTU/hr.) capable of burning a mix of natural gas and #6 fuel oil, operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 100 feet above ground level through a 7-foot diameter stack.
- c) Fossil Fuel Steam Generating Unit 4, nominally rated at 33,000 KW (419 million BTU/hr.), capable of burning a mix of natural gas and #6 fuel oil, operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 100 feet above ground level through a 7-foot diameter stack.

IN ACCORDANCE WITH: Application for Renewal of Permits to Operate Air Pollution Sources for Steam Units 1, 3 and 4 all received August 31, 1989 and Applications for Permits to Operate Air Pollution Sources for Units 1, 3 and 4 all dated July 3, 1979 (none are attached).

LOCATED AT: 114 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: An electric service utility (SIC # 4911).

SUBJECT TO: General Conditions 1-14. and Specific Conditions 1-9.

* This permit is a renewal of AO 50-091730 issued January 4, 1985.

RECEIVED

APR 24 1997

BUREAU OF
AIR REGULATION

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida

I.D. NUMBER: 50/PMB/ 0045
PERMIT/CERTIFICATION NUMBER: AO 50-169444
DATE OF ISSUE: DEC 13 1989
EXPIRATION DATE: December 17, 1994

SPECIFIC CONDITIONS:

FILE

1. Compliance testing shall be conducted for the sources covered by this permit by August 1990 and annually thereafter in accordance with the methods specified below.

2. Emission limiting standards are as follows:

a. Unit 1

In accordance with Florida Administrative Code (F.A.C.) Rule 17-2.600(6)(A) - Fossil Fuel Steam Generators less than 250 Million BTU per Hour Heat Input
Visible Emissions - 20 Percent opacity except for one two-minute period per hour the opacity shall not exceed 40 percent opacity.

b. Units 3 and 4

In accordance with F.A.C. Rules 17-2.600(5)(a) Fossil Fuel Steam Generators with more than 250 million BTU per Hour Heat Input and F.A.C. Rule 17-2.250(3)

- Visible emissions for steady state operations shall not exceed 20 percent opacity, except that 40 percent opacity shall be permissible for no more than 2 minutes in any one hour period.
- Particulate emissions for steady state operations shall not exceed 0.1 pounds per million BTU heat input, maximum 2-hour average.
- Visible emissions for soot blowing (if utilized) and load changes shall not exceed 60 percent opacity for more than 3 hours in any 24-hour period.
- Particulate emissions for soot blowing (if utilized) and load changes shall not exceed an average of 0.3 pounds per million BTU heat input during the three (3) hours period allowed for in excess

In accordance with Special Conditions I. 1. of Certification for Unit S-5, restricting sulfur content of fuel for units 3 and 4 to 2.25%, SO₂ emissions shall not exceed 2.475 pounds per million BTU heat input.

3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Unit 1	Visible Emissions	DER Method 9
Units 3 and 4	Visible Emissions (Steady State & Soot Blowing)	DER Method 9
	Particulate ** (Steady State & Soot Blowing)	EPA Method 17* or EPA Method 5
	SO ₂	***

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(7).

* Method 17 may be used only if the stack temperature is less than 375°.

** Testing of particulate emissions will be conducted if unit operation on oil, exclusive of start-up exceeds 400 hours per year (FAC 17-2.700(2)(a)5.)

*** Sulfur content shall be verified by monthly fuel analysis reports submitted quarterly. SO₂ emissions shall be calculated stoichiometrically.

4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source. Otherwise the Department may require the test to be repeated or modify the permit to reflect tested rates and/or fuels.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida

I.D. NUMBER: 50/PM 070045
PERMIT/CERTIFICATION NUMBER: AO 50-169444
DATE OF ISSUE: DEC. 13 1989
EXPIRATION DATE: December 17, 1994

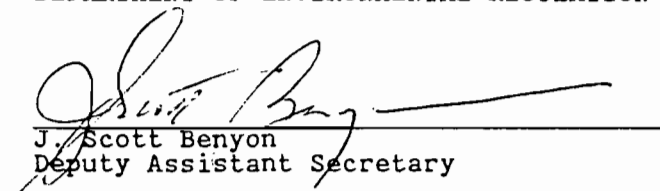
SPECIFIC CONDITIONS:

FILE

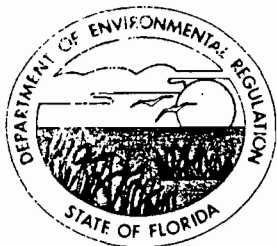
5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.
6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.
7. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.
8. As of the date of issue of this permit, Unit #1 is on cold standby and Unit #4 is down for repairs. Within 30 days after start-up of each unit, submit the required tests for that unit.
9. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru 14.". General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 13th day of December, 1989

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



J. Scott Benyon
Deputy Assistant Secretary



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

DEC. 13 1989

FILE

NOTICE OF PERMIT

Palm Beach County
AP - City of Lake Worth Utilities
Fossil Fuel Steam Generating
Units 1, 3 and 4

Mr. N. Keith Nicholson
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

Dear Mr. Nicholson:


Enclosed is Permit Number AO 50-169444 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 17-103 and 28-5.201, FAC, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, FAC. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; 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 Final Order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida

STATE OF FLORIDA
DEPARTMENT OF REGULATION


J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/964-9668

JSB:SBk27

cc: Palm Beach County Public Health Unit

Mr. N. Keith Nicholson
City of Lake Worth
Lake Worth, Florida
Page 2 of 2

DER Permit Numb 90 50-169444

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on DEC. 13 1989 to the listed persons.

Clerk Stamp

FILE

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Phyllis J. Kern
Clerk

DEC. 13 1989
Date



Florida Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

April 1, 1994

FILE

Mr. William C. Michael
Mechanical Systems Engineer
City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, FL 33461-4298

Dear Mr. Michael:

The Department is in receipt of your letters dates March 28 and 29, 1994. The permit for the diesel peaking units, AO 50 - 172357, and the permit for the steam units, AO 50 - 169444, are extended by rule until June 2, 1995 per 17-210.300(2)(c)1., F.A.C. The Title V application for the facility is due April 2, 1995 not November of 1995 as stated in your March 29 letter. The Title V application is due in April because of the Power Plant Siting Certification for Unit S-5.

In addition, 17-4.090, F.A.C., states that if an application is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by DEP. This means that the permits will be extended until the Title V permit is issued if the renewal is timely and sufficient. The Department has three years from November 15, 1995 to issue all Title V permits at the rate of 1/3 of the total per year.

Should you have any additional questions, please call me at (407) 433-2650.

Sincerely,

Stephanie S. Brooks, P.E.

Stephanie S. Brooks, P.E.
Professional Engineer II
Supervisor, Air Permitting Section

cc: Jeff Koerner, Palm Beach County Health Unit



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Carol M. Browner, Secretary

Fax: 407/433-2666

NOV 6 1992

PERMITTEE:

Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461-4298

I.D. NUMBER: 50/PMB/50/0045/06

PERMIT/CERTIFICATION NUMBER: AO 50-219177*

DATE OF ISSUE: NOV 6 1992

EXPIRATION DATE: October 30, 1997

COUNTY: Palm Beach

LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W

UTM: Zone 17; 592.8 Km. E; 2943.6 Km. N

PROJECT: City of Lake Worth Utilities
30 MW Gas Turbine No. 1 (Peaking Unit)

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of a 30 MW Westinghouse Combustion Gas Turbine (No. 1) burning No. 2 fuel oil at a maximum rate of 435 MBTU/hr. (3,145 gal./hr.). Pollutants are emitted through a stack 50 feet above ground level.

IN ACCORDANCE WITH: Application for Renewal of Permit to Operate Air Pollution Sources received September 16, 1992; Application for Renewal of Permit to Operate an Air Pollution Source received December 21, 1987, as amended February 8, 1988, and Application to Operate an Air Pollution Source dated September 8, 1977 (none are attached).

LOCATED AT: 117 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: A public service utility (SIC # 4911).

SUBJECT TO: General Conditions 1-14. and Specific Conditions 1-9.

*This permit is a renewal of permit no. AO 50-143296 issued April 26, 1988.

Page 1 of 4

DER Form 17-1.201(5)
Effective November 30, 1982

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property, or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit.

These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

NOV 6 1992

PERMITTEE:
Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
Lake Worth, Florida 33461-4298

I.D. NUMBER: 50/PMB/50/0045/06
PERMIT/CERTIFICATION NUMBER: AO 50-219177
DATE OF ISSUE: NOV 6 1992
EXPIRATION DATE: October 30, 1997

SPECIFIC CONDITIONS:

1. Compliance testing shall be conducted for the sources covered by this permit by February 1993 and annually thereafter in accordance with the methods specified below.

2. Emission limiting standard is as follows:

In accordance with Florida Administrative Code (F.A.C.) Rule 17-2.610(2)(a), -no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere any air pollutants with opacity equal to or greater than 20 percent.

3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Stack	Visible Emissions	DER Method 9

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(1).

4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source, otherwise the Department may require the test to be repeated or require modification of the permit to reflect tested rates and/or fuels.

5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.

6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.


7. Fuel used shall be limited to #2 fuel oil.

8. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.

9. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru #14." General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 5th day of November, 1992

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



Mary E. S. Williams
Director of District Management



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Carol M. Browner, Secretary

Fax: 407/433-2666

NOV 6 1992

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT ISSUANCE

FILE

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

Mr. N. Keith Nicholson /
Power Plant Superintendent /
City of Lake Worth Utilities /
1900 2nd Avenue North /
Lake Worth, Florida 33461-4298 /

DER File No. AO 50-219177
Palm Beach County

Enclosed is Permit Number AO 50-219177 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 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 Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida 33461-4298
Page 2 of 2

DER Permit No. AO 50-219177

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 Final Order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Mary E.S. Williams
Director of District Management
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/433-2650

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on NOV 6 1992 to the listed persons.

Clerk Stamp

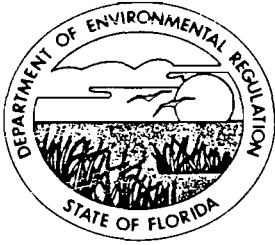
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk)

NOV 6 1992
(Date)

Copies furnished to: Palm Beach County Public Health Unit

FILE



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

PERMITTEE:

Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

I.D. NUMBER: 50/PMB/50/0045
PERMIT/CERTIFICATION NUMBER: AO 50-172357 *
DATE OF ISSUE: JAN. 13 1990
EXPIRATION DATE: July 17, 1994
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W
UTM: Zone 17; 592.8 Km. E; 2943.7 Km. N
PROJECT: City of Lake Worth Utilities
5 diesel Peaking Units

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of 5 diesel generators (peaking units designated MW 1 to MW 5), 2000 KW each using #2 diesel fuel. Emissions are discharged 16.5 feet above ground level.

IN ACCORDANCE WITH: Application for Renewal of Permit to Operate Air Pollution Sources received November 7, 1989 and Application to Operate Air Pollution Sources dated June 22, 1979 (none are attached).

LOCATED AT: 114 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: An electrical generating utility (SIC # 4931).

SUBJECT TO: General Conditions 1-14 and Specific Conditions 1-8.

* This permit is a renewal of AO 50-089334 issued July 10, 1984.

FILE

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

FILE

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities.
Lake Worth, Florida

I.D. NUMBER: 50/PMB/5G 045
PERMIT/CERTIFICATION NUMBER: AO 50 172357
DATE OF ISSUE: JAN 18 1990
EXPIRATION DATE: July 17, 1994

FILE

SPECIFIC CONDITIONS:

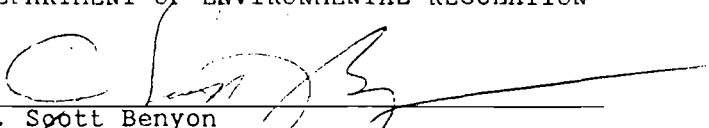
1. Compliance testing shall be conducted for the sources covered by this permit by June 1990 and annually thereafter in accordance with the methods specified below.
2. Emission limiting standard is as follows:
In accordance with Florida Administrative Code Rule 17-2.610(2)(a) - No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any pollutants from new, or existing sources with an opacity greater than or equal to 20 percent.
3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Diesel Generator Exhaust Stacks	Visible Emissions	DER Method 9

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(7).
4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source. Otherwise the Department may require the test to be repeated or modify the permit to reflect tested rates and/or fuels.
5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.
6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.
7. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.
8. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru 14.". General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 13th day of January, 1990

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION


J. Scott Benyon
Deputy Assistant Secretary



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

NOTICE OF PERMIT

JAN. 18 1990

Palm Beach County
AP - City of Lake Worth Utilities
5 Diesel Peaking Units

Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

FILE

Dear Mr. Nicholson:

Enclosed is Permit Number AO 50-172357 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

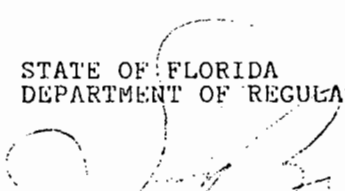
Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 17-103 and 28-5.201, FAC, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, FAC. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; 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 Final Order is filed with the Clerk of the Department.

In addition, please be advised that some processes generate hazardous wastes. Please consult 40 C.F.R. Parts 260-271 and Chapter 17-730, F.A.C. for specific rules and regulations applicable to hazardous waste handlers. Attached for your use is a document entitled "Highlights of Hazardous Waste Regulations" which outlines typical compliance items applicable to various hazardous waste generators/facilities.

Executed in West Palm Beach, Florida

STATE OF FLORIDA
DEPARTMENT OF REGULATION


J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/964-9668

JSB:SBK53

cc: Palm Beach County Public Health Unit

Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida

Best Available Copy

DER Permit Number 09 1 357

Page 2 of 2

FILE

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on JAN 1 8 1990 to the listed persons.

01 18 1990

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Phyllis J. Kern
Clerk

JAN. 1 8 1990
Date

Palm Beach County Health Department

P.O. BOX 29, WEST PALM BEACH, FLORIDA 33402

C.L. BRUMBACK, M.D., M.P.H.
DIRECTOR

XXXXXXXXXXXX
Please Reply to
XXXXXXXXXXXX

September 10, 1976

Mr. C. C. Blaisdell, Jr.
Lake Worth Utilities Authority
114 College Street
Lake Worth, Florida 33460

Dear Mr. Blaisdell:

Pursuant to your recent application, please find enclosed a permit (No.AC 50-2168A), dated 9/10/76 to construct/~~operate~~ the subject pollution source.

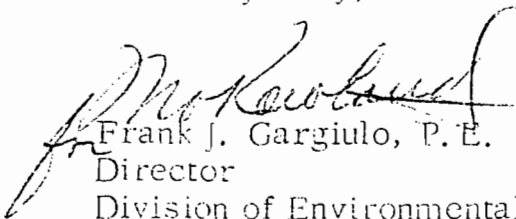
This permit will expire on 9/1/77 , and will be subject to the conditions, requirements and restrictions checked or indicated otherwise in the attached sheet "Construction/~~Operation~~ Permit Conditions."

This permit is issued under the authority of Florida Statute 403.061(16). The time limits imposed herein are a condition to this permit and are enforceable under Florida Statute 403.061. You are hereby placed on Notice that this Agency will review this permit before the scheduled date of expiration and will institute enforcement action for violation(s) of the conditions and requirements of this permit, through either the Palm Beach County Environmental Control Office (ECO) or the Florida Department of Environmental Regulation. (DER)

You have ten (10) days from the date of receipt hereof within which to seek a review of the conditions and requirements contained in this permit. Failure to file a written request to review or modify the conditions or requirements contained in this permit shall be deemed a waiver of any objections thereto.

Your continued cooperation in this matter is appreciated and in future communication please refer to your permit number.

Your very truly,


Frank J. Gargiulo, P. E.
Director

Division of Environmental Sciences
and Engineering

FJG cb

RECEIVED

SEP 14 1976

Dept. of Environmental Control
West Palm Beach

cc: Department of Environmental Regulation, District Office

FSE 204/Mav 76

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

CONSTRUCTION PERMIT

FOR Lake Worth Utilities Authority

114 College Street

Lake Worth, Florida 33460

PERMIT NO. AG 50 2168A *

DATE OF ISSUE September 10, 1976

PURSUANT TO THE PROVISIONS OF SECTIONS 403.061(16) AND 403.707 OF CHAPTER 403 FLORIDA STATUTES AND CHAPTERS 17-4 AND 17-7 FLORIDA ADMINISTRATIVE CODE, THIS PERMIT IS ISSUED TO:

C. C. Blaisdell, Jr., Utilities Director

FOR THE CONSTRUCTION OF THE FOLLOWING:

30 mw gas turbine peaking unit, 55.4 mbtu/hr (avg), burning #2 fuel oil, discharge-through stack minimum 79 ft,MSL, Unit to replace

five (5) existing diesel generators, subject to provisos 1, 2, 3, 4, 6, 8, 9.

LOCATED AT: South College Street, Lake Worth, Palm Beach County

UTM: 17,592.8 Km E; 2,943.6 Km N

IN ACCORDANCE WITH THE APPLICATION DATED July 3, 1973 (original) and August 2, 1976 (extension request)

ANY CONDITIONS OR PROVISO WHICH ARE ATTACHED HERETO ARE INCORPORATED INTO AND MADE A PART OF THIS PERMIT AS THOUGH FULLY SET FORTH HEREIN. FAILURE TO COMPLY WITH SAID CONDITIONS OR PROVISO SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND SHALL SUBJECT THE APPLICANT TO SUCH CIVIL AND CRIMINAL PENALTIES AS PROVIDED BY LAW.

THIS PERMIT SHALL BE EFFECTIVE FROM THE DATE OF ISSUE UNTIL September 1, 1977

OR UNTIL REVOKED OR SURRENDERED AND SHALL BE SUBJECT TO ALL LAWS OF THE STATE AND THE RULES AND REGULATIONS OF THE DEPARTMENT.

McRevised
Palm Beach County Health Dept.
Environmental Sciences & Engineering

Joseph W. Landers, Jr.
JOSEPH W. LANDERS, JR.
SECRETARY

Joseph W. Landers, Jr.
DISTRICT MANAGER

SEP 14 1976

* This permit is reissued pursuant to request for time extension dated August 2, 1976 and supercedes permit # AC 50-2168A issued June 13, 1975.

Best Available Copy

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

CONSTRUCTION PERMIT PROVISOS

AIR POLLUTION SOURCES

Permit No. AC 50-2168A

Date: 9/10/76

- (X) 1. Construction of this installation shall be completed by July 1, 1977. Application for Permit to Operate to be submitted by August 1, 1977.
- (X) 2. This construction permit expires on September 1, 1977 following an initial period of operation for appropriate testing to determine compliance with the Rules of the Florida Department of Environmental Regulation Commission.
- (X) 3. All applicable rules of the Department including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction.
- (X) 4. The applicant shall continue the retention of the engineer of record for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents. A report of such inspection shall be submitted by the engineer to the Department of Environmental Regulation for consideration toward the issuance of an operation permit.
- () 5. This _____ shall be tested* for _____ within _____ days after it is placed in operation. These test results are required prior to our issuance of an operation permit and shall be submitted in duplicate to the Florida Department of Environmental Regulation _____

* Fuel Analysis May be Submitted for Required Sulfur Dioxide Emission Test.

- (X) 6. The operation of this installation shall be observed for visible emissions in accordance with Method 9-Visible Determination of the Opacity of Emissions from Stationary Sources (36FR24895; Federal Register, December 23, 1971). The observation results are required prior to our issuance of an operation permit, and shall be submitted ~~in duplicate~~ to the Department of Environmental Regulation District Office, 3301 Gun Club Rd., W. Palm Beach, and Palm Beach County Health Department, P.O. Box 29, W. Palm Beach, FL 33402
- () 7. Satisfactory ladders, platforms, and other safety devices shall be provided/available as well as necessary ports to facilitate the carrying out of an adequate sampling program.
- (X) 8. There shall be no discharges of liquid effluents ~~or~~ contaminated runoff from the plant site.
- (X) 9. All fugitive dust generated at this site shall be adequately controlled.

SEP 14 1976
Dept. of Environmental Regulation
West Palm Beach



STATE OF FLORIDA
DEPARTMENT OF POLLUTION CONTROL
2582 EXECUTIVE CENTER CIRCLE, EAST
MONTGOMERY BUILDING, TALLAHASSEE, FLORIDA 32301

VINCENT D. PATTON
EXECUTIVE DIRECTOR

Please reply to
State of Florida, Southeast Region
Department of Pollution Control
200 Southeast 6th Street, Suite 500
Fort Lauderdale, Florida 33301
Telephone (305) 524-8593

DAVID H. LEVIN
CHAIRMAN

Palm Beach County - AP
Lake Worth Utilities Auth

October 16, 1973

Mr. C. C. Blaisdell, Jr., Director
Lake Worth Utilities Authority
114 College St.
Lake Worth, Fla.

Dear Mr. Blaisdell:

Pursuant to your recent application, please find enclosed a permit (No. AC50-2168) dated 9-28-73 to construct/~~operate~~ the subject pollution source.

This permit will expire on 3-1-75 , and will be subject to the conditions, requirements and restrictions checked or indicated otherwise in the attached sheet Construction/~~Operation~~ "Permit Conditions."

This permit is issued under the authority of Florida Statutes 403.061 (16). The time limits imposed herein are a condition to this permit and are enforceable under Florida Statute 403.161. You are hereby placed on Notice that the Department will review this permit before the scheduled date of expiry and will seek court action for violation of the conditions and requirements of this permit.

You have ten days from the date of receipt hereof within which to seek a review of the conditions and requirements contained in this permit.

Your continued cooperation in this matter is appreciated and in future communication please refer to your permit number.

Sincerely,

C. Medeiros, P.E.
for Regional Engineer

cc: Project Engineer Evert A. Young, 1721 Donna Rd., West Palm Beach
Local Program Palm Beach County Health Department 33401

JOHN R. MIDDLEMAS
BOARD MEMBER

GEORGE RUPPEL
BOARD MEMBER

JAMES F. REDFORD, JR.
BOARD MEMBER

A. D. VINCENT
BOARD MEMBER

Misc. files

STATE OF FLORIDA
DEPARTMENT OF AIR AND WATER
POLLUTION CONTROL

CONSTRUCTION PERMIT

FOR Lake Worth Utilities Authority
114 College St.
Lake Worth, Fla.

PERMIT NO. AC50-2168 DATE 9-28-73

PURSUANT TO THE PROVISION OF SECTION 403.061 (16) OF CHAPTER 403, FLORIDA STATUTES AND CHAPTER 17-4, FLORIDA ADMINISTRATIVE CODE, THIS PERMIT IS ISSUED TO Mr. C. C. Blaisdell, Jr., Utilities Director

FOR THE CONSTRUCTION OF THE FOLLOWING: gas turbine peaking unit to replace five (5) diesel units with stack height of minimum of 79' MSL

LOCATED AT: South College St., Lake Worth, Fla. Palm Beach County UTM'S: 7592800E, 2943675N

IN ACCORDANCE WITH THE APPLICATION DATED 7-3-73 AND IN CONFORMITY WITH THE STATEMENTS AND SUPPORTING DATA ENTERED THEREIN, ALL OF WHICH ARE FILED WITH THE DEPARTMENT AND ARE CONSIDERED A PART OF THIS PERMIT.

THIS PERMIT SHALL BE EFFECTIVE FROM THE DATE OF ITS ISSUANCE UNTIL 3-1-75 AND SHALL BE SUBJECT TO ALL APPLICABLE LAWS OF THE STATE AND THE RULES AND REGULATIONS OF THE DEPARTMENT.

C. Medeiros
C. Medeiros
for Regional Engineer

DAVID H. SCOTT, CHIEF
BUREAU OF PERMITTING

VINCENT D. PATTON
EXECUTIVE DIRECTOR

STATE OF FLORIDA

DEPARTMENT OF POLLUTION CONTROL

CONSTRUCTION PERMIT PROVISOS

AIR POLLUTION SOURCES

Permit No. AC13-2168

Date: 9-28-73

1. Construction of this installation shall be completed by 2-1-75
2. This construction permit expires on 3-1-75 following an initial period of operation for appropriate testing to determine compliance with the Rules of the Florida Pollution Control Board.
3. All applicable rules of the Department including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction.
4. The applicant shall continue the retention of the engineer of record for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents. A report of such inspection shall be submitted by the engineer to the Department of Pollution Control for consideration toward the issuance of an operation permit.
5. This _____ shall be tested for _____ within _____ days after it is placed in operation. These test results are required prior to our issuance of an operation permit and shall be submitted in duplicate to the DPC _____ Florida Regional Office _____
6. The operation of this installation shall be observed for visible emissions in accordance with Method 9 - Visible Determination of the Opacity of Emissions from Stationary Sources (Federal Register, December 23, 1971). The observation results are required prior to our issuance of an operation permit, and shall be submitted in duplicate to the DPC Southeast Florida Regional Office, 200 SE 6 ST. SUITE 500, FT. LAUDERDALE, FL 33301
7. Stack sampling for total particulate or other contaminant emissions shall be conducted if found by the DPC _____ Florida Regional Office to be necessary as a basis for the issuance of an operation permit.
8. Satisfactory ladders, platforms, and other safety devices shall be provided/available as well as necessary ports to facilitate the carrying out of an adequate sampling program.

(TURN OVER)

[] 9. The following items are required prior to our issuance of an operation permit in addition to the engineer of record's report of inspection:

- (a) An emission report for total particulates and sulfur oxides based upon actual operations.
- (b) A tabular summary of actual records of frequencies and durations of soot blowing as well as boiler blowdown characteristics and disposal practices.

These items are required prior to our issuance of an operation permit and shall be submitted in duplicate to the DPC _____
Florida Regional Office, _____

[] 10. There shall be no discharges of liquid effluents or contaminated runoff from the plant site.

[] 11. All fugitive dust generated at this site shall be adequately controlled.

Appendix H-1, Permit History/ID Number Changes

Lake Worth Utilities Authority

[DRAFT/PROPOSED/FINAL]Permit No.: 0990045-002-AV
Facility ID No.: 0990045

Permit History (for tracking purposes):

E.U.

<u>ID No</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-001	Diesel Generator #1 Peaking Unit	AO 50-172357	01/18/90	07/17/94		
-002	Diesel Generator #2 Peaking Unit	AO 50-172357	01/18/90	07/17/94		
-003	Diesel Generator #3 Peaking Unit	AO 50-172357	01/18/90	07/17/94		
-004	Diesel Generator #4 Peaking Unit	AO 50-172357	01/18/90	07/17/94		
-005	Diesel Generator #5 Peaking Unit	AO50-172357	01/18/90	07/17/94		
-006	Combustion Gas Turbine #1	AO 50-219177	11/06/92	10/30/97		
-007	Fossil Fuel Steam Gen. Unit #1	AO 50-169444	01/31/96	09/15/96		
-008	Fossil Fuel Steam Gen. Unit #2					
-009	Fossil Fuel Steam Gen. Unit #3	AO 50-169444	01/31/96	09/15/96		
-010	Fossil Fuel Steam Gen. Unit #4	AO 50-169444	01/31/96	09/15/96		
-011	Combined Cycle Gas Turbine	PA -74-05	05/18/76			

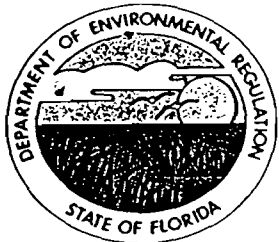
(if applicable) ID Number Changes (for tracking purposes):

From: Facility ID No.: 50PMB500045

To: Facility ID No.: 0990045

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



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

NOTICE OF PERMIT

JAN. 18 1990

Palm Beach County
AP - City of Lake Worth Utilities
5 Diesel Peaking Units

Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

Dear Mr. Nicholson:

Enclosed is Permit Number AO 50-172357 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

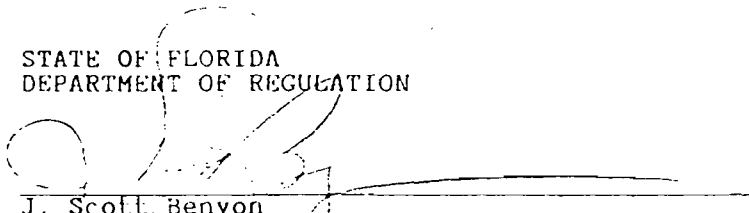
Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 17-103 and 28-5.201, FAC, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, FAC. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; 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 Final Order is filed with the Clerk of the Department.

In addition, please be advised that some processes generate hazardous wastes. Please consult 40 C.F.R. Parts 260-271 and Chapter 17-730, F.A.C. for specific rules and regulations applicable to hazardous waste handlers. Attached for your use is a document entitled "Highlights of Hazardous Waste Regulations" which outlines typical compliance items applicable to various hazardous waste generators/facilities.

Executed in West Palm Beach, Florida

STATE OF FLORIDA
DEPARTMENT OF REGULATION


J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/964-9668

JSB:SBK53

cc: Palm Beach County Public Health Unit

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on JAN. 18 1990 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Phyllis J. Kern
Clerk

JAN. 18 1990
Date



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

PERMITTEE:

Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

I.D. NUMBER: 50/PMB/50/0045
PERMIT/CERTIFICATION NUMBER: AO 50-172357 *
DATE OF ISSUE: JAN. 18 1990
EXPIRATION DATE: July 17, 1994
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W
UTM: Zone 17; 592.8 Km. E; 2943.7 Km. N
PROJECT: City of Lake Worth Utilities
5 diesel Peaking Units

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of 5 diesel generators (peaking units designated MV 1 to MV 5), 2000 KW each using #2 diesel fuel. Emissions are discharged 16.5 feet above ground level.

IN ACCORDANCE WITH: Application for Renewal of Permit to Operate Air Pollution Sources received November 7, 1989 and Application to Operate Air Pollution Sources dated June 22, 1979 (none are attached).

LOCATED AT: 114 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: An electrical generating utility (SIC # 4931).

SUBJECT TO: General Conditions 1-14 and Specific Conditions 1-8.

* This permit is a renewal of AO 50-089334 issued July 10, 1984.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities.
Lake Worth, Florida

I.D. NUMBER: 50/PMB/50/0
PERMIT/CERTIFICATION NUMBER: AO 50-172357
DATE OF ISSUE: JAN. 18 1990
EXPIRATION DATE: July 17, 1994

SPECIFIC CONDITIONS:

1. Compliance testing shall be conducted for the sources covered by this permit by June 1990 and annually thereafter in accordance with the methods specified below.
2. Emission limiting standard is as follows:

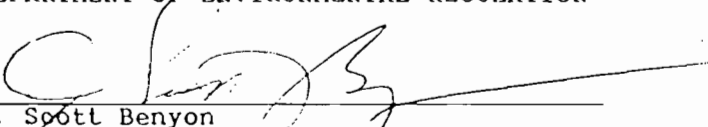
In accordance with Florida Administrative Code Rule 17-2.610(2)(a) - No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any pollutants from new, or existing sources with an opacity greater than or equal to 20 percent.
3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Diesel Generator Exhaust Stacks	Visible Emissions	DER Method 9

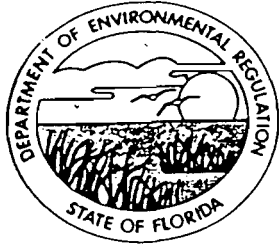
The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(7).
4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source. Otherwise the Department may require the test to be repeated or modify the permit to reflect tested rates and/or fuels.
5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.
6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.
7. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.
8. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru 14.". General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 18th day of JANUARY, 1990

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



J. Scott Benyon
Deputy Assistant Secretary



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

NOTICE

RE: HAZARDOUS WASTE INSPECTION

A review of the Air Permit Application reveals that there is potential for hazardous waste generation at your facility.

The purpose of this letter is to inform you that the Department intends to inspect your facility in the near future to determine compliance with the Hazardous Waste Regulations contained in Florida Administrative Code (F.A.C.) 17-730. The Department will also check on your compliance with Title 40 CFR Part 268, regarding "Land Ban" wastes. In recognition that the cited rules and regulations are complicated and often difficult to understand, I have attached an outline entitled "Highlights of Hazardous Waste Regulations". This document spells out the different categories of hazardous waste facilities. It also highlights the compliance items the inspectors will be looking for during the upcoming visit to your facility.

I strongly recommend that you read the "Highlight" document as well as the appropriate regulations and correct any waste handling or record keeping deficiencies at your facility prior to our inspection. In many instances we are required to seek penalty assessments for non-compliance items, even on the first visit/inspection. In certain severe instances these penalty assessments can range up to \$50,000 per day, per violation.

Should you have any questions concerning the Hazardous Waste regulations or inspection procedures, please contact the Hazardous Waste Section in West Palm Beach, telephone (407) 964-9668.

Thank you for your cooperation.

Sincerely,

J. Scott Benyon
Deputy Assistant Secretary

JSB:pwk/2

Attachment

cc: Hazardous Waste Section, West Palm Beach



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

HIGHLIGHTS OF HAZARDOUS WASTE REGULATIONS (October, 1989)

This write-up is provided to assist hazardous waste (HW) handlers in meeting the regulations. HWs are wastes which are either listed by the U.S. E.P.A., or are ignitable (i.e. flash point $< 140^{\circ}$ F, or an oxidizer), corrosive (e.g. pH ≤ 2 or ≥ 12.5), reactive, or toxic, as defined in 40 CFR Part 261. A HW determination must be made of any waste generated (§262.11). If the waste is hazardous, then it must be recycled, treated, stored or disposed of at a proper HW facility. HW cannot be disposed of on or in the ground, nor at local landfills, septic tanks, or injection wells. Regardless of quantity, the generator of HW is ultimately responsible for the waste from "cradle to grave", and can be held liable for improper management of HW even though it may have been sent to a "proper" HW management facility using a licensed transporter. A copy of the hazardous waste regulations (40 CFR Parts 190-299 (specifically 260-270) can be obtained from a public, college or law library, or EPA Region IV (Atlanta, GA 30365), or the U. S. Government Printing Office (Washington, D.C. 20402) or the U.S. Government Printing Office, P.O. Box 35089, Jacksonville, Florida 32202, telephone 904/791-3801.

I. SMALL QUANTITY GENERATORS (SQG)

A. Conditionally Exempt Small Quantity Generators. (40 CFR 261.5; F.A.C. 17-730)

1. Perform HW determination (§262.11).
2. * Generate < 100 kg/month (< 1 kg month acute HW).
3. Accumulate < 1000 kg at any time.
4. Ensure delivery of HW to a proper recycling or Treatment/Storage/Disposal (TSD) facility.
5. For SQGs generating > 100 kg/month (approx. 25 gal.), use manifest for shipments.
6. Comply with land disposal restrictions (LDR) Part 268, unless exempt.

* Many wastes which are recycled are included in the quantity determination, as well as influent wastewaters prior to treatment, neutralization, etc.

B. SQG 100-1000 kg/month (40 CFR 262.34; F.A.C. 17-730)

1. Obtain a DER/EPA ID number (§262.12).
2. Use manifest system (unless there is a reclamation agreement pursuant to §262.20(e), and ship only to a permitted facility (262, Subpart B).
3. Never exceed the 6000 kg accumulation/180 day storage time limit.

NOTE: DER is more stringent here (i.e., eliminate the 200 mile/270 day exception), and will require SQG to file an exception report for late or missing manifests from the designated facility.

4. Emergency Planning

- a) Have at least one employee with authority as Emergency Coordinator (E.C.) that is on 24 hour call (§262.34(d)(5)).
- b) Next to the telephone, post (i) the E.C. name and phone number, (ii) fire department's number, (iii) location of fire extinguishers, spill control equipment/material, and fire alarm (if any) (§262.34(d)(5)).
- c) Follow emergency procedures in §262.34(d)(4), including taking necessary steps to address spills and fires, and notify National Response Center (24 hr. number: 800/424-8802).
- d) Upon request, the Department will provide a concise, easy-to-follow contingency plan guidance document which describes the contingency plan requirements for full generators, if the facility wishes to develop a more comprehensive emergency plan than required of 100-1000 kg/month generators.

5. Training of personnel regarding proper HW handling and emergency response (§262.34)(d)(5)(iii).
6. Keep records (§262.44), including manifests, test results, etc. a minimum of three years.
7. If tanks are used for management of HW, meet the tank requirements of (§265.201).
8. Meet the following requirements under II, below: items 7 through 21.
9. If a SQG fails to meet applicable requirements, the full generator standards (and possibly TSD standards) may apply.
10. Comply with Land Disposal Restrictions requirements set forth in 40 CFR §268.

NOTE: SQGs must be able to demonstrate proper management of HW, and records should be kept. Effective 9/22/86, the rules require 100-1000 kg/mo. generators to meet the following additional requirements (Federal Register, Vol. 51, No. 56, p. 10178, March 24, 1986).

II. GENERATORS (40 CFR 262, 265, and 268: F.A.C. 17-630)

1. Perform HW Determination [262.11].
2. Obtain a DER/EPA ID number [262.12].
3. Generate > 1000 kg/mo. or > 1 kg/mo. acute HW, or otherwise do not qualify for (or fails to fulfill certain) SQG requirements.
4. Accumulate wastes < 90 days [§262.34(b)].
5. File annual report for all HW shipped off site [F.A.C. 17-730.16].
6. Meet personnel training requirements, including documentation [§265.16].
7. Use manifest system, and ship to a permitted facility [262 Subpart B].
8. File exception report for late or missing manifests from the designated facility [§262.42].
9. Label containers with the words "hazardous waste" and accumulation start dates, and label tanks "hazardous waste: [§262.34(a)].
10. Meet satellite accumulation rules [§262.34(c)].
11. Meet pre-transport requirements re: packaging, labeling, marking and placarding [262 Subpart C].
12. Keep all records for at least 3 years (e.g., manifests, test data, waste analyses, annual report, etc.) [262 Subpart D].
13. Special cautions (including "No Smoking" signs) are required for ignitable or reactive wastes (§265.17].
14. Security (e.g. a locked fence) and bermed containment areas (with roof and impermeable floor) for HW storage areas are strongly recommended.
15. Maintain and operate the facility in a clean, safe manner [§265.31]. It is the facility's responsibility to comply with OSHA worker safety and protective clothing rules, Fire Codes, Florida's Right to Know Law, local government codes, etc.].
16. Emergency equipment (§265.32).
 - a) telephone or hand-held two-way radio;
 - b) internal communication or alarm system;
 - c) fire and spill control equipment (e.g., fire extinguishers, hoses, sprinklers, etc.);
 - d) neutralizing agents, spill adsorbants, overpack drums, standby 55-gallon drums, etc.;
 - e) test and maintain the emergency equipment [§265.33];
17. Maintain adequate aisle space for evacuation, inspecting drums, etc. [§265.35] (e.g., No less than 3 feet).

18. Attempt to make arrangements with local fire and police departments, hospitals, and emergency response contractors/equipment suppliers with regards to HW-related emergencies [§265.37].
19. Containers (e.g., drums, cans, etc.) must be kept closed and in good condition, inspected at least weekly, be compatible with the HW stored, and separated from other incompatible wastes (e.g., keep cyanides away from acids and oxidizers). [265 Subpart I].
20. Tanks must meet the requirements of 265 Subpart J (structural integrity; containment and detection of releases; inspection; response to leaks or spills; operating requirements; closure and post-closure care; special requirements for ignitable, reactive and/or incompatible wastes; waste analysis and trial test).
21. Comply with LDR requirements set forth in §268. Certification (land disposal restricted waste does not exceed treatment standards) or Notification (land restricted waste or exemption) must accompany all manifests of restricted wastes (§268.7), unless exempt.
22. Have a written contingency plan [265 Subpart D]. Upon request, the DER/West Palm Beach HW Section will provide a concise, easy-to-follow contingency plan guidance document.
23. Ignitable or reactive HW must be stored at least 50 feet from the facility's boundary line. [265 Subpart I].

III. TRANSPORTERS [40 CFR 265]

1. Obtain DER/EPA ID # [§263.11].
2. Use manifests [263 Subpart B].
3. Keep records (§263.22).
4. Ability to clean up discharges during transportation-related incidents (§263 Subpart C).
5. Documentation for financial liability [F.A.C. 17-730.170].
6. Transporter picking up HW from SQGs are exempt from manifest and recordkeeping requirements of §263.20.22, provided:
 - (a) the waste transported is pursuant to a reclamation agreement, and
 - (b) the transporter logs certain information and retains the record for 3 years after cessation of the agreement [§262.34(d)].
7. Transporters in Florida, storing HW > 24 hours, and < 10 days are considered a transfer facility and must notify the Department and comply with certain storage facility requirements such as personnel training, contingency plan, preparedness and prevention requirements, records maintenance, closure plan, security, container requirements, certain notification requirements, etc. HW stored in vehicles (or containers) at transfer facilities shall be on a manmade surface which is capable of preventing spills from reaching the ground [F.A.C. 17-730.171(2)].

IV. TREATMENT, STORAGE AND DISPOSAL FACILITIES (TSDF)
(40 CFR 264 OR 265 AND 265)

Must notify as a TSDF, obtain a HW permit unless exempt (e.g., wastewater treatment units, elementary neutralization, etc.). Must meet applicable generator standards (II above) plus security, additional recordkeeping, containment system, closure and financial liability standards, waste analysis plan, inspection logs, post-closure and groundwater monitoring for certain operations, ensure that LDR Part 268 Standards are met; meet additional requirements for impoundments, waste piles, incinerators, etc. Facilities receiving HW from off-site (incl. certain recycling facilities) may be subject to TSDF requirements. A TSDF which has been issued a HW operating permit must comply with the provisions of it's HW permit and the applicable provisions of 40 CFR Part 264.

LAND DISPOSAL RESTRICTIONS

On November 8, 1984, the President signed into law the Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). The Amendments require the EPA to evaluate all listed and characteristic hazardous wastes according to a strict schedule to determine which wastes should be restricted from land disposal. These restrictions are called Land Disposal Restrictions (LDR's). The LDR rule has been gradually applied, with more wastes being added every year. As of May 8, 1990 no hazardous wastes may be disposed of into land disposal units without first being treated to meet federally mandated treatment standards.

The generator of treated hazardous waste must provide signed certification (for each shipment) that his waste meets the treatment standard or, if it does not, the generator must send a signed notification to the TSD facility that the wastes do not meet treatment standards. The generator must also determine:

- a) whether the waste is subject to the LDR rules;
- b) what constituent levels are in the waste;
- c) which treatment standards or prohibition levels apply; and
- d) whether the waste must be treated or already meets the applicable treatment standard or prohibition level upon generation.

For each shipment of waste the generator must also:

- a) provide EPA hazardous waste number(s);
- b) determine the applicable treatment standard(s) for his waste;
- c) provide the manifest number associated with the waste shipment, and
- d) provide waste analysis data (if applicable).

All notifications, certifications, and waste analysis data must be kept on-site for at least five (5) years.

The LDR rule prohibits the dilution of restricted wastes as a substitute for adequate treatment.

The LDR rule provides for a few limited opportunities for delaying the effective date of prohibition, for a treatability variance, or for gaining an exemption from the prohibitions. Contact the EPA for additional details.

This LDR explanation is a very brief synopsis of a complex set of rules and regulations and is not meant to be all inclusive. The generator is responsible for familiarizing himself with the details of the LDR regulations. Contact the EPA or the Florida Department of Environmental Regulation for detailed information.

CAUTION

This hand out, written in plain English, is based on the staff's understanding of HW regulations. It should be read in conjunction with (and not as a substitute for) the Federal or State HW regulations. This write up includes only what the staff believes as the principal components of the HW regulations. The regulatory requirements indicated in this hand-out may change in time because of changes in regulations, new interpretations/guidance from EPA or DER, judicial ruling, and the like.

Ultimately, it is the facility's responsibility to stay current with applicable HW regulations and be in compliance of all applicable environmental regulations. Failure to meet the applicable rules may subject facilities to more stringent standards. For example, SQGs dumping HW illegally not only become subject to disposal facility standards but could also be subject to enforcement actions. Also, please note that the DER has an agreement with the U.S. EPA which mandates the assessment of penalties for violations of Resource Conservation Recovery Act (RCRA) requirements.

If you have questions on this write-up or HW compliance in general, please call the Waste Programs Section, telephone (407) 964-9668.

CO:s/d/245

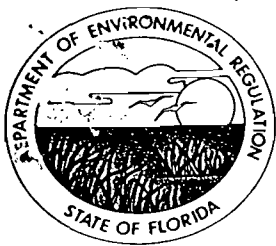
August 1986

Revised July 1987

" October 1987

" September 1988

" October 1989



Florida Department of Environmental Regulation

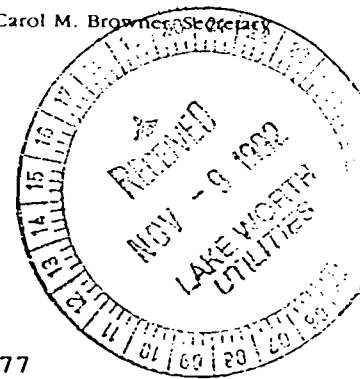
Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Fax: 407/433-2666

Carol M. Browner, Secretary



NOV 6 1992

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

Mr. N. Keith Nicholson /
Power Plant Superintendent /
City of Lake Worth Utilities /
1900 2nd Avenue North /
Lake Worth, Florida 33461-4298 /

DER File No. AO 50-219177
Palm Beach County

Enclosed is Permit Number AO 50-219177 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 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 Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.


If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 Final Order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Mary E.S. Williams
Director of District Management
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/433-2650

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on NOV 6 1992 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 (Clerk) NOV 6 1992 (Date)

Copies furnished to: Palm Beach County Public Health Unit



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407 433-2650

Carol M. Browner, Secretary

Fax: 407 433-2666

NOV 6 1992

PERMITTEE:
Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461-4298

I.D. NUMBER: 50/PMB/50/0045/06
PERMIT/CERTIFICATION NUMBER: AO 50-219177*
DATE OF ISSUE: NOV 6 1992
EXPIRATION DATE: October 30, 1997
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W
UTM: Zone 17; 592.8 Km. E; 2943.6 Km. N
PROJECT: City of Lake Worth Utilities
30 MW Gas Turbine No. 1 (Peaking Unit)

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of a 30 MW Westinghouse Combustion Gas Turbine (No. 1) burning No. 2 fuel oil at a maximum rate of 435 MBTU/hr. (3,145 gal./hr.). Pollutants are emitted through a stack 50 feet above ground level.

IN ACCORDANCE WITH: Application for Renewal of Permit to Operate Air Pollution Sources received September 16, 1992; Application for Renewal of Permit to Operate an Air Pollution Source received December 21, 1987, as amended February 8, 1988, and Application to Operate an Air Pollution Source dated September 8, 1977 (none are attached).

LOCATED AT: 117 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: A public service utility (SIC # 4911).

SUBJECT TO: General Conditions 1-14. and Specific Conditions 1-9.

*This permit is a renewal of permit no. AO 50-143296 issued April 26, 1988.

Page 1 of 4

DER Form 17-1.201(5)
Effective November 30, 1982

103 6 1982
GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

(a) A description of and cause of noncompliance; and

(b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit.

These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

NOV 6 1992

PERMITTEE:
Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
Lake Worth, Florida 33461-4298

I.D. NUMBER: 50/PMB/50/0045/06
PERMIT/CERTIFICATION NUMBER: AO 50-219177
DATE OF ISSUE: NOV 6 1992
EXPIRATION DATE: October 30, 1997

SPECIFIC CONDITIONS:

1. Compliance testing shall be conducted for the sources covered by this permit by February 1993 and annually thereafter in accordance with the methods specified below.

2. Emission limiting standard is as follows:

In accordance with Florida Administrative Code (F.A.C.) Rule 17-2.610(2)(a), -no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere any air pollutants with opacity equal to or greater than 20 percent.

3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Stack	Visible Emissions	DER Method 9

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(1).

4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source, otherwise the Department may require the test to be repeated or require modification of the permit to reflect tested rates and/or fuels.

5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.

6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.


7. Fuel used shall be limited to #2 fuel oil.

8. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.

9. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru #14." General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 5th day of November, 1992

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



Mary E. S. Williams
Director, of District Management

NOV 6 1992

PERMITTEE:
Mr. N. Keith Nicholson
Power Plant Superintendent
City of Lake Worth Utilities
Lake Worth, Florida 33461-4298

I.D. NUMBER: 50/PMB/50/0045/06
PERMIT/CERTIFICATION NUMBER: AO 50-219177
DATE OF ISSUE: NOV 6 1992
EXPIRATION DATE: October 30, 1997

SPECIFIC CONDITIONS:

1. Compliance testing shall be conducted for the sources covered by this permit by February 1993 and annually thereafter in accordance with the methods specified below.

2. Emission limiting standard is as follows:

In accordance with Florida Administrative Code (F.A.C.) Rule 17-2.610(2)(a), -no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere any air pollutants with opacity equal to or greater than 20 percent.

3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Stack	Visible Emissions	DER Method 9

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(1).

4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source, otherwise the Department may require the test to be repeated or require modification of the permit to reflect tested rates and/or fuels.

5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.

6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.

7. Fuel used shall be limited to #2 fuel oil.

8. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.

9. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru #14." General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 5th day of November, 1992

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Mary E. Williams
Mary E. S. Williams
Director of District Management



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

DEC. 13 1989

NOTICE OF PERMIT

Palm Beach County
AP - City of Lake Worth Utilities
Fossil Fuel Steam Generating
Units 1, 3 and 4

Mr. N. Keith Nicholson
City of Lake Worth Utilities
114 College Street
Lake Worth, Florida 33460

Dear Mr. Nicholson:

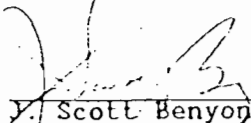
Enclosed is Permit Number AO 50-169444 to operate an air pollution source issued pursuant to Section 403.087, Florida Statutes.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 17-103 and 28-5.201, FAC, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, FAC. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; 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 Final Order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida

STATE OF FLORIDA
DEPARTMENT OF REGULATION


J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406
407/964-9668

JSB:SBk27

cc: Palm Beach County Public Health Unit

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on DEC. 13 1989 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Phyllis J. Kern
Clerk

DEC. 13 1989
Date



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave. Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

PERMITTEE:

Mr. N. Keith Nicholson
City of Lake Worth Utilities
112 College Street
Lake Worth, Florida 33460

I.D. NUMBER: 50/PMB/50/0045
PERMIT/CERTIFICATION NUMBER: AO 50-169444 *
DATE OF ISSUE: DEC. 13 1989
EXPIRATION DATE: December 17, 1994
COUNTY: Palm Beach
LATITUDE/LONGITUDE: 26°36'45"N/80°04'04"W
UTM: Zone 17; 592.8 Km. E; 2943.7 Km. N
PROJECT: City of Lake Worth Utilities
Fossil Fuel Steam Generating
Units 1, 3 and 4

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-2, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. 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 Department and made a part hereof and specifically described as follows:

OPERATE: An air pollution source consisting of :

- a) Fossil Fuel Steam Generating Unit 1, rated at 7,500 KW (111 million BTU/hr.), capable of burning a mix of natural gas and #6 fuel oil operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 60 feet above ground level through a 5-foot diameter stack.
- b) Fossil Fuel Steam Generating Unit 3, nominally rated at 25,200 KW (325 million BTU/hr.) capable of burning a mix of natural gas and #6 fuel oil, operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 100 feet above ground level through a 7-foot diameter stack.
- c) Fossil Fuel Steam Generating Unit 4, nominally rated at 33,000 KW (419 million BTU/hr.), capable of burning a mix of natural gas and #6 fuel oil, operating as required to supplement the base load of Combined Cycle Unit CGT-2/S-5. Emissions are discharged 100 feet above ground level through a 7-foot diameter stack.

IN ACCORDANCE WITH: Application for Renewal of Permits to Operate Air Pollution Sources for Steam Units 1, 3 and 4 all received August 31, 1989 and Applications for Permits to Operate Air Pollution Sources for Units 1, 3 and 4 all dated July 3, 1979 (none are attached).

LOCATED AT: 114 College Street, Lake Worth, Palm Beach County, Florida.

TO SERVE: An electric service utility (SIC # 4911).

SUBJECT TO: General Conditions 1-14. and Specific Conditions 1-9.

* This permit is a renewal of AO 50-091730 issued January 4, 1985.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

GENERAL CONDITIONS:

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. The permittee shall comply with the following :
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.
14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida

I.D. NUMBER: 50/PMB/500045
PERMIT/CERTIFICATION NUMBER: AO 50-169444
DATE OF ISSUE: DEC. 13 1989
EXPIRATION DATE: December 17, 1994

SPECIFIC CONDITIONS:

1. Compliance testing shall be conducted for the sources covered by this permit by August 1990 and annually thereafter in accordance with the methods specified below.
2. Emission limiting standards are as follows:

a. Unit 1

In accordance with Florida Administrative Code (F.A.C.) Rule 17-2.600(6)(A) - Fossil Fuel Steam Generators less than 250 Million BTU per Hour Heat Input
Visible Emissions - 20 Percent opacity except for one two-minute period per hour the opacity shall not exceed 40 percent opacity.

b. Units 3 and 4

In accordance with F.A.C. Rules 17-2.600(5)(a) Fossil Fuel Steam Generators with more than 250 million BTU per Hour Heat Input and F.A.C. Rule 17-2.250(3)

- Visible emissions for steady state operations shall not exceed 20 percent opacity, except that 40 percent opacity shall be permissible for no more than 2 minutes in any one hour period.
- Particulate emissions for steady state operations shall not exceed 0.1 pounds per million BTU heat input, maximum 2-hour average.
- Visible emissions for soot blowing (if utilized) and load changes shall not exceed 60 percent opacity for more than 3 hours in any 24-hour period.
- Particulate emissions for soot blowing (if utilized) and load changes shall not exceed an average of 0.3 pounds per million BTU heat input during the three (3) hours period allowed for in excess

In accordance with Special Conditions I. 1. of Certification for Unit S-5, restricting sulfur content of fuel for units 3 and 4 to 2.25%, SO₂ emissions shall not exceed 2.475 pounds per million BTU heat input.

3. The compliance test report shall include results of tests by the following methods:

<u>Source/Emission Point</u>	<u>Pollutant</u>	<u>Test Method</u>
Unit 1	Visible Emissions	DER Method 9
Units 3 and 4	Visible Emissions (Steady State & Soot Blowing)	DER Method 9
	Particulate ** (Steady State & Soot Blowing)	EPA Method 17* or EPA Method 5
	SO ₂	***

The compliance test report shall be submitted to the Department in accordance with Florida Administrative Code (F.A.C.) Rule 17-2.700(7).

* Method 17 may be used only if the stack temperature is less than 375°.

** Testing of particulate emissions will be conducted if unit operation on oil, exclusive of start-up exceeds 400 hours per year (FAC 17-2.700(2)(a)5.)

*** Sulfur content shall be verified by monthly fuel analysis reports submitted quarterly. SO₂ emissions shall be calculated stoichiometrically.

4. Testing of emissions should be conducted using the fuel and/or process input which are expected to result in the highest emissions and within ten percent (10%) of the rated capacity of the source. Otherwise the Department may require the test to be repeated or modify the permit to reflect tested rates and/or fuels.

PERMITTEE:
Mr. N. Keith Nicholson
City of Lake Worth Utilities
Lake Worth, Florida

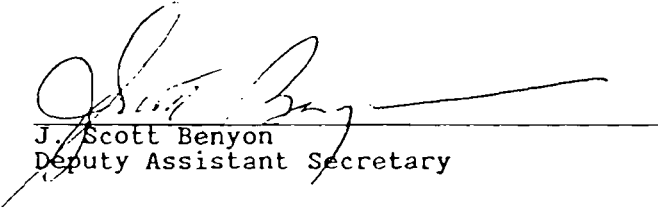
I.D NUMBER: 50/PMB/50/0045
PERMIT/CERTIFICATION NUMBER: AO 50-169444
DATE OF ISSUE: DEC. 15, 1989
EXPIRATION DATE: December 17, 1994

SPECIFIC CONDITIONS:

5. The Department shall be notified of expected test dates at least fifteen (15) days prior to compliance testing.
6. On or before March 1 of each calendar year, a completed DER Form 17-1.202(6), Annual Operations Report Form for Air Emissions Sources shall be submitted to the Department.
7. Copies of all reports, tests, notifications or other submittals required by this permit shall be submitted to both the Department of Environmental Regulation, Southeast District Office and Palm Beach County Public Health Unit.
8. As of the date of issue of this permit, Unit #1 is on cold standby and Unit #4 is down for repairs. Within 30 days after start-up of each unit, submit the required tests for that unit.
9. The permittee shall be aware of and operate under the attached "General Permit Conditions #1 thru 14.". General Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

Issued this 15th day of December, 1989

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



J. Scott Benyon
Deputy Assistant Secretary

RECEIVED

OCT 02 1987

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Hopping Dayd
Green & Sams

In Re:]
]]
City of Lake Worth]
Unit S-5]
Modification of Certification]
No. PA 74-05]
Palm Beach County, Florida]

FINAL ORDER MODIFYING CONDITIONS
OF CERTIFICATION

On July 17, 1987, the City of Lake Worth submitted a proposed agreement to modify the Conditions of Certification for Unit S-5, to allow a change in the continuous air emissions monitoring procedures.

This proposed agreement was submitted pursuant to Section 403.516(1), F.S., and General Condition 12 of the Conditions of Certification, which delegated modifications of sampling, monitoring and reporting conditions to the Department.

On August 5, 1987, a Notice of Proposed Agency Action was served on all parties with a provision that a hearing would be held if requested on or before September 21, 1987. No hearing was requested. Therefore,

IT IS ORDERED:

The Department hereby grants relief to the City of Lake Worth by making the following modifications to the Conditions of Certification:

Special Conditions 1.4., 1.5. and 1.7. are modified to read as follows:

- 1.4.a. The permittee shall demonstrate compliance with the fuel sulfur content limits in Specific Condition 1.1. through sampling and analysis of

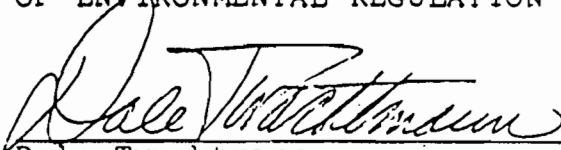
as-fired fuel oil. The sampling shall be conducted for each day of operation firing fuel oil, and analysis of the samples composited for each unit shall be conducted monthly. Fuel oil analysis reports shall be submitted quarterly.

- 1.4.b. A visible emissions (VE) test shall be conducted annually using EPA Reference Method 9, to determine compliance with the VE limits of 20% opacity.
- 1.5. On or before March 1st of each calendar year, a completed Annual Operation Report Form for Air Emissions Sources shall be submitted. Calculations shall be shown.
- 1.7. Copies of all reports, tests, notifications or other submittals required by Florida Administrative Code rules or conditions of this certification shall be submitted to both the Southeast Florida District Office and the Palm Beach County Health Department, Division of Environmental Science and Engineering.

Any party to this Order has the right to seek judicial review of this Order pursuant to Section 120.68, Florida Statutes, 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, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, 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 this Order is filed with the clerk of the Department.

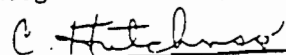
DONE AND ORDERED this 28 day of September, 1987 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


Dale Twachtmann
Secretary

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 904/488-4805

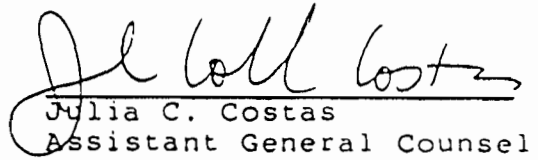
FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to S120.52
Florida Statutes, with the designated Depart-
ment Clerk, receipt of which is hereby acknow-
ledged.


Clerk

9-25-87
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION were furnished by United States Mail, to all counsel of record listed on the attached service list, on the 29th day of September 1987.


Julia C. Costas
Assistant General Counsel

Copies furnished to:

Larry Keesey
Department of Community Affairs
2571 Executive Center Circle E.
Tallahassee, Florida 32301

Michael Twomey
Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Peter C. Cunningham
Suite 420
First Florida Bank Building
Post Office Box 6526
Tallahassee, Florida 32314

Palm Beach County Health Department

P. O. BOX 29
WEST PALM BEACH, FLORIDA 33402
TELEPHONE 832-8387

TO Mr. Sloan Campbell, LWUA
FROM Mr. Michael Martin, Air Pollution

SUBJECT S-5
MESSAGE DATE April 28, 1982

Per your request, please find enclosed a copy of the Site Certification for the above subject source.

Back Over

SIGNED

Mike

REPLY

SIGNED

DATE

BEFORE THE GOVERNOR AND CABINET
OF THE STATE OF FLORIDA

RECEIVED
MAY 13 1978

Division of Environmental Engineering
PALM BEACH COUNTY,
HEALTH DEPT.

In the Matter of:)

LAKE WORTH UTILITIES AUTHORITY)
Application for Power Plant)
Site Certification, Lake Worth,)
Palm Beach County, Florida;)
Application No. PA-74-05.)

CASE NO. 75-1774

The following persons were present and participated
in the disposition of this matter:

Honorable Reubin O'D. Askew
Governor

Honorable Bruce A. Smathers
Secretary of State

Honorable Robert L. Shevin
Attorney General

Honorable Philip F. Ashler
Treasurer and Insurance Commissioner

Honorable Gerald A. Lewis
Comptroller

Honorable Doyle Conner
Commissioner of Agriculture

Honorable Ralph D. Turlington
Commissioner of Education

ORDER ADOPTING HEARING OFFICER'S ORDER
RECOMMENDING CERTIFICATION SUBJECT TO CONDITIONS

BY THE GOVERNOR AND CABINET:

The Governor and Cabinet having heard statements by
the parties, reviewed the recommended order dated March 17, 1976,
(attached and incorporated by reference as Exhibit "A") and
order dated March 26, 1976, (attached and incorporated by
reference as Exhibit "B") as well as copies of the general and
special conditions (attached and incorporated by reference as

Exhibit "C") and having been otherwise advised in the premises of said order by their respective staffs, it is,

ORDERED:

1. The March 17, 1976 recommended order and March 26, 1976 order are adopted.

2. The general and special conditions submitted by the Department of Environmental Regulation are adopted.

ORDERED this 18th day of May, 1976 at Tallahassee, Florida at a duly constituted meeting of the Governor and Cabinet.

FOR THE GOVERNOR AND FLORIDA
CABINET:



REUBIN O'D. ASKEW
Governor

VOTE:

FOR

AGAINST

Honorable Reubin O'D. Askew
Honorable Bruce A. Smathers
Honorable Robert L. Shevin
Honorable Philip F. Ashler
Honorable Gerald A. Lewis
Honorable Doyle Conner
Honorable Ralph D. Turlington

Copies Furnished To:

All Parties of Record

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

In re: Lake Worth Utilities
Authority Application for
Power Plant Site Certification,
Lake Worth, Palm Beach County,
Florida, Application No. PA-74-05.

Case No. 75-1774

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND RECOMMENDED ORDER

This proceeding is held pursuant to the Florida Electrical Power Plant Siting Law, Chapter 403, Florida Statutes, to consider the application for site certification of Unit S-5 of the Lake Worth Utilities Authority, City of Lake Worth, Florida, known as the "Tom G. Smith Municipal Power Plant, Unit S-5."

Pursuant to proper notice, the additional public hearing required in this matter by Section 403.508(3), Florida Statutes, was held in Lake Worth, Florida, on December 9, 1975, at 9:00 a.m. and ending at 10:45 a.m. The purpose of this hearing was to take testimony and evidence concerning whether the location and operation of the proposed facility will produce minimal adverse effects on human health, the environment, the ecology of the land and its wildlife and the ecology of state waters and their aquatic life.

The hearing included an examination of the following: the necessity for expanded electrical generation; the expected environmental impact of the facility; the operational safeguards of the facility; the availability of abundant, low-cost electrical energy; and other public interests and issues relevant to certification of the proposed site.

The following parties entered appearances at and participated in the hearing through counsel or representatives:

1. Department of Environmental Regulation.
2. Lake Worth Utilities Authority, City of Lake Worth, Florida.
3. Florida Public Service Commission.
4. State of Florida, Department of Administration, Division of State Planning.

After consideration of all pleadings, memoranda of law, and proposed findings, conclusions and recommendations, as well as all

testimony and evidence properly admitted herein, the following Findings of Fact, Conclusions of Law and Recommended Order are entered. All proposed findings, conclusions and recommendations not incorporated directly or inferentially herein are rejected as being unsupported in law or in fact or unnecessary to the rendering of this Recommended Order.

FINDINGS OF FACT

1. The site for the proposed combined cycle generating facility, hereinafter referred to as Unit S-5, is part of the existing 22-acre utility complex located near the western edge of the City of Lake Worth, Florida. This site, which has been used by the Lake Worth Utilities Authority for electrical power generation for over 25 years, is shared by the power plant, water treatment plant, public works department and various other municipal agencies. The site is bounded by public use areas, such as the Lake Worth Senior and Junior High School and athletic field on the north and east, the Seaboard Coast Line Railroad right-of-way and Interstate Highway 95 on the west and the Lake Worth Utilities Authority water treatment plant on the south. The most significant visual change to be caused by the addition of Unit S-5 to this site will be the addition of a 75 foot high exhaust stack and the mechanical draft cooling tower. Both of these structures will be, in large part, masked by the I-95 elevated roadway, which dominates the skyline in the area of the site.

2. Unit S-5, as proposed, will be of the combined cycle type, nominally rated at 29.5 megawatts. The unit will basically consist of a gas turbine-generator unit, unfired heat recovery steam generator, and steam turbine-generator unit and auxiliaries. The unit will utilize a cooling tower as is presently being done for the four existing steam units already on site.

3. Operating at designed capacity, Unit S-5 will use an estimated 346,000 gallons of water per day through 1982. It is similarly estimated that, operating at designed capacity, 28,000 gallons of water per day would be discharged as cooling tower blow-down, boiler blow-down and demineralizer backwash. The applicant estimates that the average

water use of Unit S-5 will be 201,000 gallons per day, which is approximately 3.8 percent of the 1978 projected average daily output of the Lake Worth Utilities Authority water plant, from which the water will be taken. The Lake Worth Utilities Authority water plant has a total design capacity of 25 million gallons per day.

4. The design of Unit S-5 will allow operation on both gaseous and/or liquid fuels. Natural gas and number two diesel oil will be the fuels fired in this unit. The presently existing fuel facilities and supply arrangements are sufficient to provide the fuel needs of Unit S-5.

5. Unit S-5, as designed, will be a highly efficient generator of electricity. It would allow the Lake Worth Utilities Authority to produce electricity at a lower cost by consuming less fuel per unit of electricity produced. According to the applicant's projections, the net savings in system operating costs would range from \$70,000 to \$500,000 per year depending upon fuel costs and fuel availability. The applicant presented unrebutted testimony showing that, because of the efficiency of the proposed unit, annual fuel savings could be as high as the equivalent of 860,000,000 cubic feet of natural gas or 5,370,000 gallons of oil. Further, operation of Unit S-5 would result in a substantial reduction in power plant water consumption.

6. The applicant, Lake Worth Utilities Authority, has shown, by unrebutted testimony, that Unit S-5 will be highly efficient in operation and result in a substantial savings in operating costs should it come on line in 1978.

7. As shown by the staff report of the Department of Environmental Regulation, Composite Exhibit 3, the construction of Unit S-5 will have minimal impact on the environment because of the previous impact of construction of the existing units already on site. Further, normal operation of the unit, as proposed, at worst, will cause a minimal increase in environmental impact over that caused by existing units. When displacement of older, less efficient units occur, Unit S-5 may reduce the overall environmental impact of the plant site. The unit is designed to operate in compliance with all applicable state and federal environmental standards and regulations.

8. The Florida Public Service Commission is required by Section 403.57, Florida Statutes, to prepare a report and recommendation as to the present and future needs for electrical generating capacity in the area to be served by the proposed site. Such a report and recommendation was prepared and submitted as required by statute in this proceeding.

9. The Public Service Commission found the area to be served by Unit S-5 to be an area containing approximately 11 square miles, which includes the City of Lake Worth and vicinity, as defined in the territorial agreement dated March 6, 1972, between Florida Power and Light Company and the Lake Worth Utilities Authority.

10. Due primarily to the severe depression of the state economy and the price increases in the cost of fuel oil, the Florida Public Service Commission report finds that the annual growth rates in demand for electricity have been reduced. Using what it termed a "realistic" growth rate of 7.5 percent annually and a minimal growth rate of 5.75 percent annually, the Florida Public Service Commission concluded that a need for the additional generating capacity to be provided by Unit S-5 would not exist until 1982 to 1984. Consequently, the Commission concluded that a need for the generating capacity for Unit S-5 will not exist in 1978, the year in which the applicant proposes to bring the unit on line. However, the Commission's report notes that they have considered summaries of an economic analysis submitted by the Lake Worth Utilities Authority which showed that, due to the greater efficiency of the proposed unit, the savings in operating the system with this new unit would more than offset the cost to build it. Noting that the Commission staff reviewed these summaries and performed an analysis of their own for a range of generating efficiencies and fuel costs, the report concludes that the assumptions for this analysis were reasonable and that, based on these assumptions, there is an economic advantage when operating with the proposed Unit S-5, even though a need to meet demand may not exist at the time the unit is to come on line.

11. A need for the generating capacity of Unit S-5 will not exist until 1982 to 1984.

12. The Division of State Planning of the Department of Administration has reviewed the 1975 ten-year site plan of the Lake Worth Utilities Authority with regard to proposed Unit S-5. The report of the Division of State Planning notes that the Division concurs with the Public Service Commission in its assessment that need for the generating capacity will not exist in 1978. However, the report notes that it has no basis for disagreement with the applicant's calculations that bringing Unit S-5 on line would provide power cheaper than can the present system. Therefore, the Division's report concludes that the ten-year site plan of the Lake Worth Utilities Authority, as amended by the final version of its site certification request, is suitable, and recommends that the proposed plan be certified.

13. There will be no new associated transmission facilities involved in the construction and operation of Unit S-5. Existing transmission facilities will be utilized.

14. The staff report of the Department of Environmental Regulation concludes that if Unit S-5 can produce electricity at a significantly lower cost and thereby justify that the unit is necessary environmentally, Unit S-5 appears acceptable. It further concludes that if Unit S-5 is needed, and considering the slight environmental impacts of Unit S-5, the site is suitable at present and certification could be granted subject to proper conditions.

15. Composite Exhibit 3 includes a statement of General Conditions of Certification and Special Conditions of Certification, which the Department of Environmental Regulation have proposed be made applicable to this facility if certified. The applicant, Lake Worth Utilities Authority, has stipulated and agreed that the General and Special Conditions of Certification, as proposed, should be imposed if certification is granted.

16. As shown by Florida Pollution Control Board Order No. 75-2, dated February 10, 1975, Exhibit 7, the Florida Pollution Control Board, pursuant to Chapter 403, Florida Statutes, found that the proposed site for Unit S-5 is consistent and in compliance with existing land use plans and zoning ordinances.

17. At the conclusion of the presentation by the parties to this proceeding, opportunity was given to the general public to comment

upon the application for site certification. No one appeared to make comment.

CONCLUSIONS OF LAW

18. This proceeding was held pursuant to the Florida Electrical Power Plant Siting Law, Chapter 403, Florida Statutes, and Chapter 17-17, Florida Administrative Code, to consider the Lake Worth Utilities Authority application for power plant site certification of Unit S-5, located in Lake Worth, Palm Beach County, Florida.

19. Notice, in accordance with Chapter 403 and 120, Florida Statutes, and Chapter 17-17, Florida Administrative Code, has been given to all persons and parties entitled thereto, as well as to the general public.

20. The purpose of this proceeding was to take testimony and evidence concerning whether the location and operation of the proposed facility will produce minimal adverse effects on human health, the environment, the ecology of the land and its wildlife, and the ecology of state waters and their aquatic life and to fully balance the increasing demands for electrical power plant location and operation with the broad interests of the public, as provided in Chapter 403, Florida Statutes.

21. The record of this hearing consists of all pleadings and papers filed herein, the transcript of the Final Hearing, all Orders entered by the Hearing Officer, and all evidence and exhibits admitted to the record.

22. After this proceeding was initiated, the Florida State Legislature enacted the Florida Environmental Reorganization Act of 1975, Chapter 75-22, Laws of Florida, 1975, which took effect on July 1, 1975. This Act affected the nature and authority of the following parties to this proceeding as follows:

(1) The Department of Pollution Control was transferred to the Department of Environmental Regulation, except for certain powers, duties and functions vested in the Governor and Cabinet.

The Act provides that the Governor and Cabinet shall perform the duties previously vested in the Pollution Control Board of the Department of Pollution Control, pursuant to the Florida Electrical

Power Plant Siting Act, Sections 403.59, 403.511, 403.512 and 403.513, Florida Statutes. For those purposes, the Governor shall perform the duties of the Chairman of the Pollution Control Board, as defined in Section 403.511, Florida Statutes. Therefore, these findings of Fact, Conclusions of Law, and the Recommended Order are directed to the Governor and the Cabinet for final decision.

Section 24 of Chapter 75-22, Laws of Florida, 1975, provides that:

"No legal or administrative proceeding pending as of the effective date of this act shall be abated or delayed because of any transfer made in this act, and any department to which are transferred the powers, duties, and functions of an agency relating to a pending proceeding shall be substituted as a party in interest in such proceeding."

This administrative proceeding was pending as of the effective date of Chapter 75-22, and substitution of parties was made, as provided in Section 24 of the Act.

23. Section 403.55, Florida Statutes, provides that the Division of State Planning of the Department of Administration shall make a study of each ten-year site plan required to be submitted by each electric utility and that the Division shall classify each such plan as "suitable" or "unsuitable." The Division of State Planning has made such a study and has found that the ten-year site plan of the Lake Worth Utilities Authority, as amended by the final version of its site certification request, is suitable.

24. Section 403.507, Florida Statutes, requires that, upon application for site certification, the Florida Public Service Commission shall prepare a report and recommendation as to the present and future needs for electrical generating capacity in the area to be served by the proposed site and shall submit its findings to the Department of Environmental Regulation. Such a report and recommendation has been submitted and introduced into evidence in this proceeding.

25. The Lake Worth Utilities Authority has made a valid application for site certification pursuant to the Florida Electrical Power Plant Siting Law, Chapter 403, Florida Statutes.

26. The location and operation of Unit S-5, as proposed, will produce minimal adverse effects on human health, the environment,

the ecology of the land and its wildlife and the ecology of state waters and their aquatic life.

27. The operational safeguards for the proposed unit are technically sufficient for the welfare and protection of the citizens of Florida.


28. The unit, as proposed, is consonant with the premise of abundant, low-cost electrical energy.

29. The testimony and evidence shows that a need will exist for the generating capacity of Unit S-5 by 1982 to 1984. The construction, as proposed, of Unit S-5 for operation in 1978 will result in substantial operational cost savings during the four or more years the unit would operate prior to the existence of a definite need for its generating capacity. Therefore, it is concluded that, considering the sufficiency of the operational safeguards, the provision by Unit S-5 of abundant, low-cost electrical energy, and the minimal environmental impact to result from the construction and operation of Unit S-5, a reasonable balance is effected between the environmental impact of construction of Unit S-5 for operation in 1978, and the need for the facility which will not exist until 1982 to 1984.

RECOMMENDED ORDER

Having reviewed the record of this proceeding, and based upon the Findings of Fact and Conclusions of Law set forth herein, it is hereby RECOMMENDED that certification, pursuant to Chapter 403, Florida Statutes, be granted the Lake Worth Utilities Authority, for the construction and operation of Unit S-5 in Lake Worth, Palm Beach County, Florida. It is further recommended that this certification be made subject to the General and Special Conditions of Certification as set forth in Composite Exhibit 3.

Entered this 17 day of March, 1976, in Tallahassee, Florida.


CHRIS H. BENTLEY, Hearing Officer
Division of Administrative Hearings
Room 530, Carlton Building
Tallahassee, Florida 32304
(904) 488-9675

Copies furnished:

Joe McGlothin, Esquire
Florida Public Service Commission
700 South Adams Street
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Louis F. Hubener, Esquire
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2562 Executive Center Circle, East
Tallahassee, Florida 32301

James Vance, Esquire
Attorney, Lake Worth Utilities Authority
1201-A Belvedere Road
West Palm Beach, Florida

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MAR 30 1976

In re: Lake Worth Utilities
Authority Application for
Power Plant Site Certification,
Lake Worth, Palm Beach County,
Florida, Application No. PA-74-05.

Case No. 75-1774

DEPT. ENVIRONMENTAL REG.
Environmental Law Section

ORDER

Having considered the Motion for Correction dated March 23, 1976,
by the Division of State Planning, it is hereby Ordered:

1. The Findings of Fact, Conclusions of Law and Recommended
Order is corrected as follows: the final sentence of paragraph 12 shall
read: "Therefore, the Division's report concludes that the ten-year site
plan of the Lake Worth Utilities Authority, as amended by the final
version of its site certification request, is suitable, and recommends
that the proposed plant be certified."

DONE and ORDERED this 26 day of March, 1976, in Tallahassee,
Florida.

Chris H. Bentley

CHRIS H. BENTLEY, Hearing Officer
Division of Administrative Hearings
Room 530, Carlton Building
Tallahassee, Florida 32304
(904) 488-9675

Copies furnished:

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West Palm Beach, Florida

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA-74-05
CONDITIONS OF CERTIFICATION (Proposed 11-19-75)

GENERAL

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Division of Environment & Engineering
PALM BEACH COUNTY
HEALTH DEPT.

Table of Contents

	Page
1. Change in Discharge	1
2. Noncompliance Notification	1
3. Facilities Operation	1
4. Adverse Impact	2
5. Right of Entry	2
6. Revocation or Suspension	2
7. Civil and Criminal Liability	2
8. Property Rights	3
9. Severability	3
10. Pollutants	3
11. Review of Site Certification	3
12. Modifications of Special Conditions	4

EXHIBIT "C"
1 of 9

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA-74-05
CONDITIONS OF CERTIFICATION (Proposed 11-19-75)

GENERAL

1. Change in Discharge

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application, or more frequent than, or at a level in excess of that authorized herein, shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which will result in new, different or increased discharges of pollutants or expansion in steam generating capacity must be reported by submission of a new application.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall notify the Central and Southern District Manager of the Department by telephone during the working day that said noncompliance occurs and shall confirm this in writing within seventy-two (72) hours of becoming aware of such conditions, and shall supply the following information:

- a. A description of the discharge and cause of non-compliance; and
- b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this certification.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Right of Entry

The permittee shall allow the Secretary of the Florida Department of Environmental Regulation and/or authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and
- b. To have access to and copy any records required to be kept under the conditions of this certification; and
- c. To inspect any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants.

6. Revocation or Suspension

This certification may be suspended or revoked pursuant to Section 403.512, Chapter 403, Florida Statutes, or for violations of any General or Special Conditions.

7. Civil and Criminal Liability

This certification does not relieve the permittee from civil or criminal penalties for noncompliance with any condition of this certification, applicable rules or regulations of the Department or Chapter 403, Florida Statutes, or regulations there under.

Subject to 403.511 this certification shall not preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other applicable State Statutes, or regulations.

EXHIBIT "C"

3 of 9

8. Property Rights

The issuance of this certification does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. The applicant will obtain title, lease or right of use from the State of Florida, to any sovereign submerged lands occupied by intake or discharge structures.

9. Severability

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstances, is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.

10. Pollutants

If any applicable state effluent or emission standard or prohibition (including any schedule of compliance specified in such effluent or emission standard or prohibition) is established for a pollutant which is in this certification and such standard or prohibition is more stringent than any limitation for such pollutant in this certification, this certification shall be revised in accordance with the new effluent or emission standard or prohibition and the permittee so notified, unless a variance is or has been obtained pursuant to Chapter 403, Florida Statutes. In the application of such later adopted standards this paragraph shall not be considered in determining whether or not the Unit S-5 is classified as a new source or as an existing source if such distinction is made within the later adopted standard.

11. Review of Site Certification

The certification shall be final unless revoked or suspended pursuant to law. Five years from the date of issuance of any National Pollutant Discharge Elimination System Permit issued pursuant to the Federal Water Pollution Control Act Amendments of 1972, for the plant units, the Department shall review all monitoring data that has been submitted to it during the preceding five year period for the purpose of determining the extent of the permittee's compliance with the conditions of this certification and the environmental impact of this facility. The Department shall submit the results of its review and recommendations to the Permittee and all parties of record in this certification proceeding. This review will be repeated every five years thereafter.

12. Modifications of Special Conditions

The Department may modify the provisions of the special conditions dealing with sampling, monitoring, reporting, and specifications for control equipment or related time schedules as necessary to attain the objectives of Chapter 403, F.S., upon mutual agreement with the applicant. Such modifications and agreement shall be in writing. Such modifications will not take effect until after notice to all parties of record and until after a public notice giving a period of thirty days for public review and comment. The Secretary shall provide opportunity for a public hearing on the proposed modifications prior to taking final agency action.

EXHIBIT "C"
5 of 9

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA 74-05
CONDITIONS OF CERTIFICATION (Proposed 11-18-75)

SPECIAL

Table of Contents

	Page
I. Air	1
II. Water	2
A. Pretreatment Standards	2
B. In-Plant Water Monitoring Program	3
III. Stormwater Runoff	3
IV. Solid Wastes	3
V. Special Study	3

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA 74-05
CONDITIONS OF CERTIFICATION (Proposed 11-18-75)

SPECIAL

I. Air

The construction and operation of the Unit S-5 shall be in compliance with all applicable provisions of Chapters 17-2, 17-5 and 17-7, Florida Administrative Code, and the permittee shall comply with the following conditions of certification:

1. Fuel consumed should contain not more than 2.25% sulfur in Units S-3 and S-4 nor more than 0.35% sulfur in Unit S-5.
2. The boiler exhaust stack shall be not less than 75 feet above grade.
3. The permittee shall provide sampling ports into the stack and will provide access to the sampling ports by a ladder and platform or by temporary means as well as such temporary facilities as may be requested by the Department of Environmental Regulation in order that stack sampling may be accomplished.
4. The permittee shall install and operate continuous monitoring devices on the stack for sulfur dioxide, opacity and nitrogen oxides. Records of such monitoring shall be available for inspection. Calculation of SO₂ emissions in accordance with the procedures outlined in Section 60.45, of 40 CFR, Part 60, may be utilized instead of the continuous SO₂ monitor.
5. The permittee shall install and operate two ambient air monitoring devices for sulfur dioxide and two particulate samplers. The location of these ambient air samplers shall be as determined by the Palm Beach County Health Department, Division of Environmental Sciences and Engineering. The data collected will be reported to the County Health Department quarterly by the 20th of each subsequent month. The permittee shall institute the monitoring program one year prior to operation of Unit S-5.
6. The permittee shall maintain an hourly log of fuels used and copies of fuel analyses containing information of sulfur content and heating value to enable calculations of emissions.

*for apply
see modification
correct page 5 of 9
reference to Unit size
ask to be
revised
for S-5
since non-fossil
fuel fired SO₂
if use argument
that not fossil
fuel fired SO₂*

II. Water

A. Pretreatment Standards

Wastewater discharged from Unit S-5 to the Lake Worth municipal sewerage system shall comply with Annex III of the Sewer Service Agreement between the Lake Worth Utilities Authority and the City of West Palm Beach and the pretreatment standards for new sources as contained in 40 CFR, Part 423.16 and amendments. The latter is set forth as follows:

EPA Pretreatment Standards and Standards of Performance for New Sources

<u>Parameter</u>	<u>Avg. 30-Day, Daily Value</u>
a) <u>Low Volume Waste</u> (40 CFR, Part 423.15(c))	
(ion exchange water treatment systems, floor drainage, sample drains, cooling tower basin cleaning wastes, and similar wastes)	
TSS	30 mg/l
Oil and Grease	15 mg/l
b) <u>Metal Cleaning Wastes</u> (40 CFR, Part 423.15(f))	
TSS	30 mg/l
Oil and Grease	15 mg/l
Copper, Total	1.0 mg/l
Iron, Total	1.0 mg/l
c) <u>Boiler Blowdown</u> (40 CFR, Part 423.15(g))	
Same limits as for b) Metal Cleaning Wastes.	
d) <u>Cooling Tower Blowdown</u> (40 CFR, Part 423.15(i))	
Zinc	no detectable amount
Chromium	no detectable amount
Materials for corrosion inhibition	no detectable amount
e) The pH of all discharges shall be within the range of 6.0 - 9.0.	
f) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid, or other toxic substances.	

EXHIBIT "C"

8 of 9

B. In-Plant Water Monitoring Program

A monitoring program shall be undertaken by the Lake Worth Utilities Authority on the effluent streams within the facility to determine compliance by Unit S-5 with the applicable pretreatment standards.

III. Stormwater Runoff

During construction and operation, necessary measures shall be employed to settle, filter or absorb silt so that the runoff shall not exceed 50 mg/l of suspended solids. Such measures may include sediment traps, barriers and the use of berms or vegetation. Exposed or disturbed soil shall be sodded as soon as possible to minimize silt and sediment runoff into waters of the State.

IV. Solid Wastes

Solid wastes generated by the construction or operation of the facility shall be handled and disposed of in conformance with Chapter 17-7, FAC. Open burning will not be allowed.

V. Special Study

The Lake Worth Utilities Authority shall conduct a special study and furnish to the Department by January 31, 1977; a contingency plan to increase the intertie capability with Florida Power and Light Company in order to produce a source of electricity in the event that gaseous or liquid fuels become uneconomical or unavailable for continued operation of Unit S-5 in compliance with the conditions of certification.

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA-74-05
CONDITIONS OF CERTIFICATION (Proposed 11-19-75)

GENERAL

Table of Contents

	Page
1. Change in Discharge	1
2. Noncompliance Notification	1
3. Facilities Operation	1
4. Adverse Impact	2
5. Right of Entry	2
6. Revocation or Suspension	2
7. Civil and Criminal Liability	2
8. Property Rights	3
9. Severability	3
10. Pollutants	3
11. Review of Site Certification	3
12. Modifications of Special Conditions	4

State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA-74-05
CONDITIONS OF CERTIFICATION (Proposed 11-19-75)

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2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall notify the Central and Southern District Manager of the Department by telephone during the working day that said noncompliance occurs and shall confirm this in writing within seventy-two (72) hours of becoming aware of such conditions, and shall supply the following information:

- a. A description of the discharge and cause of non-compliance; and
- b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

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The permittee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

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The permittee shall allow the Secretary of the Florida Department of Environmental Regulation and/or authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and
- b. To have access to and copy any records required to be kept under the conditions of this certification; and
- c. To inspect any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants.

6. Revocation or Suspension

This certification may be suspended or revoked pursuant to Section 403.512, Chapter 403, Florida Statutes, or for violations of any General or Special Conditions.

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This certification does not relieve the permittee from civil or criminal penalties for noncompliance with any condition of this certification, applicable rules or regulations of the Department or Chapter 403, Florida Statutes, or regulations there under.

Subject to 403.511 this certification shall not preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other applicable State Statutes, or regulations.

8. Property Rights

The issuance of this certification does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. The applicant will obtain title, lease or right of use from the State of Florida, to any sovereign submerged lands occupied by intake or discharge structures.

9. Severability

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstances, is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.

10. Pollutants

If any applicable state effluent or emission standard or prohibition (including any schedule of compliance specified in such effluent or emission standard or prohibition) is established for a pollutant which is in this certification and such standard or prohibition is more stringent than any limitation for such pollutant in this certification, this certification shall be revised in accordance with the new effluent or emission standard or prohibition and the permittee so notified, unless a variance is or has been obtained pursuant to Chapter 403, Florida Statutes. In the application of such later adopted standards this paragraph shall not be considered in determining whether or not the Unit S-5 is classified as a new source or as an existing source if such distinction is made within the later adopted standard.

11. Review of Site Certification

The certification shall be final unless revoked or suspended pursuant to law. Five years from the date of issuance of any National Pollutant Discharge Elimination System Permit issued pursuant to the Federal Water Pollution Control Act Amendments of 1972, for the plant units, the Department shall review all monitoring data that has been submitted to it during the preceding five year period for the purpose of determining the extent of the permittee's compliance with the conditions of this certification and the environmental impact of this facility. The Department shall submit the results of its review and recommendations to the Permittee and all parties of record in this certification proceeding. This review will be repeated every five years thereafter.

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State of Florida Department of Environmental Regulation
Lake Worth Utilities Authority
Unit S-5
Case No. PA 74-05
CONDITIONS OF CERTIFICATION (Proposed 11-18-75)

SPECIAL

Table of Contents

	Page
I. Air	1
II. Water	2
A. Pretreatment Standards	2
B. In-Plant Water Monitoring Program	3
III. Stormwater Runoff	3
IV. Solid Wastes	3
V. Special Study	3

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Lake Worth Utilities Authority
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2. The boiler exhaust stack shall be not less than 75 feet above grade.
3. The permittee shall provide sampling ports into the stack and will provide access to the sampling ports by a ladder and platform or by temporary means as well as such temporary facilities as may be requested by the Department of Environmental Regulation in order that stack sampling may be accomplished.
4. The permittee shall install and operate continuous monitoring devices on the stack for sulfur dioxide, opacity and nitrogen oxides. Records of such monitoring shall be available for inspection. Calculation of SO₂ emissions in accordance with the procedures outlined in Section 60.45, of 40 CFR, Part 60, may be utilized instead of the continuous SO₂ monitor.
5. The permittee shall install and operate two ambient air monitoring devices for sulfur dioxide and two particulate samplers. The location of these ambient air samplers shall be as determined by the Palm Beach County Health Department, Division of Environmental Sciences and Engineering. The data collected will be reported to the County Health Department quarterly by the 20th of each subsequent month. The permittee shall institute the monitoring program one year prior to operation of Unit S-5.
6. The permittee shall maintain an hourly log of fuels used and copies of fuel analyses containing information of sulfur content and heating value to enable calculations of emissions.

II. Water

A. Pretreatment Standards

Wastewater discharged from Unit S-5 to the Lake Worth municipal sewerage system shall comply with Annex III of the Sewer Service Agreement between the Lake Worth Utilities Authority and the City of West Palm Beach and the pretreatment standards for new sources as contained in 40 CFR, Part 423.16 and amendments. The latter is set forth as follows:

EPA Pretreatment Standards and Standards
of Performance for New Sources

<u>Parameter</u>	<u>Avg. 30-Day, Daily Value</u>
a) <u>Low Volume Waste</u> (40 CFR, Part 423.15(c))	
(ion exchange water treatment systems, floor drainage, sample drains, cooling tower basin cleaning wastes, and similar wastes)	
TSS	30 mg/l
Oil and Grease	15 mg/l
b) <u>Metal Cleaning Wastes</u> (40 CFR, Part 423.15(f))	
TSS	30 mg/l
Oil and Grease	15 mg/l
Copper, Total	1.0 mg/l
Iron, Total	1.0 mg/l
c) <u>Boiler Blowdown</u> (40 CFR, Part 423.15(g))	
Same limits as for b) Metal Cleaning Wastes.	
d) <u>Cooling Tower Blowdown</u> (40 CFR, Part 423.15(i))	
Zinc	no detectable amount
Chromium	no detectable amount
Materials for corrosion inhibition	no detectable amount
e) The pH of all discharges shall be within the range of 6.0 - 9.0.	
f) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid, or other toxic substances.	

B. In-Plant Water Monitoring Program

A monitoring program shall be undertaken by the Lake Worth Utilities Authority on the effluent streams within the facility to determine compliance by Unit S-5 with the applicable pretreatment standards.

III. Stormwater Runoff

During construction and operation, necessary measures shall be employed to settle, filter or absorb silt so that the runoff shall not exceed 50 mg/l of suspended solids. Such measures may include sediment traps, barriers and the use of berms or vegetation. Exposed or disturbed soil shall be sodded as soon as possible to minimize silt and sediment runoff into waters of the State.

IV. Solid Wastes

Solid wastes generated by the construction or operation of the facility shall be handled and disposed of in conformance with Chapter 17-7, FAC. Open burning will not be allowed.

V. Special Study

The Lake Worth Utilities Authority shall conduct a special study and furnish to the Department by January 31, 1977; a contingency plan to increase the intertie capability with Florida Power and Light Company in order to produce a source of electricity in the event that gaseous or liquid fuels become uneconomical or unavailable for continued operation of Unit S-5 in compliance with the conditions of certification.