

Memorandum

Florida Department of Environmental Protection

TO: Howard L. Rhodes

FROM: Clair H. Fancy

DATE: December 18, 1997

SUBJECT: FINAL Permit No.: 1030012-001-AV
Florida Power Corporation
Higgins Power Plant

This permit is for the initial Title V air operation permit for the subject facility. This facility consist of three fossil fuel fired steam generators (SG) and four simple cycle combustion turbine peaking units (CTP), all of which are pre-NSPS sources. The SG's are on long-term reserve shutdown. The CTP's and SG's are pre-NSPS sources. Each CT and SG exhausts through a separate stack. Relocatable diesel fired generator(s) with a maximum heat input of 25.74 MMBtu/hour and a maximum rating of 2460 Kilowatts may be relocated to this and six other FPC facilities.

Comments from the Florida Power Corporation on the DRAFT permit were addressed, resolved, and resulting changes incorporated into the PROPOSED permit.

We received no comments from Region 4, U.S. EPA, regarding the PROPOSED permit.

Attachment

CHF/csl

Date: 5/21/98 2:09:11 PM
From: Mary Fillingim TAL
Subject: New Posting #1030012
To: See Below

There is a new posting on Florida's website.

1030012001AV
FPC-HIGGINS PLANT

Final

If you have any questions, please feel free to contact me.

Thanks, Mry

To: adams yolanda
To: pierce carla
To: Barbara Boutwell TAL
To: Scott Sheplak TAL
To: Terry Knowles TAL
To: danois gracy
To: Elizabeth Walker TAL
CC: Bruce Mitchell TAL

STATEMENT OF BASIS

Florida Power Corporation
Higgins Power Plant
Facility ID No.: 1030012
Pinellas County

Initial Title V Air Operation Permit
FINAL Permit No.: 1030012-001-AV

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

This facility consist of three fossil fuel fired steam generators (SG) and four simple cycle combustion turbine peaking units (CTP), all of which are pre-NSPS sources. The SG's are on long-term reserve shutdown. The CTP's and SG's are pre-NSPS sources. Each CT and SG exhausts through a separate stack. Relocatable diesel fired generator(s) with a maximum heat input of 25.74 MMBtu/hour and a maximum rating of 2460 Kilowatts may be relocated to this and six other FPC facilities.

The fossil fuel fired steam generators (SG) were all placed on "Long Term Reserve Shutdown" on January 24, 1994 (Rule 62-210.300(2)(a)3.d., F.A.C.). The maximum permitted heat input rates for SG 1, SG 2, and SG 3 are 548, 523, and 548 MMBtu/ hour, respectively. The emissions units are fired on new No. 6 or lighter grades of fuel oil, as permitted herein. Natural gas and on-specification used oil, as permitted herein, may be fired in these emissions units as an alternate fuel. SG 1, SG 2, and SG 3 generate steam to power turbines that drive generators with name plate ratings of 43, 42, and 41 megawatts, respectively. These units are regulated under the Acid Rain Program, Phase II. Each SG exhausts through a single stack. Emissions from these units are uncontrolled. These emissions units are Pre-NSPS, regulated under Rules 62-296.405, F.A.C. (Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input), and regulated under 62-296.700, F.A.C. (Reasonably Available Control Technology, RACT, Particulate Matter). SG 1 began commercial operation on June 6, 1951; SG 2 began commercial operation on June 30, 1953; and, SG 3 began commercial operation on January 30, 1954.

The combustion turbine peaking units (CTP's) may only fire new No. 2 fuel oil or natural gas having a maximum sulfur content of 0.5 percent, by weight, and 1 grain per 100 dry standard cubic feet (dscf), respectively. CTP 1 and CTP 2 have a maximum heat input of 566 MMBtu/hour at 59° F and each

STATEMENT OF BASIS

Florida Power Corporation

Higgins Power Plant

FINAL Permit No.: 1030012-001-AV

Page 2 of 2

powers a generator rated at 37.0 MW (megawatts of electricity). CTP 3 and CTP 4 have a maximum heat input of 631 MMBtu/hour at 59° F and each powers a generator rated at 42.9. Emissions are not controlled and each turbine exhausts through a separate stack. These emissions units are pre-NSPS and not subject to the Acid Rain Program. CTP 1, CTP 2, CTP 3, and CTP 4 began commercial service on March 15, 1969, April 12, 1969, December 1, 1970, and January 9, 1971, respectively. The emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required.

The relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled. These conditions were requested in the Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996. The generators may be relocated at this facility and any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Anclote Power Plant, 1729 Baileys Bluff Road, Holliday, Pasco County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. The future FPC Polk County Site, County Road 555, 1 mi. southwest of Homeland, Polk County.

These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Each generator has its own stack.

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

Based on the initial Title V permit application received June 14, 1996, this facility is not a major source of hazardous air pollutants (HAPs).

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL TITLE V PERMIT

In the Matter of an
Application for Permit

Mr. W. Jeffery Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

DEP File No. 1030012-001-AV
Higgins Power Plant
Pinellas County

Enclosed is the FINAL Title V Permit, Number 1030012-001-AV, for Florida Power Corporation's Higgins Power Plant located at 998 East Shore Drive, Oldsmar, Pinellas County. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 1/6/98 to the person(s) listed or as otherwise noted:

Mr. W. Jeffery Pardue, C.E.P., Florida Power Corporation *
Mr. Bill Thomas, FDEP/SWD
Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, USEPA, Region 4 (INTERNET E-mail Memorandum)

1/6/98 cc: Reading File
Charles Logan

Clerk Stamp

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

Barbara J. Boutwell 1/6/98
(Clerk) (Date)

FINAL PERMIT DETERMINATION

Florida Power Corporation
Higgins Power Plant
Facility ID No.: 1030012
Pinellas County
FINAL Permit No.: 1030012-001-AV

I. Comments.

- A. The Department received no comments from Region 4, U.S. EPA regarding the PROPOSED permit.
- B. Comments from FPC resulted in the following changes:
1. Several changes were made to Appendix TV-1 to reflect recent rule changes, and to properly identify conditions that are not federally enforceable.
 - a. The following additional rules have been marked as “not federally enforceable”:
 - 62-4.030, F.A.C., General Prohibition, (see condition number 1.)
 - 62-4.220, F.A.C., Operation Permit for New Sources, (see condition number 14.)
 - 62-210.300(5) , F.A.C., Notification of Startup, (see condition number 19.)
 - b. Appendix TV-1, now carries a version date of “**12/02/97**”.
 2. Appendix E-1, List of Exempt Emissions Units and/or Activities has been replaced with I-1, List of Insignificant Emissions Units and/or Activities. When appropriate, all references to exempt emissions units has been changed to insignificant emissions units.
- C. After review by the Department and discussion with the local authorities, condition A.33 was deleted since it was not justified by rule.

II. Conclusion.

In conclusion, the changes that have been made are insignificant in nature and do not impose additional noticing requirements and, therefore, allow the permit to go final.

BEST AVAILABLE COPY

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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I also wish to receive the following services (for an extra fee):

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2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffery Pardue, C.E.P.
 Director of Environmental Services
 Florida Power Corporation
 3201 34th Street South
 St. Petersburg, Florida 33711

4a. Article Number
 P 263 584 667

4b. Service Type

| | |
|---|------------------------------------|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery
 1/8/98

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6. Signature: (Addressee or Agent)

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P 263 584 667

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| Post Office, State, & ZIP Code St. Petersburg, FL 33711 | |
| Postage | \$ |
| Certified Fee | |
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| Postmark or Date 1/6/98 | |
| FPC - Higgins Plant Facility ID#1030012-001-AV | |

PS Form 3800 April 1995

Florida Power Corporation
Higgins Power Plant
Facility ID No.: 1030012
Pinellas County

Initial Title V Air Operation Permit
FINAL Permit No.: 1030012-001-AV

Permitting Authority:

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

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

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

December 22, 1997

Initial Title V Air Operation Permit
 Florida Power Corporation - Higgins Power Plant
 FINAL Permit No.: 1030012-001-AV

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Department of Environmental Protection

Lawton Chiles
Governor

Virginia B. Wetherell
Secretary

Permittee:

Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

FINAL Permit No.: 1030012-001-AV

Facility ID No.: 1030012

SIC Nos.: 49

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Higgins Power Plant. This facility is located at 998 East Shore Drive, Oldsmar, Pinellas County; UTM Coordinates: Zone 17, 336.5 km East and 3098.4 km North; Latitude: 28° 00' 02" North and Longitude: 82° 39' 46" West.

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

Referenced attachments made a part of this permit:

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

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

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

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

ASP Number 97-B-01, Order Correcting Scrivener's Error dated July 2, 1997.

OGC File Nos. 86-1580, 86-1581, 86-1582 dated December 11, 1986.

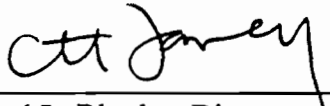
Phase II Acid Rain Application/Compliance Plan received December 14, 1995.

ORDER EXTENDING PERMIT EXPIRATION DATE (dated November 18, 1997)

Effective Date: January 1, 1998

Renewal Application Due Date: July 5, 2002

Expiration Date: December 31, 2002



Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/sms/csl

Section I. Facility Information.

Subsection A. Facility Description.

This facility consist of three fossil fuel fired steam generators (SG) and four simple cycle combustion turbine peaking units (CTP), all of which are pre-NSPS sources. The SG's are on long-term reserve shutdown. The CTP's and SG's are pre-NSPS sources. Each CT and SG exhausts through a separate stack. Also included in this permit are miscellaneous unregulated and insignificant emissions units and/or activities. Relocatable diesel fired generator(s) with a maximum heat input of 25.74 MMBtu/hour and a maximum rating of 2460 Kilowatts may be relocated to this and six other FPC facilities.

Based on the initial Title V permit application received June 14, 1996, this facility is not a major source of hazardous air pollutants (HAPs).

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

| E.U. ID No. | Brief Description |
|--------------------|--|
| -001 - 003 | 3 - Fossil Fuel Fired Steam Generators (Pre-NSPS) - SG 1, SG 2, & SG 3 |
| -004 - 007 | 4 - Combustion Turbine Peaking Units (Pre-NSPS) - CTP 1, CTP 2, CTP 3, & CTP 4 |
| -7775047 -001 | Relocatable Diesel Generator(s) |

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

Subsection C. Relevant Documents.

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

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

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

Table 2-1, Summary of Compliance Requirements

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

Appendix H-1, Permit History/ID Number Changes

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 14, 1996.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for a particulate matter or opacity limit set forth in or established elsewhere in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9, shall be used to determine compliance with this condition.
[Rule 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
 - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
 - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.
[Rule 62-213.440(1), F.A.C.]
6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]
7. General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions. The permittee shall not store, pump, handle, process, load, unload or use in any

process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1)(a), F.A.C.]

8. Not federally enforceable. Reasonable precautions shall be taken to prevent emissions of unconfined particulate matter at this facility. Steps presently taken at the facility to minimize particulate emissions are as follows:

- ◆ Maintenance of paved areas as needed,
- ◆ Regular mowing of grass and care of vegetation,
- ◆ Limiting access to plant property by unnecessary vehicles, and
- ◆ Additional or alternative activities may be utilized to minimize unconfined particulate emissions.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by applicant in the initial Title V permit application received June 14, 1996.]

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

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

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Air Quality Division of the Pinellas County Department of Environmental Management:

Pinellas County Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756
Telephone: 813/464-4422
Fax: 813/464-4420

11. 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, Georgia 32303
Telephone: 404/562-9099
Fax: 404/562-9095

12. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within sixty (60) days after the end of the calendar year.
{See condition No. 52., Appendix TV-1, Title V Conditions}
[Rule 62-214.420(11), F.A.C.]

13. Subsection C of Section III addresses specific conditions for a Relocatable Diesel Fired Generator(s) that may be relocated to this and five other FPC facilities. These specific conditions, requested in the Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996, will become active and enforceable when FPC has notified the Department (as per specific condition III.C.24) that the relocatable generator(s) will be relocated to the Higgins Power Plant.
[AO 09-205952; and, Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996.]

Section III. Emissions Unit(s) and Conditions.

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

| E.U. ID No. | Brief Description |
|-------------|--|
| -001 | Fossil Fuel Fired Steam Generator - SG 1 |
| -002 | Fossil Fuel Fired Steam Generator - SG 2 |
| -003 | Fossil Fuel Fired Steam Generator - SG 3 |

SG 1, SG 2, and SG 3 were all placed on "Long Term Reserve Shutdown" on January 24, 1994 (Rule 62-210.300(2)(a)3.d., F.A.C.). The maximum permitted heat input rates for SG 1, SG 2, and SG 3 are 548, 523, and 548 MMBtu/ hour, respectively. The emissions units are fired on new No. 6 or lighter grades of fuel oil, as permitted herein. Natural gas and on-specification used oil, as permitted herein, may be fired in these emissions units as an alternate fuel. SG 1, SG 2, and SG 3 generate steam to power turbines that drive generators with name plate ratings of 43, 42, and 41 megawatts, respectively. These units are regulated under the Acid Rain Program, Phase II.

Each SG exhausts through a single stack. Emissions from these units are uncontrolled.

{Permitting note(s): These emissions units are Pre-NSPS, regulated under Rules 62-296.405, F.A.C. (Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input), and regulated under 62-296.700, F.A.C. (Reasonably Available Control Technology, RACT, Particulate Matter). SG 1 began commercial operation on June 6, 1951; SG 2 began commercial operation on June 30, 1953; and, SG 3 began commercial operation on January 30, 1954.}

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

Essential Potential to Emit (PTE) Parameters

A.1. Methods of Operation. Fuel(s).

- a. Startup & Shutdown: The only fuels allowed to be burned are new #6 or lighter grades of fuel oils. On-specification used oil shall only be burned if the PCB's are less than 2 ppm and may be blended with new #2 fuel oil. The maximum sulfur content is 2.5 percent, by weight.
- b. Normal: The only fuels allowed to be burned are new #6 or lighter grades of fuel oils and on-specification used oil. The maximum sulfur content is 2.5 percent, by weight.
- c. The maximum annual cumulative amount of on-specification used oil, whether generated on or off-site, that can be burned in these emissions units shall not exceed 5 percent of the total permitted heat input for emissions units SG 1, SG 2, and SG 3.

d. The heat inputs in condition A.2. are based on the following fuel consumption rates while firing No. 6 fuel oil and natural gas. These rates may vary depending on the heating values of the fuels:

| Emissions Unit | Hours/year | Fuel Oil(s) | Natural Gas |
|----------------|------------|--------------------|-----------------|
| SG 1 | 8760 | 3,654 gallons/hour | 0.50 MMSCF/hour |
| SG 2 | 8760 | 3,486 gallons/hour | 0.49 MMSCF/hour |
| SG 3 | 8760 | 3,654 gallons/hour | 0.50 MMSCF/hour |

[Rule 62-213.410, F.A.C.; and AO's 52-216382, 52-216383, & 52-216384; and Title V application received on June 14, 1996.]

A.2. Permitted Capacity. The maximum operation heat input rates are as follows:

| Unit No. | MMBtu/hr Heat Input | Fuel Type |
|----------|---------------------|---|
| SG 1 | 548 | New No. 1, 2, 3, 4, 5 or 6 Fuel Oil & On-Specification Used Oil.* |
| | 525 | Natural Gas as an alternate fuel when available. |
| SG 2 | 523 | New No. 1, 2, 3, 4, 5 or 6 Fuel Oil & On-Specification Used Oil.* |
| | 515 | Natural Gas as an alternate fuel when available. |
| SG 3 | 548 | New No. 1, 2, 3, 4, 5 or 6 Fuel Oil & On-Specification Used Oil.* |
| | 525 | Natural Gas as an alternate fuel when available. |

* The on-specification used oil burned at this facility may be generated on or off-site.
[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

A.3. Emissions Unit Operating Rate Limitation After Testing. See specific condition A.22.
[Rule 62-297.310(2), F.A.C.]

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

Emission Limitations and Standards

{Permitting Note: The attached Table 1-1 and 1-2, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. These tables do not supersede any of the terms or conditions of this permit.}

A.5. Visible Emissions. Visible emissions from SG 1, SG 2, and SG 3 shall not exceed 40 percent

opacity. The emissions units subject to the opacity standards of this condition shall conduct a compliance test for particulate matter emissions annually. The Department reserves the right to require the permittee to return to the more frequent testing schedule in Rule 62-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

[Rule 62-296.405(1)(a), F.A.C.; and, OGC Order File Nos. 86-1580, 86-1581, and 86-1582 dated December 11, 1986.]

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

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

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

A.7. Particulate Matter. Particulate matter emissions during normal operations shall not exceed 0.1 pound per million Btu heat input [(54.8 lb/hr & 240 TPY for SG 1 & SG 3, based on 548 MMBtu/hr.) and (52.3 lb/hr & 229 TPY for SG 2, based on 523 MMBtu/hr.)] as measured by the applicable compliance methods specified in condition A.18.

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

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input [164.4 lb/hr for SG 1 & SG 3 (based on 548 MMBtu/hr.) and 156.9 lb/hr for SG 2 (based on 523 MMBtu/hr)] during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

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

A.9. Sulfur Dioxide. When burning liquid fuel (fuel oil), sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by test methods in condition A.19.

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

A.10. Sulfur Dioxide - Sulfur Content. The sulfur content of fuel oils, on-specification used oil, or any combination of the two burned in these units, shall not exceed 2.5 percent, by weight. See specific condition A.20. For the purposes of Title V Annual Emissions Fee's, the sulfur content of natural gas burned in these units shall not exceed 1 grain per 100 dry standard cubic feet (dscf), which is equivalent to 0.003 percent by weight.

[Rule 62-296.405(1)(e)3., F.A.C.; and, requested by the applicant in Title V Application dated June 14, 1996.]

Excess Emissions

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

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

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

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

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

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

Monitoring of Operations

A.14. Sulfur Dioxide. **The permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a fuel analysis provided by the vendor or permittee upon each fuel delivery.** This protocol is allowed because the emissions units do not have an operating flue gas desulfurization device. See specific conditions A.9., A.10., A.19. and A.20.

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

A.15. Determination of Process Variables.

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

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

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

Test Methods and Procedures

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

A.16. Visible emissions. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition A.17.
[Rule 62-296.405(1)(e)1., F.A.C.]

A.17. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

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

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

A.18. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.
[Rules 62-296.405(1)(e)2. and 62-297.401, F.A.C.]

A.19. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, the permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a fuel analysis provided by the vendor or permittee upon each fuel delivery.** See specific conditions A.9., A.10. and A.20.
[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.; and, Permits AO 64-185095.]

A.20. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, or the latest edition.
[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

A.21. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third

run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

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

A.22. Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

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

A.23. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

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

A.24. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

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

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

A.25. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.
[Rule 62-297.310(6), F.A.C.]

A.26. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

- (a) General Compliance Testing.
2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid for more than 400 hours other than during startup.
 3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - a. Did not operate; or
 - b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

TABLE 297.310-1
CALIBRATION SCHEDULE

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

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

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

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

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

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

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

[Rule 62-297.310(7), F.A.C.; and , SIP approved.]

A.27. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or

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

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

A.28. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

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

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

Record keeping and Reporting Requirements

A.29. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Air Quality Division of the Pinellas County Department of Environmental Management in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Air Quality Division of the Pinellas County Department of Environmental Management.

[Rule 62-210.700(6), F.A.C.]

A.30. Submit to the Air Quality Division of the Pinellas County Department of Environmental Management a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

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

A.31. Test Reports.

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

(b) The required test report shall be filed with the Air Quality Division of the Pinellas County Department of Environmental Management as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Air Quality Division of the Pinellas County Department of Environmental Management to determine if the test was properly conducted and the test results properly computed. As

a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

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

used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
[Rules 62-213.440 and 62-297.310(8), F.A.C.]

A.32. Not federally enforceable. Compliance with the fuel oil sulfur content (% by wt) and sulfur dioxide emissions rate (lbs/MMBtu) of this permit shall be documented by the permittee through the submittal of quarterly reports for this facility. These quarterly reports shall be submitted within 30 days of the end of each calendar quarter to the Air Quality Division of the Pinellas County Department of Environmental Management.

[Rule 62-213.440, F.A.C.; and, AO 52-216382, AO 52-216383, and AO 52-216384.]

Addition limitations for On-Specification Used Oil

A.33. On-Specification Used Oil. On-specification used oil generated at this facility or off-site may only be burned in these emissions units if compliance with all the conditions of this permit and the following additional conditions are demonstrated:

- a. **On-specification Used Oil Allowed as Fuel:** This permit allows the burning of used fuel oil meeting EPA "on-specification" used oil specifications, with a maximum sulfur content of 2.5 percent, by weight, and a PCB concentration of no greater than 49 ppm.

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

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

Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

- b. **Quantity Limited:** The maximum cumulative annual amount of on-specification used oil that can be burned at this facility shall not exceed 5 % of the total allowable heat input for SG 1, SG 2, and SG 3.

- c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement or any part of this condition.
- d. PCB Concentration of 2 to 49 ppm: On-specification used oil with a PCB concentration of 2 to 49 ppm shall be burned only at normal source operating temperatures. On specification used oil with a PCB concentration of 2 to 49 ppm shall not be burned during periods of startup or shutdown. Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities shall be submitted to the Administrator of EPA or Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400.
- e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of no greater than 49 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by testing or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

- f. Testing Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall properly sample and test each load of used oil received for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*,
and percent sulfur content by weight, ash, and BTU value (BTU per gallon).
Testing (sampling, extraction and analysis) shall be performed using

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

* Testing for PCB's is not necessary if quantifiable levels are less than 2 ppm (ref. to specific condition A.34.e., above)

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, each calendar quarter, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters. If the analytical results show that the used oil does not meet the specification for on-specification used oil, or that it contains a PCB concentration of 50 ppm or greater, the owner or operator shall immediately notify the Air Quality Division of the Pinellas County Department of Environmental Management and provide the analytical results to the Department. The owner or operator shall immediately cease burning of the used oil.

- g. Special Record Keeping Requirements: The owner or operator shall obtain, make, and keep the following records related to the use of used oil:
- (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
 - (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
 - (3) The name and address of all marketers delivering used oil to the facility.
 - (4) Copies of the marketer certifications, if obtained, and any supporting information.
 - (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
 - (6) Results of the analyses required above.
 - (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
 - (8) The hourly usage if the on-specification used oil is burned exclusively (not blended).

The records shall be retained in a form suitable for inspection at the facility by the Department, and shall be retained for 5 years.

- h. Quarterly Reporting Required: The owner or operator shall submit to the Air Quality Division of the Pinellas County Department of Environmental Management, within thirty days of the end of each calendar quarter, a summary of the quarterly analyses and the total amount of

on-specification used oil received and burned during the quarter.

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the amount of on-specification used oil burned during the previous calendar year.

[40 CFR 279.61 and 761.20(e); Rules 62-4.070(3), 62-212.400(2)(f)1. and 62-213.440, F.A.C.; and, initial Title V Application received June 14, 1996.]

Operation and Maintenance Plan

A.34. The following is the specified Operation and Maintenance Plan for Particulate Control as required by Rule.

A. Process Parameters

1. Heat Input Rate: SG 1 & SG 3 - 548 MMBtu/hr (Maximum)
SG 2 - 523 MMBtu/hr (Maximum)
2. Fuel: No. 6 or lighter grades of fuel oil, on-specification used fuel oil, and natural gas with a maximum sulfur content, by weight, of 2.50%, 1 grain per 100 dry standard cubic feet, and 2.50%, respectively.
3. Fuel Firing Rate: SG 1 & SG 3 - 3654 gal/hr for fuel oils. SG 2 - 3486 gal/hr for fuel oil.
SG 1 and SG 3 - natural gas at 0.5 MMCF/hour and SG 2 - natural gas at 0.49 MMCF/hr.
4. Ash Content: as sampled.
5. Steam Temperature: 950 °F
6. Steam Pressure: 1315 psig
7. Steam Flow Rate: 450,000 lb/hr
8. Stack Height: 174 ft
9. Boiler Manufacture: Babcock and Wilcox
10. Burner Arrangement: Front Fired

B. Inspection and Maintenance Program

1. Scheduled during major outages: Boilers, controls, auxiliaries, burners and duct work are to be inspected and repaired as necessary. All parts are to be inspected, cleaned and replaced as necessary.
2. Scheduled during non-peak load periods in spring and fall: This schedule is affected by forced outage requirements.

3. The following operating parameters are to be continuously monitored and maintained at appropriate levels to produce efficient fuel combustion:
 - a. fuel flow rate
 - b. fuel temperature
 - c. fuel pressure
 - d. air flow rate
 - e. steam flow rate
 - f. steam temperature
 - g. steam pressure
4. Plant operators are to monitor, adjust and record the following operating parameters at least once per day to assure efficient plant operations:
 - a. temperatures (superheat, fuel)
 - b. flows (steam, feedwater, fuel)
 - c. unit load
5. Fuel oil quality is to be checked prior to delivery and/or burning. Fuel oil shall be analyzed, by the most recent ASTM method, for the determination of the following:
 - a. Heat content (Btu/gal)
 - b. sulfur content (% by wt)
 - c. API gravity and density (lbs/gal)

C. Recordkeeping

Records of inspections, maintenance, and performance parameters shall be retained for a minimum of five years and shall be made available to the Department or Air Quality Division of the Pinellas County Department of Environmental Management upon request.

[Rule 62-296.700(6), F.A.C. .; and, AO 52-216382, AO 52-216383, and AO 52-216384.]

Subsection B. This section addresses the following emissions units.

| E. U. ID No. | Brief Description |
|--------------|--|
| -004 - 007 | Combustion Turbine Peaking Units, CTP 1, CTP 2, CTP 3, and CTP 4 |

The above referenced combustion turbine peaking units (CTP's) may only fire new No. 2 fuel oil or natural gas having a maximum sulfur content of 0.5 percent, by weight, and 1 grain per 100 dry standard cubic feet (dscf), respectively. CTP 1 and CTP 2 have a maximum heat input of 566 MMBtu/hour at 59° F and each powers a generator rated at 37.0 MW (megawatts of electricity). CTP 3 and CTP 4 have a maximum heat input of 631 MMBtu/hour at 59° F and each powers a generator rated at 42.9 MW (megawatts of electricity). Emissions are not controlled and each turbine exhausts through a separate stack. These emissions units are pre-NSPS and not subject to the Acid Rain Program. CTP 1, CTP 2, CTP 3, and CTP 4 began commercial service on March 15, 1969, April 12, 1969, December 1, 1970, and January 9, 1971, respectively.

{Permitting Note: The emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required.}

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

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. CTP 1 and CTP 2 each have a maximum heat input of 566 MMBtu/hour at 59° F and each powers a generator rated at 37.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 631 MMBtu/hour at 59° F and each powers a generator rated at 42.9 MW. At other ambient temperatures, the units shall be operated in accordance with established performance curves, which will be made available at the site during compliance testing .

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AO 52-216420, AO 52-216421, AO 52-216422, AO 52-216423.]

B.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition B.13.

B.3. Hours of Operation. Each emissions unit may operate continuously, i.e., 8,760 hours/year/CT. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

B.4. Methods of Operation - Fuels.

(a). Only new No. 2 fuel oil having a maximum sulfur content of 0.5 percent, by weight, or natural gas having a maximum sulfur content of 1 grain per 100 dscf shall be fired in these turbines.

- (b). The heat inputs in condition B.1 are based on the following fuel consumption rates while firing new No. 2 fuel oil and natural gas. These rates may vary depending on the heating values of the fuels:

| Emissions Unit(s) | New No. 2 Fuel Oil | Natural Gas |
|-------------------|----------------------------|--------------|
| CTP 1 & CTP 2 | 4,032 gals/hr (96 bbl/hr) | 0.57 MMCF/hr |
| CTP 3 & CTP 4 | 4,494 gals/hr (107 bbl/hr) | 0.63 MMCF/hr |

[Rules 62-4.160(2) and 62-213.440(1), F.A.C.; and, AO 64-216420, AO-216421, AO 64-216422, AO 64-216423.]

Emission Limitations and Standards

{Permitting note: Table 1-3, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

B.5. Visible Emissions. Visible emissions from each turbine shall not be equal to or greater than 20 percent opacity.

[Rule 62-296.320(4)(b)1., F.A.C.; and, AO 64-216420, AO-216421, AO 64-216422, AO 64-216423.]

B.6. Sulfur Content. The sulfur content of the new No. 2 fuel oil shall not exceed 0.5 percent, by weight, and the sulfur content of the natural gas shall not exceed 1 gr/100 dscf.

[Rule 62-213.440, F.A.C.; and, AO 64-216420, AO-216421, AO 64-216422, AO 64-216423.]

Excess Emissions

B.7. Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

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

B.8. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

Monitoring of Operations

B.9. The permittee shall demonstrate compliance with the sulfur content limit with a fuel analysis provided by the vendor upon each fuel delivery. See specific condition B.12.

[Rule 62-213.440, F.A.C.; and, AO 52-216420, AO 52-216421, AO 52-216422, AO 52-216423.]

B.10. Determination of Process Variables.

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

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

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

Test Methods and Procedures

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

B.11. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

B.12. The fuel sulfur content, percent by weight, provided by the vendor or permittee for each delivery of liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition.

[Rules 62-213.440 and 62-297.440, F.A.C.]

B.13. Operating Rate During Testing.

Testing of emissions shall be conducted with the emissions unit operating at capacity. Capacity is defined as 95 - 100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than capacity. In such cases, the entire heat input vs. inlet

temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by this permit. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department's local office with the compliance test report.

[Rule 62-297.310(2), F.A.C.; and, AO 64-216420, AO-216421, AO 64-216422, AO 64-216423.]

B.14. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

B.15. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

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

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

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

- a. Visible emissions, if there is an applicable standard;

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a

visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

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

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

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

[Rule 62-297.310(7), F.A.C.; and, SIP approved]

B.16. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

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

[Rules 62-297.310(7)(a)4. and 8., F.A.C.]

Record keeping and Reporting Requirements

B.17. Malfunction Reporting. In the case of excess emissions resulting from malfunctions as defined in conditions B.7 and B.8, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if

requested by the Air Quality Division of the Pinellas County Department of Environmental Management.

[Rule 62-210.700(6), F.A.C.]

B.18. Test Reports.

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

(b) The required test report shall be filed with the Air Quality Division of the Pinellas County Department of Environmental Management as soon as practical but no later than 45 days after the last sampling run of each test is completed.

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

Subsection C. This section addresses the following emissions units.

| E.U. ID No. | Brief Description |
|---------------|---------------------------------------|
| -7775047 -001 | Relocatable Diesel Fired Generator(s) |

The relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled. These conditions were requested in the Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996. The generator(s) may be relocated at this facility and any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Anclote Power Plant, 1729 Baileys Bluff Road, Holliday, Pasco County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. The future FPC Polk County Site, County Road 555, 1 mi. southwest of Homeland, Polk County.

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Each generator has its own stack.}

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

Essential Potential to Emit (PTE) Parameters

C.1. These conditions become active and enforceable once FPC has given notification to the Air Quality Division of the Pinellas County Department of Environmental Management, if appropriate, that these units will be relocated to this facility. Notification shall be given as per specific condition C.24. [Rule 62-4.070(3), F.A.C.; Anclote Power Plant Permit AC 09-202080; and, Initial Title V Permit Application for the Anclote Power Plant received June 14,1996.]

C.2. Permitted Capacity. The maximum operation heat input rates are as follows:
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

| Unit No. | MMBtu/hr/generator(s) Heat Input | Fuel Type |
|---------------|----------------------------------|-------------------------------|
| -7775047 -001 | 25.74 | New Low Sulfur No. 2 Fuel Oil |

C.3. Emissions Unit Operating Rate Limitation After Testing. See specific condition C.14.
[Rule 62-297.310(2), F.A.C.]

C.4. Methods of Operation - Fuels. Only new low sulfur No. 2 fuel oil shall be fired in the combustion turbine(s).
[Rule 62-213.410, F.A.C.]

C.5. Hours of Operation. The hours of operation expressed as “engine-hours” shall not exceed 2970 hours in any consecutive 12 month period. The total hours of operation expressed as “engine-hours” shall be the summation of the individual hours of operation of each generator.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1-4, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

C.6. Visible Emissions. Visible emissions from each generator shall not be equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b)1., F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

C.7. Sulfur Dioxide - Sulfur Content. The sulfur content of the new No. 2 fuel oil shall not exceed 0.50 percent, by weight.
[Requested in initial Title V permit application dated June 14, 1996; and, Anclote Power Plant Permit AC 09-202080.]

Excess Emissions

C.8. Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

C.9. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

C.10. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor or permittee upon each fuel delivery. See specific condition C.13. [Rule 62-213.440, F.A.C.]

C.11. Determination of Process Variables.

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

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. [Rule 62-297.310(5), F.A.C.]

Test Methods and Procedures

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

C.12. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. [Rules 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

C.13. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s). [Rules 62-213.440 and 62-297.440, F.A.C.]

C.14. Operating Rate During Testing. Testing of emissions shall be conducted with the generator(s) operating at 90 to 100 percent of the maximum fuel firing rate of 186.3 gallons per hour. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operations may be limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation

rate allowed by the permit. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Failure to submit the actual operating rate may invalidate the test.

[Rules 62-297.310(2), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

C.15. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

C.16. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

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

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

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

- a. Visible emissions, if there is an applicable standard;

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

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

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

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

[Rule 62-297.310(7), F.A.C.; SIP approved; and, Anclote Power Plant Permit AO 09-205952.]

C.17. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning liquid fuels for less than 400 hours per year.

[Rules 62-297.310(7)(a)4. & 8., F.A.C.]

C.18. After each relocation, each generator shall be tested within 30 days of startup for opacity and the fuel shall be analyzed for the sulfur content. See specific conditions C.6, C.7, C.10, C.13, and C.14.

[Rules 62-4.070(3) and 62-297.310(7)(b), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

Recordkeeping and Reporting Requirements

C.19. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, the owner or operator shall notify the Air Quality Division of the Pinellas County Department of Environmental Management in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Air Quality Division of the Pinellas County Department of Environmental Management.

[Rule 62-210.700(6), F.A.C.]

C.20. Test Reports.

(a) Each generator shall be tested on an annual basis within 30 days of the date October 25.

(b) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Air Quality Division of the Pinellas County Department of Environmental Management on the results of each such test.

(c) The required test report shall be filed with the Air Quality Division of the Department of Environmental Management as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(d) The test reports for a unit that has been relocated shall be submitted to the Department office that will handle compliance issues for the new location within 45 days of testing.

[Rule 62-297.310(8), F.A.C.; and, Anclote Power Plant Permit AO 09-25952.]

C.21. To demonstrate compliance with specific condition C.5, records shall indicate the daily hours of operation for each diesel generator, the daily hours of operation expressed as “engine- hours”, and a cumulative total hours of operation expressed as “engine hours” for each month. The records shall be maintained for a minimum of 5 years and made available to the Air Quality Division of the Pinellas County Department of Environmental Management upon request.

[Rules 62-213.440 and 62-297.310(8), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

C.22. To demonstrate compliance with specific condition C.7, records of the sulfur content, in percent by weight, of all the fuel burned shall be kept based on either vendor provided as-delivered or as-received fuel sample analysis. The records shall be maintained for a minimum of 5 years and made available to the Air Quality Division of the Pinellas County Department of Environmental Management upon request.

[Rule 62-297.310(8), F.A.C.; and, AO 09-205952.]

Source Obligation

C.23. Specific conditions in Anclote Power Plant construction permit AC 09-202080, limiting the “engine hours”, were accepted by the applicant to escape Prevention of Significant Deterioration review. If Florida Power Corporation requests a relaxation of any of the federally enforceable emission limits in this permit, the relaxation of limits may be subject to the preconstruction review requirements of Rule 62-212.400(5), F.A.C., as though construction had not yet begun.

[Rule 62-212.400(2)(g), F.A.C.; and, Anclote Power Plant Permits AC 09-202080 and AO 09-205952.]

C.24. Florida Power Corporation shall notify the Department’s district office and the local air program (when applicable) of where the diesel generator(s) is presently located and where the diesel generator(s) is to be relocated, in writing, at least 15 days prior to the date on which any diesel generator(s) is to be relocated. The notification shall specify the following;

- a. which generator(s), by serial number, is being relocated,
- b. which location the generator(s) is being relocated from and which location it is being relocated to, and
- c. the approximate startup date at the new location.

[Rule 62-4.070(3), F.A.C.; and, Anclote Power Plant Permit AC 09-202080]

Section IV. This section is the Acid Rain Program.

Operated by: Florida Power Corporation
ORIS code: 630

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

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

| E.U. ID No. | Description |
|-------------|--|
| -001 | Fossil Fuel Fired Steam Generator - SG 1 |
| -002 | Fossil Fuel Fired Steam Generator - SG 2 |
| -003 | Fossil Fuel Fired Steam Generator - SG 3 |

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 for each Acid Rain unit:

| E.U. ID No. | EPA I.D. | Year | 2000 | 2001 | 2002 |
|-------------|----------|---|------|------|------|
| -001 | 1 | SO ₂ allowances, under Table 2 or 3 of 40 CFR 73 | 418* | 418* | 418* |
| -002 | 2 | SO ₂ allowances, under Table 2 or 3 of 40 CFR 73 | 469* | 469* | 469* |
| -003 | 3 | SO ₂ allowances, under Table 2 or 3 of 40 CFR 73 | 964* | 964* | 964* |

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

3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program.

Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.440(3), F.A.C.
- b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain program.
- c. Allowances shall be accounted for under the Federal Acid Rain Program.
[Rule 62-213.440(1)(c), F.A.C.]

4. Comments, notes, and justifications: None.

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

Florida Power Corporation
Higgins Power Plant

FINAL Permit ID No.: 1030012-001-AV
Facility ID No.: 1030012

E.U. ID Nos. Brief Description

| -001 & -003 Fossil Fuel Fired Steam Generator - SG 1 & SG 3 | | | | | | | | | |
|---|------------------------------|------------------|---|---------------|-------|----------------------|-----------|---|----------------------------|
| | | | Allowable Emissions | | | Equivalent Emissions | | | |
| Pollutant Name | Fuel(s) * | Hours/ Year * | Standards | lb/ hour | TPY | lb/hour ** | TPY ** | Regulatory Citation(s) | See Permit Condition(s) |
| Visible Emissions Steady state Soot Blowing or Load Changing | F.O. & OSUO or N.G. | 8760 | 40% Opacity 60% Opacity | | | | | Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C. | A.5 A.6 |
| PM Emissions Steady State Soot Blowing or Load Changing | F.O. & OSUO or N.G. | 8760 | 0.1 lb/MMBtu 0.3 lb/MMBtu | 54.8 164.4 | 240.0 | | | Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C. | A.7 A.8 |
| Sulfur Dioxide | F.O. & OSUO or N.G. | 8760 8760 | 2.75 lb/MMBtu, max. 2.5% S by wt. or 1 gr/100 dscf | | | 1,507.0 | 6,600.7 | Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(c)1.i., F.A.C. | A.9 A.10 |

| -002 Fossil Fuel Fired Steam Generators - SG 2 | | | | | | | | | |
|---|------------------------------|------------------|---|---------------|-------|----------------------|-----------|--|----------------------------|
| | | | Allowable Emissions | | | Equivalent Emissions | | | |
| Pollutant Name | Fuel(s) * | Hours/ Year * | Standards | lb/ hour | TPY | lb/hour ** | TPY ** | Regulatory Citation(s) | See Permit Condition(s) |
| Visible Emissions Steady state Soot Blowing or Load Changing | F.O. & OSUO or N.G. | 8760 | 40% Opacity 60% Opacity | | | | | Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C. OGC Order TFR-92-A-01 | A.5 a.6 |
| PM Emissions Steady State Soot Blowing or Load Changing | F.O. & OSUO or N.G. | 8760 | 0.1 lb/MMBtu 0.3 lb/MMBtu | 52.3 156.9 | 229.0 | | | Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C. | A.7 A.8 |
| Sulfur Dioxide | F.O. & OSUO or N.G. | 8760 8760 | 2.75 lb/MMBtu, max. 2.5% S by wt. Or 1 gr/100 dscf | | | 1,438.3 | 6,299.5 | Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(c)1.i., | A.9 A.10 |

*Natural Gas (N.G.), No. 1, 2, 3, 4, 5, & 6 fuel oil (F.O.) and on-specification used oil (OSUO). OSUO is limited to 5% of the total heat input for these units (Cond. A.1 & A.34)

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

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

Table 1-2, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Higgins Power Plant

FINAL Permit No.: 1030012-001-AV
Facility ID No.: 1030012

Additional Standards for On-Specification Used Oil (OSUO)

E.U. ID Nos. Brief Description

| -001-003 | | Fossil Fuel Fired Steam Generators, SG 1, SG 2, & SG 3 | | | | | | | |
|-----------------|---------|--|---------------------|-----------|-----|----------------------|-----|------------------------|-------------------------|
| | | | Allowable Emissions | | | Equivalent Emissions | | | |
| Pollutant Name | Fuel(s) | Hours/Year | Standards | lbs./hour | TPY | lbs./hour | TPY | Regulatory Citation(s) | See Permit Condition(s) |
| Arsenic | OSUO | | 5.0 ppm | | | | | | A.33 |
| Cadmium | OSUO | | 2.0 ppm | | | | | | A.33 |
| Chromium | OSUO | | 10.0 ppm | | | | | | A.33 |
| Lead | OSUO | | 100.0 ppm | | | | | | A.33 |
| Total Halogens | OSUO | | 1000 ppm | | | | | | A.33 |
| Flash Point | OSUO | | ≥ 100 degrees F | | | | | | A.33 |
| PCB | OSUO | | ≤ 49 ppm | | | | | | A.33 |
| SO ₂ | | | max. 2.5% S by wt. | | | | | | A.33 |

* Burning of on-specification used oil shall not exceed 5 percent of the total heat input to units SG 1, SG 2, & SG 3 (Cond. A.1 & A.33). This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

** Rules 62-4.070(3) and 62-213.440, F.A.C.; and, AO 52-216382, AO 52-216383, & AO 52-216384.

Table 1-3, Air Pollutant Emission Allowables and Terms

Florida Power Corporation
Higgins Power Plant

FINAL Permit ID No.: 1030012-001-AV
Facility ID No.: 1030012

E.U. ID Nos. Brief Description

| -004 & -005 | | Combustion Turbine Peaking Units - CTP 1 & CTP 2 | | | | | | | |
|-------------------|--------------------------|--|---|---------|-----|------------------------|--------------|---------------------------------|-------------------------|
| | | | Allowable Emissions | | | Equivalent Emissions * | | | |
| Pollutant Name | Fuel(s) | Hours/Year | Standards | lb/hour | TPY | lb/hour | TPY | Regulatory Citation(s) | See Permit Condition(s) |
| Visible Emissions | New No. 2 F.O. | 8760 | < 20% Opacity | | | | | Rule 62-296.320(4)(b)1., F.A.C. | B.5 |
| Sulfur Dioxide | New No. 2 F.O. N.G | 8760 | max. 0.50% S by wt. or 1 gr/100 dscf. | | | 286.3 ** | 1253.9 ** | Rule 62-213.440, F.A.C. | B.6 |

| -006 & -007 | | Combustion Turbine Peaking Units - CTP 3 & CTP 4 | | | | | | | |
|-------------------|---------------------------|--|--|---------|-----|----------------------|---------------|---------------------------------|-------------------------|
| | | | Allowable Emissions | | | Equivalent Emissions | | | |
| Pollutant Name | Fuel(s) * | Hours/Year * | Standards | lb/hour | TPY | lb/hour | TPY | Regulatory Citation(s) | See Permit Condition(s) |
| Visible Emissions | New No. 2 F.O. | 8760 | < 20% Opacity | | | | | Rule 62-296.320(4)(b)1., F.A.C. | B.5 |
| Sulfur Dioxide | New No. 2 F.O. N.G. | 8760 | max. 0.50% S by wt. or 1 gr/100 dscf | | | 319.1 *** | 1397.5 *** | Rule 62-213.440, F.A.C. | B.6 |

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

** Based on a maximum F.O. consumption of 96.0 bbl/hr, 7.1 lb/gal, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

*** Based on a maximum F.O. consumption of 107.0 bbl/hr, 7.1 lb/gal, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

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

Table 1-4, Air Pollutant Emission Allowables and Terms

Florida Power Corporation
Higgins Power Plant

FINAL Permit ID No.: 1030012-001-AV
Facility ID No.: 1030012

| -7775047-001 | | Relocatable Generator(s) | | | | Allowable Emissions | | Equivalent Emissions | | Regulatory Citation(s) | See Permit Condition(s) |
|-------------------|--------------|--------------------------|--------------|-------------|-----|---------------------|-----------|---------------------------------|-----|------------------------|-------------------------|
| Pollutant Name | Fuel(s) * | Hours/ Year * | Standards | lb/ hour | TPY | lb/hour ** | TPY ** | | | | |
| Visible Emissions | #2 F.O. | 8760 | 20% Opacity | | | | | Rule 62-296.320(4)(b)1., F.A.C. | C.6 | | |
| Sulfur Dioxide | #2 F.O. | 8760 | 0.50% by wt. | | | | | Rule 62-296.320(4)(b)1., F.A.C. | C.7 | | |

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

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

Note: The above unit(s), which are permitted to be located at seven facilities.

Table 2-1, Compliance Testing Requirements

Florida Power Corporation
Higgins Power Plant

FINAL Permit ID No.: 1030012-001-AV
Facility ID No.: 1030012

| E.U. ID | | | | | | | |
|-----------------------------|---------|----------------------|---------------------------|----------------------------------|-----------------------|-----|---------------------|
| Pollutant Name or parameter | Fuel(s) | EPA/Reference Method | Testing Time or Frequency | Frequency Base Date ² | Min. Compl. Test Time | CMS | Permit Condition(s) |

| E.U. CTP 1, 2, 3, & 4 | | | | | | | |
|-----------------------|-----|----------------------------|---------------------------|--|--------|--|-------------------|
| SO ₂ | Oil | F.O. Analysis ¹ | Per Delivery ¹ | | NA | | B.12 |
| VE | Oil | EPA Meth. 9 | Annual | | 1 Hour | | B. 11,14,15, & 16 |

| E.U. SG 2, 3, & 4 | | | | | | | |
|-------------------|-----|----------------------------|---------------------------|--|--------|--|----------------------|
| SO ₂ | Gas | | | | | | |
| | Oil | F.O. Analysis ¹ | Per Delivery ¹ | | | | A.19 & 20 |
| PM | Gas | | | | | | |
| | Oil | EPA Meth. 5 | Annual | | | | A.18, A.19, 24, & 28 |
| VE | Gas | EPA Meth. 9 | Annual | | 1 Hour | | A.16, 17, 24, & 27 |

1- Sulfur content of the fuel oil shall be provided by the supplier or permittee for every delivery.

Table 2-2, Compliance Testing Requirements

Florida Power Corporation
Higgins Power Plant

FINAL Permit ID No.: 1030012-001-AV
Facility ID No.: 1030012

Relocatable Diesel Generator(s)

| E.U. 7775047-001 | | | | | | | |
|------------------|-----|----------------------------|---------------------------|--|--------|--|--------------------|
| SO ₂ | Oil | F.O. Analysis ¹ | Per Delivery ¹ | | NA | | C.12 |
| VE | Oil | EPA Meth. 9 | Annual | | 1 Hour | | C.13, 15, 17, & 18 |

Note: The above unit(s) are permitted to be located at seven facilities.

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

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

| | |
|----|--------------------------------------|
| 1 | Lube Oil System Vents |
| 2 | Lube Oil Reservoir Tank |
| 3 | Oil Water Separators |
| 4 | Hazardous Waste Building |
| 5 | Parts Washers/Degreasers |
| 6 | Waste Oil Storage Tanks |
| 7 | Lube Oil Storage Building |
| 8 | Portable Unleaded Gasoline Tank |
| 9 | Surface Coating and Solvent Cleaning |
| 10 | No. 2 Diesel Fuel Tank |

Steam Generating Units - SAG 2, SAG 3, & SAG 4

Evaporation of on-site generated boiler non-hazardous cleaning chemicals (citrosolv and ammonia). This activity occurs once every three to five years or longer.

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

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

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

| Emissions Unit | Description |
|-----------------------|-------------------------|
| -xxx | General Purpose Engines |
| -xxx | Fuel Storage Tanks |
| -xxx | Emergency Generator |

Appendix H-1, Permit History/ID Number Changes

Florida Power Corporation
Higgins

Facility ID No.: 1030012-001-AV

Permit History (for tracking purposes):

| <u>E.U.</u> <u>ID No</u> | <u>Description</u> | <u>Permit No.</u> | <u>Issue Date</u> | <u>Expiration Date</u> | <u>Extended Date^{1,2}</u> | <u>Revised Date(s)</u> |
|-----------------------------|---------------------------------|-------------------|-------------------|------------------------|--|------------------------|
| -001 | Higgins #1 Boiler #6 Fuel | AO52-216382 | 01/26/93 | 09/16/98 | | |
| -002 | Higgins Plant Unit #2 | AO52-216383 | 07/26/93 | 09/16/98 | | |
| -003 | Higgins Boiler #3 | AO52-216384 | 01/26/93 | 09/16/98 | | |
| -004 | Peaking Unit 1 Gas Turbine Gen. | AO52-216420 | 11/13/92 | 11/10/97 | | |
| -005 | Peaking Unit 2 Gas Turbine Gen. | AO52-216421 | | 11/10/97 | | |
| -006 | Peaking Unit 3 Gas Turbine Gen. | AO52-216422 | 11/13/92 | 11/10/97 | | |
| -007 | Peaking Unit 4 Gas Turbine Gen. | AO52-216423 | 11/13/92 | 11/10/97 | | |

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

From: Facility ID No.:

To: Facility ID No.: 1030012

Notes:

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

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

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

APPENDIX SS-1, STACK SAMPLING FACILITIES

Florida Power Corporation
Higgins Power Plant
Page 48 of 48

FINAL Permit No.: 1030012-001-AV

APPENDIX TV-1, TITLE V CONDITIONS

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:)
)
Petition for Reduction in)
Semiannual Particulate)
Emissions Compliance Testing,) OGC File No. 86-1580
Higgins Unit No. 1;)
Florida Power Corporation)
)
Petitioner.)
_____)

ORDER

On February 18, 1986, the Petitioner, Florida Power Corporation, filed a Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel steam generating unit:

Higgins Unit No.1

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., and by Order dated November 7, 1982, Petitioner has conducted semiannual particulate emission compliance tests. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate testing upon a demonstration that the particulate standard of 0.1 pound per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since May 12, 1982, Petitioner has regularly met the particulate standard. It is therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing is GRANTED. Petitioner may immediately commence testing on an annual basis. Test results from the first regularly scheduled compliance test conducted in FY 87 (October 1, 1986 - September 30, 1987), provided the results of that test meet the particulate standard and the 40% opacity standard, shall be accepted as results from the first annual test. Failure of Higgins Unit No.1 to meet

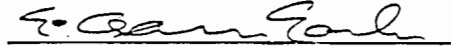
either the particulate standard or the 40% opacity standard in the future shall constitute grounds for revocation of this authorization.

Persons whose substantial interests are affected by the above proposed agency action have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on the proposed action. The Petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication 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.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for the intervention must be filed pursuant to Model Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished by United States Mail to J.A. Hancock, Vice President, Fossil Operations, Florida Power Corporation, Post Office Box 14042, St. Petersburg, Florida 33733; on this 12 day of December, 1986, in Tallahassee, Florida.



E. Gary Early
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400
Telephone (904)488-9730

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:)
)
Petition for Reduction in)
Semiannual Particulate)
Emissions Compliance Testing,) OGC File No. 86-1581
Higgins Unit No. 2;)
Florida Power Corporation)
)
Petitioner.)
_____)

ORDER

On February 18, 1986, the Petitioner, Florida Power Corporation, filed a Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel steam generating unit:

Higgins Unit No.2

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., and by Order dated November 7, 1982, Petitioner has conducted semiannual particulate emission compliance tests. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate testing upon a demonstration that the particulate standard of 0.1 pound per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since April 27, 1982, Petitioner has regularly met the particulate standard. It is therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing is GRANTED. Petitioner may immediately commence testing on an annual basis. Test results from the first regularly scheduled compliance test conducted in FY 87 (October 1, 1986 - September 30, 1987), provided the results of that test meet the particulate standard and the 40% opacity standard, shall be accepted as results from the first annual test. Failure of Higgins Unit No.2 to meet

either the particulate standard or the 40% opacity standard in the future shall constitute grounds for revocation of this authorization.

Persons whose substantial interests are affected by the above proposed agency action have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on the proposed action. The Petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication 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.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for the intervention must be filed pursuant to Model Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a

waiver of any right such person has to an administrative determination (hearing) under Section 120.57, Florida Statutes.

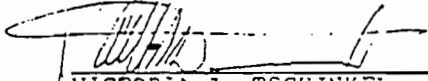
DONE AND ORDERED this 11th day of Dec, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT
FILED in this state, pursuant to §120.52
Florida Statutes, with the designated Depart-
ment Clerk, receipt of which is hereby acknow-
ledged.

C. Hitchman
Clerk


12-12-82
Date


VICTORIA J. TSCHINKEL
Secretary

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400
Telephone (904)486-9730

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished by United States Mail to J.A. Hancock, Vice President, Fossil Operations, Florida Power Corporation, Post Office Box 14042, St. Petersburg, Florida 33733; on this 12 day of December, 1986, in Tallahassee, Florida.


E. Gary Early
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400
Telephone (904)486-9730

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:)
)
Petition for Reduction in)
Semiannual Particulate)
Emissions Compliance Testing,) OGC File No. 86-1582
Higgins Unit No. 3;)
Florida Power Corporation)
)
Petitioner.)
_____)

ORDER

On February 18, 1986, the Petitioner, Florida Power Corporation, filed a Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel steam generating unit:

Higgins Unit No.3

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., and by Order dated November 7, 1982, Petitioner has conducted semiannual particulate emission compliance tests. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate testing upon a demonstration that the particulate standard of 0.1 pound per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since May 5, 1982, Petitioner has regularly met the particulate standard. It is therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Emissions Compliance Testing is GRANTED. Petitioner may immediately commence testing on an annual basis. Test results from the first regularly scheduled compliance test conducted in FY 87 (October 1, 1986 - September 30, 1987), provided the results of that test meet the particulate standard and the 40% opacity standard, shall be accepted as results from the first annual test. Failure of Higgins Unit No.3 to meet

either the particulate standard or the 40% opacity standard in the future shall constitute grounds for revocation of this authorization.

Persons whose substantial interests are affected by the above proposed agency action have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on the proposed action. The Petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication 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.

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 proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for the intervention must be filed pursuant to Model Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a

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waiver of any right such person has to an administrative determination (hearing) under Section 120.57, Florida Statutes.

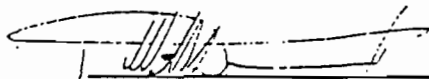
DONE AND ORDERED this 11th day of Dec, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT

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

C. Hutchins 12-12-80
Clerk Date




VICTORIA J. TSCHINKEL
Secretary

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida
32399-2400
Telephone (904)486-9730

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished by United States Mail to J.A. Hancock, Vice President, Fossil Operations, Florida Power Corporation, Post Office Box 14042, St. Petersburg, Florida 33733; on this 12 day of December, 1986, in Tallahassee, Florida.



E. Gary Early
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Twin Towers Office Building
2600 Blair Stone Road
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32399-2400
Telephone (904)488-9730

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New Revised

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

| |
|------------------------|
| Higgins Plant, FL, 630 |
|------------------------|

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

| Compliance Plan | | | | |
|-----------------|--|-----------------|--------------------------------------|---|
| a | b | | d | e |
| Boiler ID# | Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1) | Repowering Plan | New Units Commence Operation Date | New Units Monitor Certification Deadline |
| 1 | Yes | No | | |
| 2 | Yes | No | | |
| 3 | Yes | No | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |
| | Yes | | | |

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

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

Plant Name (from Step 1)
Higgins Plant

STEP 4
 Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

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

Monitoring Requirements.

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

Sulfur Dioxide Requirements.

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

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

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

Plant Name (from Step 1)
Higgins Plant

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.

(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

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

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

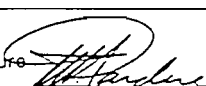
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

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

| | |
|---|----------------------|
| Name <i>W. Jeffrey Pardue, C.E.P., Director, Environmental Services Dept.</i> | |
| Signature  | Date <i>12/14/95</i> |

STEP 5 (optional)
Enter the source AIRS
and FINDS identification
numbers, if known

| |
|-------|
| AIRS |
| FINDS |



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

ORDER EXTENDING PERMIT EXPIRATION DATE

Higgins Power Plant, Facility ID No.: 1030012

Section 403.0872(2)(b), Florida Statutes (F.S.), specifies that any facility which submits to the Department of Environmental Protection (Department) a timely and complete application for a Title V permit "is entitled to operate in compliance with its existing air permit pending the conclusion of proceedings associated with its application."

Section 403.0872(6), F.S., provides that a proposed Title V permit which is not objected to by the United States Environmental Protection Agency (EPA) "must become final no later than fifty-five (55) days after the date on which the proposed permit was mailed" to the EPA.

Pursuant to the Federal Acid Rain Program as defined in rule 62-210.200, Florida Administrative Code (F.A.C.), all Acid Rain permitting must become effective on January 1 of a given year.

This facility which will be permitted pursuant to section 403.0872, F.S., (Title V permit) will be required to have a permit effective date subsequent to the final processing date of the facility's Title V permit.

To prevent misunderstanding and to assure that the above identified facility continues to comply with existing permit terms and conditions until its Title V permit becomes effective, it is necessary to extend the expiration date(s) of its existing valid permit(s) until the effective date of its Title V permit. Therefore, under the authority granted to the Department by section 403.061(8), F.S., **IT IS ORDERED:**

1. The expiration date(s) of the existing valid permit(s) under which the above identified facility is currently operating is (are) hereby extended until the effective date of its permit issued pursuant to section 403.0872, F.S., (Title V permit);
2. The facility shall comply with all terms and conditions of its existing valid permit(s) until the effective date of its Title V permit;
3. The facility will continue to comply with the requirements of Chapter 62-214, F.A.C., and the Federal Acid Rain Program, as defined in rule 62-210.200, F.A.C. pending final issuance of its Title V permit.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes (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 Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department'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 Department 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 Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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

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

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

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

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

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

(e) The type of action requested;

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

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

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

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

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


This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs.

RIGHT TO APPEAL

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

DONE AND ORDERED this 18 day of Nov, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
850/488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order and all copies were sent by certified mail before the close of business on 11/20/97 to the person(s) listed:

Mr. W. Jeffrey Pardue, C.E.P.
Mr. Bill Thomas, Southwest District Office
Mr. Gary Robbins, Pinellas County DEM

Clerk Stamp

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

Barbara J. Poutwell 11/20/97
(Clerk) (Date)