



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

P.E. Certification Statement

Permittee:

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV

Facility ID No.: 1050003

Project type: Initial Title V Air Operation Permit

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

Scott M. Sheplak

Scott M. Sheplak, P.E.

Registration Number: 0048866



Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904/922-6979



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October 16, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

Re: Request for Additional Information Regarding Initial Title V Permit Application
File No. 1050003-004-AV
Charles Larsen Memorial Power Plant, Polk County

Dear Mr. Tomlin:

Your initial Title V permit application for the Charles Larsen Memorial Power Plant was "timely and complete" for purposes of the initial Title V application submission (see Rule 62-213.420(1)(a)1. and (b)2., F.A.C.).

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

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

Oil-Fired Steam Generators #4 and #5

1. The Department's records indicate that you have valid air operation permits (AO53-175869 and AO53-175868) for Oil-Fired Steam Generators #4 and #5, respectively, that have been extended by rule. However, the initial Title V application does not address these two emissions units. It is our understanding that Generator #4 has been dismantled and Generator #5 is the heat recovery steam generator utilized by the Combined Cycle Combustion Turbine Unit #8. Please provide the appropriate application data if you

Mr. Ronald W. Tomlin

October 16, 1996

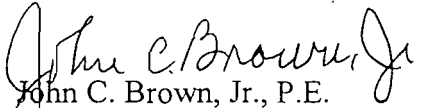
Page 2 of 2

choose to include these boilers in the Title V permit. If you choose not to obtain a Title V permit for these units, you should submit a letter to the Southwest District Office that states that you are surrendering the operating permits and provide a copy of the letter to the Title V Section in Tallahassee.

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

If you should have any questions, please call Edward Svec or me at 904/488-1344.

Sincerely,


John C. Brown, Jr., P.E.
Administrator
Title V Section

JCB/es

copy to:

Kennard Kosky, P.E., KBN Engineering and Applied Sciences, Inc.

Bill Thomas, P.E., FDEP, SWD

FLORIDA'S Permit Application Summary Form

General Facility Information

Facility name: *CHARLES LARSEN MEMORIAL Power Plant* AIRS ID: *1050003*
Facility address: *2002 East Highway 92* Date application received: *6/14/96*
Lakeland, FL Permit number: *1050003-04-AV*
SIC code of major product: *4911* County located: *Polk*

Application Type/Permit Activity

- ☒ Initial issuance ☐ General permit
☐ Permit modification ☐ Conditional major
☐ Permit renewal

Facility Emissions Summary Table

Pollutant	Allowable (tpy)
PM	<i>1207.4</i>
SO ₂	<i>11,663.2</i>
NOx	<i>527.3</i>
CO	<i>N/A</i>
VOC	<i>N/A</i>
LEAD	<i>N/A</i>
HAP \geq 10 tpy (by CAS)	<i>N/A</i>

Compliance Summary

- ☐ Source is out of compliance ☐ Compliance schedule included
☒ Compliance certification signed

Applicable Requirements list

- ☒ PSD ☐ NESHAPS ☐ Other
☒ NSPS ☒ SIP

Miscellaneous

- ☒ Acid rain source
☒ Facility subject to 112(r)
☐ Facility applied for federally enforceable emissions cap
☒ Facility provided terms for alternative operating scenarios
☐ One or more emissions unit(s) subject to a MACT standard
☐ One or more emissions unit(s) requested case-by-case 112(g) or (j) determination
☐ Application proposes new control technology
☒ Certified by responsible official
☒ Diagrams or drawings included
☐ Confidential business information (CBI) was received

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant
Facility ID No.: 1050003
Polk County

Initial Title V Air Operation Permit
DRAFT Permit No.: 1050003-004-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: 904/488-1344
Fax: 904/922-6979

Initial Title V Air Operation Permit
DRAFT Permit No.: 1050003-004-AV

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Virginia B. Wetherell
Secretary

Permittee:

Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

DRAFT Permit No.: 1050003-004-AV

Facility ID No.: 1050003

SIC Nos.: 49, 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Charles Larsen Memorial Power Plant. This facility is located at 2002 East Highway 92, Lakeland, Polk County; UTM Coordinates: Zone 17, 408.9 km East and 3102.5 km North; Latitude: 28° 2' 56" North and Longitude: 81° 55' 25" 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 E-1, List of Exempt Emissions Units and/or Activities
Appendix U-1, List of Unregulated Emissions Units and/or Activities
APPENDIX TV-1, TITLE V CONDITIONS
APPENDIX SS-1, STACK SAMPLING FACILITIES
FIGURE 1 - SUMMARY REPORT - GASEOUS AND OPACITY EXCESS
EMISSIONS AND MONITORING SYSTEMS PERFORMANCE REPORT
Phase II Acid Rain Application/Compliance Plan received December 18, 1995

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/es

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of two fossil fuel-fired steam generators, one combined cycle combustion turbine and three simple cycle gas turbine peaking units. Natural gas and oil are the primary fuels. Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities.

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

E.U. ID

<u>No.</u>	<u>Brief Description</u>
-003	Fossil Fuel Fired Steam Generator #6
-004	Fossil Fuel Fired Steam Generator #7
-005	Peaking Gas Turbine #3
-006	Peaking Gas Turbine #2
-007	Peaking Gas Turbine #1
-008	Combined Cycle Combustion Turbine
-xxx	Emergency generators with a total fuel consumption limited to 32,000 gallons per year of diesel fuel
-xxx	General purpose engines with a total fuel consumption limited to 32,000 gallons per year of diesel fuel
-xxx	Surface coatings with VOC content >5% by volume limited to 6.0 gallons per day, averaged monthly

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, 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 Transfers

These documents are on file with permitting authority:

Initial Title V Permit Application received June 14, 1996

Additional Information Request dated October 16, 1996

Additional Information Response received October 16, 1996

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. Federal Enforceability. All terms and conditions of this Title V permit are enforceable by the EPA and citizens under the Clean Air Act (CAA).

[Rule 62-210.200, F.A.C., Definitions - Federally Enforceable; and 40 CFR 70.6(b), Permit Content - Federally Enforceable Requirements]

2. 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 one copy when requested or otherwise appropriate.}

3. **The following condition has no federally enforceable basis.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

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

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

6. Exempt Emissions Units and/or Activities. Appendix E-1, List of Exempt Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. 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.]

8. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The permittee shall keep containers of paint solvents and thinners closed and stored in weather-tight buildings.

[Rule 62-296.320(1)(a), F.A.C.]

9. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity).

[Rule 62-296.320(4)(b)1., F.A.C.]

10. **The following condition has no federally enforceable basis.** The permittee shall take reasonable precautions to prevent emissions of unconfined particulate matter at this facility include: maintenance of paved areas, regular mowing of grass and care of vegetation, and limiting access to plant property of unnecessary vehicles.

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

{Permit note: The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office.}

Section III. Emissions Units.

Subsection A. This section addresses the following emissions unit.

E.U. ID

No. Brief Description

-003 Fossil Fuel Fired Steam Generator #6

Fossil fuel fired steam generator #6 is a nominal 25 megawatt (electric) steam generator designated as Charles Larsen Memorial Power Plant Unit #6. This emission unit is fired on No. 6 fuel oil at a maximum heat input of 305.9 MMBtu per hour, or natural gas at a maximum heat input of 286.5 MMBtu per hour.

{Permitting note(s): The emissions unit is regulated under Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input.}

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

Essential Potential to Emit (PTE) Parameters

A.1. Capacity. The maximum heat input rates are 305.9 MMBtu per hour when firing No. 6 fuel oil and 286.5 MMBtu per hour when firing natural gas. When a blend of fuel oil and natural gas is fired, the heat input is prorated based on the percent heat input of each fuel.
[Rules 62-4.160(2), 62-210.200, (PTE), and 62-296.405, F.A.C.]

A.2. Hours of Operation. This emissions unit may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200, F.A.C., (PTE)]

Emission Limitations and Standards

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

A.3. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1) (b), F.A.C.]

A.4. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
[Rule 62-210.700(3), F.A.C.]

A.5. Sulfur dioxide emissions when burning liquid fuel shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1) (c)1.j., F.A.C.]

A.6. Visible emissions shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent.
[Rule 62-296.405(1) (a), F.A.C.]

A.7. 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.
[Rule 62-210.700(3), F.A.C.]

Excess Emissions

A.8. 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.9. 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.10. 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.11. Sulfur Dioxide. Those emissions units not having an operating flue gas desulfurization device may monitor sulfur dioxide emissions by fuel sampling and analysis according to methods approved by the EPA. **The permittee elected to demonstrate compliance using fuel sampling and analysis.** See specific condition A.14.
[Rule 62-296.405(1) (f)1.b., 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.}

A.12. 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 is 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 62-213.440, 62-296.405(1)(e)2., 62-297.310, and 62-297.401, F.A.C.]

A.13. 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 elected to demonstrate compliance using fuel sampling and analysis.** See specific condition A.14.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-297.310, and 62-297.401, F.A.C. and AO53-175871]

A.14. The following condition has no federally enforceable basis. The following fuel sampling and analysis program shall be used as an alternate sampling procedure:

- a. Determine and record the as-fired fuel sulfur content for liquid fuels using ASTM D2622-92, or ASTM D4294-90 or both ASTM D4057-88 and ASTM D129-91 to analyze a representative sample of the blended fuel following each fuel delivery.
- b. Record daily the amount of each fuel fired, the density of each fuel, and the percent sulfur content by weight of each fuel.
- c. Utilize the information in a. and b., above, to calculate the SO₂ emission rate to ensure compliance at all times.

[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.15. 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.

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

A.16. 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.

[Rules 62-297.310, and 62-297.401, F.A.C.]

A.17. General Compliance Testing. 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 and/or solid fuel for more than 400 hours other than during startup.

[Rule 62-297.310(7)(a)2., F.A.C.]

A.18. Operating Rate During Testing. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. 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 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.

(b) All Other Sources. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.
[Rules 62-297.310(2) and 62-297.310(2)(b), F.A.C.]

A.19. Cold Standby. **The following condition has no federally enforceable basis.** If the emissions unit is on cold standby when the annual compliance test is required, the compliance test may be postponed until after startup. Compliance testing shall be conducted within 30 days of startup.
[AO 53-175871]

A.20. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions.**

Record Keeping and Reporting Requirements

A.21. Submit to the Department 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.22. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions.**

Subsection B. This section addresses the following emissions unit.

E.U. ID

No. Brief Description

-004 Fossil Fuel Fired Steam Generator #7

Fossil fuel fired steam generator #7 is a nominal 50 megawatt (electric) steam generator designated as Charles Larsen Memorial Power Plant Unit #7. This emission unit is fired on No. 6 fuel oil at a maximum heat input of 597.6 MMBtu per hour, or natural gas at a maximum heat input of 615.6 MMBtu per hour.

{Permitting note(s): The emissions unit is regulated under Acid Rain, Phase II and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input.}

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

Essential Potential to Emit (PTE) Parameters

B.1. Capacity. The maximum heat input rates are 597.6 MMBtu per hour when firing No. 6 fuel oil and 615.6 MMBtu per hour when firing natural gas. When a blend of fuel oil and natural gas is fired, the heat input is prorated based on the percent heat input of each fuel.
[Rules 62-4.160(2), 62-210.200, (PTE), and 62-296.405, F.A.C.]

B.2. Hours of Operation. This emissions unit may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200, F.A.C., (PTE)]

Emission Limitations and Standards

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

B.3. The particulate matter emissions from this emissions unit shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1) (b), F.A.C.]

B.4. The particulate matter emissions from this emissions unit shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
[Rule 62-210.700(3), F.A.C.]

B.5. The sulfur dioxide emissions from this emissions unit when burning liquid fuel shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1) (c)1.j., F.A.C.]

B.6. The visible emissions from this emissions unit shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent.
[Rule 62-296.405(1) (a), F.A.C.]

B.7. The visible emissions from this emissions unit 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.
[Rule 62-210.700(3), F.A.C.]

Excess Emissions

B.8. 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.]

B.9. 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.]

B.10. 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.11. Sulfur Dioxide. Those emissions units not having an operating flue gas desulfurization device may monitor sulfur dioxide emissions by fuel sampling and analysis according to methods approved by the EPA. **The permittee elected to demonstrate compliance using fuel sampling and analysis.** See specific condition B.14.
[Rule 62-296.405(1) (f)1.b., 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.12. 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 is 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 62-213.440, 62-296.405(1)(e)2., 62-297.310, and 62-297.401, F.A.C.]

B.13. 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 elected to demonstrate compliance using fuel sampling and analysis.** See specific condition B.14.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-297.310, and 62-297.401, F.A.C. and AO53-175870]

B.14. The following condition has no federally enforceable basis. The following fuel sampling and analysis program shall be used as an alternate sampling procedure:

a. Determine and record the as-fired fuel sulfur content for liquid fuels using ASTM D2622-92, or ASTM D4294-90 or both ASTM D4057-88 and ASTM D129-91 to analyze a representative sample of the blended fuel following each fuel delivery.

b. Record daily the amount of each fuel fired, the density of each fuel, and the percent sulfur content by weight of each fuel.

c. Utilize the information in a. and b., above, to calculate the SO₂ emission rate to ensure compliance at all times.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b., and 62-297.440, F.A.C.]

B.15. 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.

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

B.16. 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.

[Rules 62-297.310, and 62-297.401, F.A.C.]

B.17. General Compliance Testing. 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 and/or solid fuel for more than 400 hours other than during startup.

[Rule 62-297.310(7)(a)2., F.A.C.]

B.18. Operating Rate During Testing. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. 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 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.

(b) All Other Sources. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.
[Rules 62-297.310(2) and 62-297.310(2)(b), F.A.C.]

B.19. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions.**

Record Keeping and Reporting Requirements

B.20. Submit to the Department 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.]

B.21. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions.**

Subsection C. This section addresses the following emissions units.

E.U. ID

No. Brief Description

-005	Peaking Gas Turbine #3
-006	Peaking Gas Turbine #2
-007	Peaking Gas Turbine #1

The gas turbine peaking units are fired with natural gas, or No. 2 fuel oil with a maximum sulfur content of 0.50 percent by weight. The maximum heat input rate for each gas turbine is 209 MMBtu per hour and each unit is rated at 11.5 megawatts (electric). Emissions from the gas turbines are uncontrolled.

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

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

Essential Potential to Emit (PTE) Parameters

C.1. Capacity. The maximum heat input rate of each turbine is 209 MMBtu per hour when firing natural gas or No. 2 fuel oil.
[Rule 62-4.160(2), F.A.C.]

C.2. Hours of Operation. These emissions units may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200, F.A.C., (PTE)]

C.3. The sulfur content of the No. 2 fuel oil shall not exceed 0.5% by weight.
[Requested in initial Title V permit application dated June 14, 1996; AO 53-238714]

Emission Limitations and Standards

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

C.4. No person shall cause, let, permit, suffer or allow to be discharged to 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).
[Rule 62-296.320(4)(b)1., F.A.C.]

Excess Emissions

C.5. 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.6. 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.]

Test Methods and Procedures

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

C.7. Determine and record the as-fired fuel sulfur content for liquid fuels using ASTM D2622-92, or ASTM D4294-90 or both ASTM D4057-88 and ASTM D129-91 to analyze a representative sample of the blended fuel following each fuel delivery. [Requested in initial Title V permit application dated June 14, 1996; AO 53-238714]

C.8. 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.9. 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 and/or solid 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 Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

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

(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.]

C.10. Operating Rate During Testing. The following condition has no federally enforceable basis. Testing of emissions shall be conducted with the source 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 capacity, then sources 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. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report.
[FDEP Guidance on Rate of Operation During Compliance Testing for Combustion Turbines (DARM-EM-05) dated November 22, 1995]

C.11. Applicable Test Procedures.

(a) Required Sampling Time.

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

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

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

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

C.12. 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.]

Record Keeping and Reporting Requirements

C.13. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

C.14. Test Reports.

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

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

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

Subsection D. This section addresses the following emissions unit.

E.U. ID

No. Brief Description

-008 Combined Cycle Combustion Turbine

The emission unit is a 120 megawatt combined cycle combustion gas turbine with a heat recovery steam generator (HRSG) designated as Larsen Unit #8. The combustion turbine fires natural gas as the primary fuel, and No. 2 distillate oil with a maximum sulfur content of 0.20 percent by weight as a limited auxiliary fuel. The combustion turbine is a GE Model PG7111 (EA) Frame 7 unit equipped with water injection to reduce nitrogen oxides emissions. The HRSG powers an existing steam turbine. The emissions unit can exhaust through the HRSG or through a by-pass stack.

{Permitting note(s): The emissions unit is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines; adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Prevention of Significant Deterioration (PSD) in Rule 62-212.400, F.A.C.; and Best Available Control Technology (BACT), dated July 26, 1991, in Rule 62-212.410, F.A.C.}

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

Essential Potential to Emit (PTE) Parameters

D.1. Capacity. The maximum process/operation rate is 1055 MMBtu per hour heat input firing natural gas and 1040 MMBtu per hour heat input firing No. 2 distillate oil.
[Rule 62-4.160(2), F.A.C.]

D.2. Fuels.

a. This emissions unit fires natural gas as the primary fuel and No. 2 distillate oil as the secondary fuel.

b. The consumption of No. 2 distillate oil shall not exceed 8,190 gallons per hour and 23,914,800 gallons per year.

c. The maximum annual firing of No. 2 distillate oil shall not exceed 1/3 of the annual capacity factor.

d. The maximum sulfur content of the No. 2 distillate oil shall not exceed 0.20 percent by weight.

[Rules 62-210.200, (PTE), 62-212.400, and 62-212.410, F.A.C.]

D.3. Hours of Operation. This emissions unit may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200, F.A.C., (PTE)]

Emission Limitations and Standards

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

D.4. Nitrogen Oxides. The NO_x emissions shall not exceed 25 ppmv at 15 percent oxygen on a dry basis and 425 tons per year when firing natural gas.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.5. Nitrogen Oxides. The NO_x emissions shall not exceed 42 ppmv at 15 percent oxygen on a dry basis and 244 tons per year when firing No. 2 distillate oil.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.6. Sulfur Dioxide. The SO₂ emissions shall not exceed 8.6 tons per year when firing natural gas.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.7. Sulfur Dioxide. The SO₂ emissions shall not exceed 307 tons per year when firing No. 2 distillate oil. The maximum sulfur content of the No. 2 distillate oil shall not exceed 0.20 percent by weight.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.8. PM/PM₁₀. The PM/PM₁₀ emissions shall not exceed 0.006 pound per MMBtu heat input and 22 tons per year when firing natural gas.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.9. PM/PM₁₀. The PM/PM₁₀ emissions shall not exceed 0.025 pound per MMBtu heat input and 22 tons per year when firing No. 2 distillate oil.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.10. Sulfuric Acid Mist. The sulfuric acid mist emissions shall not exceed 0.8 ton per year when firing natural gas.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.11. Sulfuric Acid Mist. The sulfuric acid mist emissions shall not exceed 9.13×10^{-3} ton per year when firing No. 2 distillate oil. The maximum sulfur content of the No. 2 distillate oil shall not exceed 0.20 percent by weight.
[Rule 62-212.400(6), F.A.C. and PSD-FL-166]

D.12. Visible Emissions. Visible emissions shall not exceed 10 percent opacity.
[Requested in initial Title V permit application dated June 14, 1996; AC 53-190437 and PSD-FL-166]

Excess Emissions

D.13. Excess emissions from this emissions unit 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.]

D.14. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

Monitoring of Operations

D.15. At all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations,, review of operating and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

D.16. The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG and using water injection to control NO_x emissions shall install and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. This system shall be accurate to within ± 5.0 percent and shall be approved by the Administrator.

[40 CFR 60.334(a)]

D.17. The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

(1) If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.

(2) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with 40 CFR 60.334(b).

[40 CFR 60.334(b)(1) and (2)]

D.18. The permittee shall monitor sulfur content and nitrogen content of natural gas fired in the turbine as .

Custom Fuel Monitoring Schedule for Natural Gas

1. Monitoring of fuel nitrogen content shall not be required when firing natural gas.
2. Sulfur Monitoring:
 - a. Analysis for fuel sulfur content of the natural gas shall be conducted using one of the EPA approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. The reference methods are ASTM D1072-90(94)E-1; ASTM D3031-81(86); ASTM D3246-92; and ASTM D4084-94 as referenced in 40 CFR 60.335(b)(2).
 - b. Effective on the approval date of the customized fuel monitoring schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the sulfur content and indicates consistent compliance with 40 CFR 60.333, then sulfur monitoring shall be conducted once per quarter for six quarters
 - c. If the sulfur monitoring required for natural gas by 2(b) above shows little variability and the calculated sulfur dioxide emissions represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333, sample analysis shall be conducted twice per year. This monitoring shall be conducted during the first and third quarters of each calendar year.
 - d. Should any sulfur analysis as required by items 2(b) or 2(c) above indicate noncompliance with 40 CFR 60.333 the City will notify the Department of Environmental Protection of such excess emission and the customized fuel monitoring schedule shall be re-examined.
3. The City will notify the Department of Environmental Protection of any change in natural gas supply for reexamination of this monitoring schedule. A substantial change in natural gas quality (i.e., sulfur content varying greater than 10 grains/1000 cf gas) shall be considered as a change in natural gas supply. Sulfur content of the natural gas will be monitored weekly during the interim period when this monitoring schedule is being reexamined.
4. Records of sampling analysis and natural gas supply pertinent to this monitoring schedule shall be retained by the City for a period of three years, and shall be available for inspection by appropriate regulatory personnel.
5. The City will obtain the sulfur content of the natural gas from Florida Gas Transmission Company.
[40 CFR 60.334(b)(2) and Construction Permit AC 53-190437 and PSD-FL-166]

Test Methods and Procedures

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

D.19. To compute the nitrogen oxides emissions, the owner or operator shall use analytical methods and procedures that are accurate to within 5 percent and are approved by the Department to determine the nitrogen content of the fuel being fired.
[40 CFR 60.335(a)]

D.20. The monitoring device of 60.334(a) shall be used to determine the fuel consumption and the water-to-fuel ratio necessary to comply with the permitted NO_x standard at 30, 50, 75, and 100 percent of peak load or at four points in the normal operating range of the gas turbine, including the minimum point in the range and peak load. All loads shall be corrected to ISO conditions using the appropriate equations supplied by the manufacturer.
[40 CFR 60.335(c)(2)]

D.21. The owner or operator shall determine compliance with the nitrogen oxides and sulfur dioxide standards in 40 CFR 60.332 as follows:
c. U.S. EPA. Method 20 (40 CFR 60, Appendix A) shall be used to determine the nitrogen oxides, sulfur dioxide, and oxygen concentrations. The span values shall be 300 ppm of nitrogen oxide and 21 percent oxygen. The NO_x emissions shall be determined at each of the load conditions specified in 40 CFR 60.335(c)(2).
[40 CFR 60.335(c)(3)]

D.22. The owner or operator shall determine compliance with the sulfur content standard of 0.20 percent, by weight, as follows: ASTM D 2880-96 shall be used to determine the sulfur content of liquid fuels and ASTM D 1072-90(94)E-1, D 3031-81(86), D 4084-94, or D 3246-92 shall be used for the sulfur content of gaseous fuels (incorporated by reference-see 40 CFR 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Administrator.
[40 CFR 60.335(d)]

D.23. To meet the requirements of 40 CFR 60.334(b), the owner or operator shall use the methods specified in 40 CFR 60.335 (a) and 40 CFR 60.335(d) of 40 CFR 60.335 to determine the nitrogen and sulfur contents of the fuel being burned. The analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.
[40 CFR 60.335(e)]

D.24. PM/PM₁₀. The test methods for PM/PM₁₀ emissions when firing oil shall be EPA Methods 5, or 17, incorporated by reference in Chapter 62-297, F.A.C.
[Rules 62-213.440, 62-297.310, and 62-297.401, F.A.C., and PSD-FL-166]

D.25. Sulfuric Acid Mist. Compliance with the sulfuric acid mist standard shall be demonstrated using natural gas or 0.2 percent sulfur, by weight, No. 2 distillate oil.
[Rules 62-213.440, 62-297.310, and 62-297.401, F.A.C., and PSD-FL-166]

D.26. Visible Emissions. The test method for visible emissions shall be EPA Method 9, incorporated by reference in Chapter 62-297, F.A.C.
[Rules 62-213.440, 62-297.310, and 62-297.401, F.A.C., and PSD-FL-166]

D.27. Frequency of Compliance Tests. General Compliance Testing. 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.
[Rule 62-297.310(7)(a)8., F.A.C.]

D.28. Operating Rate During Testing. **The following condition has no federally enforceable basis.** Testing of emissions shall be conducted with the source 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 capacity, then sources 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. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report. When testing shows that NO_x emissions exceed the standard when operating at capacity, the permittee shall recalibrate the NO_x emission control system using emission testing at four loads as required in Subpart GG.

[FDEP Guidance on Rate of Operation During Compliance Testing for Combustion Turbines (DARM-EM-05) dated November 22, 1995]

D.29. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions**.

Record Keeping and Reporting Requirements

D.30. For the purpose of reports required under 40 CFR 60.7(c), periods of excess emissions that shall be reported are defined as follows:

a. *Nitrogen oxides.* Any one-hour period during which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the water-to-fuel ratio determined to demonstrate compliance with the permitted nitrogen oxide standard by the initial performance test required in 40 CFR 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the initial performance test. Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions, gas turbine load, and nitrogen content of the fuel during the period of excess emissions, and the graphs or figures developed under 40 CFR 60.335(a).

[Rule 62-296.800, F.A.C.; 40 CFR 60.334(c)(1)]

D.31. The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form [see 40 CFR 60.7(d)] to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or, the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or, the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

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

D.32. The summary report form shall contain the information and be in the format shown in Figure 1 (attached) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form

shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

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

D.33. This emissions unit is also subject to the conditions contained in **Subsection E. Common Conditions.**

Miscellaneous Requirements.

D.34. Unless the Department has determined that other ambient concentrations are required to protect the public health and safety, predicted ambient air concentrations (AAC) shall not exceed the following levels for the pollutants shown:

Pollutant	Florida Air Reference Concentrations (ug/cubic meter)		
	8 hr. avg.	24 hr. avg.	Annual avg.
Beryllium	0.02	0.005	0.0004
Lead	1.5	0.36	0.09
Inorganic mercury compounds, all forms of vapor, as Hg	---	---	0.3

[Construction Permit AC 53-190437 and PSD-FL-166]

D.35. Definitions. For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.

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

D.36. Circumvention. No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

Subsection E. Common Conditions.

E.U. ID

<u>No.</u>	<u>Brief Description</u>
-003	Fossil Fuel Fired Steam Generator #6
-004	Fossil Fuel Fired Steam Generator #7
-008	Combined Cycle Combustion Turbine

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

Test Methods and Procedures

E.1. 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 and/or solid fuel for a total of no more than 400 hours.

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

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

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

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

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

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

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

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

(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.]

E.2. 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.]

E.3. Applicable Test Procedures

(a) Required Sampling Time

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

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

Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

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

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

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.

TABLE 297.310-1
CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass 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"
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	2%
		Comparison check	5%

(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.]

E.4. 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.]

E.5. The permittee shall comply with the requirements contained in APPENDIX SS-1, Stack Sampling Facilities, attached to this permit.

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

Record Keeping and Reporting Requirements

E.6. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

E.7. 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 three separate test runs unless otherwise specified in a particular test method or applicable rule.

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

E.8. Test Reports.

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

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

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

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

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

Section IV. This section is the Acid Rain Part.

Operated by: City of Lakeland
ORIS code: 0675

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

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

E.U.

<u>ID No.</u>	<u>Description</u>
-004	Fossil Fuel Fired Steam Generator #7
-008	Combined Cycle Combustion Turbine

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

- a. DEP Form No. 62-210.900(1)(a), dated 07/01/95.
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

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

	Year	2000	2001	2002
ID No. 7	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	303*	303*	303*
	NO_x limit	**	**	**
ID No. 8	SO₂ allowances, under Table 2, 3, or 4 of 40 CFR 73	659*	659*	659*
	NO_x limit	**	**	**

* The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2, 3, or 4 of 40 CFR 73.

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

3. Comments, notes, and justifications: None.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 18, 1996

Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

Re: DRAFT Title V Permit No.: 1050003-004-AV
Charles Larsen Memorial Power Plant

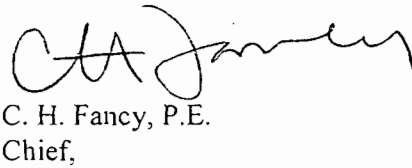
Dear Mr. Tomlin:

One copy of the DRAFT Title V Air Operation Permit for the Charles Larsen Memorial Power Plant located at 2002 East U.S. Highway 92, Lakeland, Polk County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Mr. Scott M. Sheplak at the above letterhead address. If you have any other questions, please contact Edward Svec at 904/488-1344.

Sincerely,



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

CHF/s

Enclosures

In the Matter of an
Application for Permit by:

Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

DRAFT Permit No.: 1050003-004-AV
Charles Larsen Memorial Power Plant
Polk County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

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

The applicant, Lakeland Electric & Water Utilities, applied on June 14, 1996, to the permitting authority for a Title V air operation permit for the Charles Larsen Memorial Power Plant located at 2002 East U.S. Highway 92, Lakeland, Polk County.

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

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

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 904/488-1344; Fax: 904/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

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

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

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., or a party requests mediation as an alternative remedy under Section 120.573, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 904/488-9730; Fax: 904/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;

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

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

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

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

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

A request for mediation must contain the following information:

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

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and,

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

The agreement to mediate must include the following:

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

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

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

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

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

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

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

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 (sixty) days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department of Environmental Protection must enter a Final Order incorporating the agreement of the parties in accordance with the provisions of Section 403.0872(7), F.S. If mediation terminates without settlement of the dispute, the permitting authority shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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

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

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

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

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

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the PUBLIC NOTICE and the DRAFT permit) and all copies were sent by certified mail before the close of business on 10/21/96 to the person(s) listed:

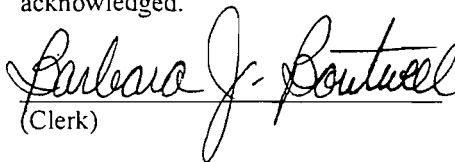
Mr. Ronald W. Tomlin, Lakeland Electric & Water Utilities

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

Ms. Gracy R. Danois, U.S. EPA, Region IV
Kennard Kosky, P.E., KBN Engineering and Applied Sciences, Inc.
Bill Thomas, P.E., FDEP, SWD

Clerk Stamp

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


(Clerk)

10/21/96
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V DRAFT Permit No.: 1050003-004-AV
Charles Larsen Memorial Power Plant
Polk County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Lakeland Electric & Water Utilities for the Charles Larsen Memorial Power Plant located at 2002 East U.S. Highway 92, Lakeland, Polk County. A Maximum Achievable Control Technology (MACT) determination was not required. The applicant's name and address are: Lakeland Electric & Water Utilities, 501 East Lemon Street, Lakeland, Florida 33801-5079.

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

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), or a party requests mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 904/488-9730; Fax: 904/487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the applicable time period shall constitute a waiver of that person's right

to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

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

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

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

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought; and,
- (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;

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

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

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

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

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 (sixty) days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department of Environmental Protection must enter a Final Order incorporating the agreement of the parties in accordance with the provisions of Section 403.0872(7), F.S. If mediation terminates without settlement of the dispute, the permitting authority shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Affected District/Local Program:

Florida Department of Environmental Protection
Southwest District Office
8407 Laurel Fair Circle
Tampa, Florida 33619
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the Draft Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 904/488-1344, for additional information.

Is your RETURN ADDRESS completed on the reverse side?

SEND TO:

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

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

4a. Article Number

Z 311 902 881

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

10/23/92

5. Signature (Addressee)

[Signature]

6. Signature (Agent)

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

PS Form 3811, December 1991 ☆U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Z 311 902 881



Receipt for Certified Mail

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

PS Form 3800, March 1993

Sent to Mr. Ronald W. Tomlin	
Street and No. 501 East Lemon Street	
P.O., State and ZIP Code Lakeland, FL 33801-5079	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

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

Brief Description of Emissions Units and/or Activities

1. Tank T-01 Distillate Fuel Oil No. 2
2. Tank T-02 Distillate Fuel Oil No. 2
3. Tank T-03 Residual Oil No. 6
4. Tank T-04 Residual Oil No. 6
5. Comfort heating with a maximum heat output of less than 1 MMBtu per hour
6. Internal combustion engines used for the transportation of passengers or freight
7. Non-industrial vacuum cleaning equipment
8. Refrigeration units
9. Vacuum pumps for labs
10. Steam cleaning equipment
11. Sanders of less than 5 square feet used exclusively on wood, plastic or their products
12. Space heating equipment other than boilers
13. Bakery ovens
14. Lab equipment
15. Brazing, soldering or welding equipment
16. Laundry dryers
17. Fire and safety equipment
18. Surface coatings with VOC content <5% by volume

[electronic file name: 1050003e.doc]

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

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

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

E.U. ID

<u>No.</u>	<u>Brief Description of Emissions Units and/or Activity</u>
-xxx	Emergency generators with a total fuel consumption limited to 32,000 gallons per year of diesel fuel
-xxx	General purpose engines with a total fuel consumption limited to 32,000 gallons per year of diesel fuel
-xxx	Surface coatings with VOC content >5% by volume limited to 6.0 gallons per day, averaged monthly

APPENDIX TV-1, TITLE V CONDITIONS (version dated 08/15/96)

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

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Chapter 62-4, F.A.C.

1. General Prohibition. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, F.A.C.]

2. Exemptions.

(1) The following installations are exempted from the permit requirements of Chapter 62-4, F.A.C. The following exemptions do not relieve any installation from any other requirements of Chapter 403, F.S., or rules of the Department. Other installations may be exempted under other Chapters of Title 62.

(a) Structural changes which will not change the quality, nature or quantity of air and water contaminant emissions or discharges or which will not cause pollution.

(b) Any existing or proposed installation which the Department shall determine does not or will not cause the issuance of air contaminants in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified. Such a determination is agency action and is subject to Chapter 120, F.S. Such determination shall be made in writing and filed by the Department as a public record. Such determination may be revoked if the installation is substantially modified or the basis for the exemption is determined to be materially incorrect.

[Rule 62-4.040, F.A.C.]

3. Procedure to Obtain Permits: Application.

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a minor facility as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

[Rule 62-4.050, F.A.C.]

4. Consultation. The applicant, or the applicant's engineer, is encouraged to consult with Department personnel before submitting an application, or at any other time concerning the operation, construction, expansion, or modification of any installation or concerning the required pollution control devices or system, the efficiency of such devices or system, or the pollution problem related to the installation. However, any representation by the Department shall not relieve any person from any requirement of Florida law.

[Rule 62-4.060, F.A.C.]

5. Standards for Issuing or Denying Permits. The issuance of permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

6. Modification of Permit Conditions.

(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following:

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.

(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

7. Renewals. Prior to one hundred eighty (180) days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rule 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090(1), F.A.C.]

8. Suspension and Revocation.

- (1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
- (2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
- (3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the permit holder's agent:
 - (a) Submitted false or inaccurate information in application or operational reports.
 - (b) Has violated law, Department orders, rules or permit conditions.
 - (c) Has failed to submit operational reports or other information required by Department rules.
 - (d) Has refused lawful inspection under Section 403.091, F.S.

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

9. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

10. Transfer of Permits.

- (1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee.
- (2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.
- (3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.
- (4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.
- (5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

11. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.

[Rule 62-4.130, F.A.C.]

12. The following condition has no federally enforceable basis. For purposes of notification to the Department pursuant to Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays.

13. Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

14. Permit Conditions. All permits issued by the Department shall include the following general conditions:

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

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

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

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

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

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

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

(a) Have access to and copy any records that must be kept under conditions of the permit;

(b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,

(c) Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

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

(a) A description of and cause of noncompliance; and,

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

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

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

(11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

(14) The permittee shall comply with the following:

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

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

permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and,
6. the results of such analyses.

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

[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

15. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

(a) A completed application on forms furnished by the Department.

(b) An engineering report covering:

1. plant description and operations,
2. types and quantities of all waste material to be generated whether liquid, gaseous or solid,
3. proposed waste control facilities,
4. the treatment objectives,
5. the design criteria on which the control facilities are based, and,
6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

(c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

16. Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapter 62-103, F.A.C.

17. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 62-210.350 and 62-213.430(1)(b), F.A.C.]

18. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rule 61-103.155, F.A.C.
[Rule 62-103.155, F.A.C.]

Chapter 62-204, F.A.C.

19. Chapter 62-257, F.A.C., has no federally enforceable basis. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M. Section 61.145, is required for any asbestos demolition or renovation at the source.
[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

20. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Issuance of a permit does not relieve the owner or operator of any emissions unit from complying with applicable emission limiting standards or other requirements of the air pollution rules of the Department, or any other applicable requirements under federal, state, or local law.

(1) Air Construction Permits. An air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapters 62-210, 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;

2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.

3. Be issued for a period as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

(i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,

(ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,

(iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.i. through iii., F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

(3)(a) Full Exemptions. The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a) shall be 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 that the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements as defined in Rule 62-210.200, F.A.C.

[Rules 62-210.300(1),(2) & (3), F.A.C.]

21. Notification of Startup. The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

22. Emissions Unit Reclassification.

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for permit renewal or complies with permit transfer requirements.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

23. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., a notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. A construction permit for any proposed new or modified facility or emissions unit;
2. An operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C.; or
3. An operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except those permit

revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-103.150, F.A.C.

(2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment-Area Preconstruction Review.

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;

2. A 30-day period for submittal of public comments; and,

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.

(b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

(c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.

(d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.

(e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-103.150, F.A.C.

(f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.

(g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.

(h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:

1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.

2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.

(3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.

(a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and,

2. A 30-day period for submittal of public comments.

(b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.

(d) A copy of the notice provided for in Rule 62-210.350(4)(a)3., F.A.C., along with the Department's proposed permit shall be sent by the Department to the Regional Office of the U.S. Environmental Protection Agency and to any approved local air pollution control program having cognizance over the county in which the facility is located.

(e) A copy of the notice provided for in Rule 62-210.350(4)(a)3., F.A.C., shall be displayed in the appropriate district, branch, and local program offices.

(f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(4)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.

(g) The final permit shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(4)(a)1., F.A.C., was made available and shall be sent by the Department to the Regional Office of the U.S. Environmental Protection Agency and to any approved local air pollution control program having cognizance over the county in which the facility is located.

[Rule 62-210.350, F.A.C.]

24. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

(a) Typographical errors noted in the permit;

(b) Name, address or phone number change from that in the permit;

(c) Any other similar minor administrative change at the source; and,

(d) A change requiring more frequent monitoring or reporting by the permittee.

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

(f) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 17-210.360(1)(e).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

25. Reports.

(2) Notification of Intent to Construct Air Pollution Control Equipment - (Reserved).

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.

(b) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department notification.

[Rule 62-210.370, F.A.C.]

26. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

27. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

- (1) Application for Air Permit - Long Form. Form and Instructions.
 - (a) Acid Rain Part (Phase II). Form and Instructions.
 1. Repowering Extension Plan, Form and Instructions.
 2. New Unit Exemption, Form and Instructions.
 3. Retired Unit Exemption, Form and Instructions.
 - (b) Reserved.
- (2) Application for Air Permit - Short Form. Form and Instructions.
- (3) Notification of Intent to Relocate Air Pollutant Emitting Facility, Form and Instructions.
- (4) Notification of Intent to Construct Air Pollution Control Equipment, Form and Instructions (Reserved).
- (5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.
[Rule 62-210.900, F.A.C.]

Chapter 62-213, F.A.C.

28. Annual Emissions Fee (AEF). Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.
[Rules 62-213.205 and 62-213.900(1), F.A.C.]
29. Annual Emissions Fee (AEF). Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.
[Rule 62-213.205(1)(g), F.A.C.]
30. Annual Emissions Fee (AEF). Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.
[Rule 62-213.205(1)(j), F.A.C.]
31. Annual Emissions Fee (AEF). DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.
[Rule 62-213.205(4), F.A.C.]
32. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.
[Rule 62-213.205(5), F.A.C.]
33. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.
[Rule 62-213.400, F.A.C.]
34. No Title V source may operate except in compliance with Chapter 62-213, F.A.C.
[Rule 62-213.400(1), F.A.C.]
35. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:
 - (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
 - (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if:
 - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
 - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.;and,
 - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;

(3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

(a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;

(b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;

(4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C. [Rule 62-213.410, F.A.C.]

36. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to Rule 62-210.200, F.A.C., but which would not otherwise constitute a modification pursuant to Rule 62-213.100, F.A.C., may implement such change prior to final issuance of a permit revision in accordance with this section, provided the change:

(a) Does not violate any applicable requirement;

(b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;

(c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;

(d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rule 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

37. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.

(a) Timely Application.

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) Complete Application.

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1), F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rule 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rule 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

38. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA.

[Rule 62-213.420(2), F.A.C.]

39. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for each emissions unit. An application must include information sufficient to determine all applicable requirements as defined in Rule 62-213.200, F.A.C., for each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.

[Rule 62-213.420(3), F.A.C.]

40. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

41. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

[Rule 62-213.430(3), F.A.C.]

42. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

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

43. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

44. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

45. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

46. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., any deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

47. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(1)(b)3.c., F.A.C.]

48. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

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

49. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

50. A Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.

[Rule 62-213.440(1)(d)4., F.A.C.]

51. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.

[Rule 62-213.440(1)(d)5., F.A.C.]

52. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C.

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

53. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include

identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.
[Rule 62-213.440(3), F.A.C.]

54. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall be deemed compliance with any applicable requirements in effect as of the date of permit issuance, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.
[Rule 62-213.460, F.A.C.]

55. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

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

Chapter 62-256, F.A.C.

56. Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.
[Chapter 62-256, F.A.C.]

Chapter 62-257, F.A.C.

57. Chapter 62-257, F.A.C., has no federally enforceable basis. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.
[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-281, F.A.C.

58. Chapter 62-281, F.A.C., has no federally enforceable basis. Refrigerant Requirements. Any facility having appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR 82 Subpart A, Appendices A and B, shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR 82 Subpart F.

(1)(a) No person shall knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR 82 Subpart F.

(b) The responsible official shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

[40 CFR 82; Chapter 62-281, F.A.C.]

Chapter 62-296, F.A.C.

59. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

(a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or

(b) An emergency exists which requires immediate action to protect human health and safety; or

(c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

60. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission.

2. Reasonable precautions may include, but shall not be limited to the following:

a. Paving and maintenance of roads, parking areas and yards.

b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.

c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar emissions units.

d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.

e. Landscaping or planting of vegetation.

f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

g. Confining abrasive blasting where possible.

h. Enclosure or covering of conveyor systems.

[Rules 62-296.320(4)(c)1. & 3., F.A.C.]

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 03/25/96)

Stack Sampling Facilities Provided by the Owner of an Emissions Unit.

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

(a) *Permanent Test Facilities.* The owner or operator of an emissions unit that is required to conduct a compliance test, other than a visible emission test, on at least an annual basis, shall install and maintain permanent stack testing facilities.

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

(c) *Sampling Ports.*

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. *Location of sampling ports.* The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbances.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. For emissions units not subject to Rule 62-296.800, F.A.C., (Standards of Performance for New Stationary Sources) or Rule 62-296.810, F.A.C., (Emissions Standards for Hazardous Air Pollutants) and which have submitted a complete application for a permit to construct prior to December 1, 1980, Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) *Work Platforms.*

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) *Access to Work Platform.*

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

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

(f) *Electrical Power.*

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

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

(g) *Sampling Equipment Support.*

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

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

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 03/25/96) (continued)

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

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

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

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

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

**FIGURE 1--SUMMARY REPORT-- GASEOUS AND OPACITY EXCESS EMISSION AND
MONITORING SYSTEM PERFORMANCE (version dated 7/94)**

Pollutant (Circle One): SO₂ NO_x TRS H₂S CO Opacity

Reporting period dates: From _____ to _____

Company: _____

Emission Limitation: _____

Address: _____

Monitor Manufacturer: _____

Model No.: _____

Date of Latest CMS Certification or Audit: _____

Process Unit(s) Description: _____

Total source operating time in reporting period ¹: _____

Emission data summary ¹	CMS performance summary ¹
1. Duration of excess emissions in reporting period due to: a. Startup/shutdown b. Control equipment problems c. Process problems d. Other known causes e. Unknown causes 2. Total duration of excess emissions 3. Total duration of excess emissions x (100) / [Total source operating time] % ²	1. CMS downtime in reporting period due to: a. Monitor equipment malfunctions b. Non-Monitor equipment malfunctions c. Quality assurance calibration d. Other known causes e. Unknown causes 2. Total CMS Downtime 3. [Total CMS Downtime] x (100) / [Total source operating time] % ²

¹ For opacity, record all times in minutes. For gases, record all times in hours.

² For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 60.7(c) shall be submitted.

Note: On a separate page, describe any changes since last quarter in CMS, process or controls.

I certify that the information contained in this report is true, accurate, and complete.

Name: _____

Signature: _____ Date: _____

Title: _____

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No. **Brief Description**
-003 Fossil Fuel Fired Steam Generator #6

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

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
PM	Oil	8,760	0.1 lb/MMBtu			30.59	134.0	62-296.405 (1)(b) FAC	III. A.3.
PM	Gas	8,760	0.1 lb/MMBtu			28.65	125.5	62-296.405 (1)(b) FAC	III. A.3.
PM	Oil	N/A	0.3 lb/MMBtu - 3hrs in any 24 hr period			91.77	402.0	62-210.700 (3) FAC	III. A.4.
PM	Gas	N/A	0.3 lb/MMBtu - 3 hrs in any 24 hr period			85.95	376.5	62-210.700 (3) FAC	III. A.4.
SO ₂	Oil	8,760	2.75 lb/MMBtu			841.2	3684	62-296.405(1)(c)1.j.FA	III. A.5.
VE	Oil	8,760	20% opacity except 40% for 2 min /hr				N/A	62-296.405(1)(a) FAC	III. A.6.
VE	Gas	8,760	20% opacity except 40% for 2 min /hr				N/A	62-296.405(1)(a) FAC	III. A.6.
VE	Oil	N/A	60% opacity 3 hrs in any 24 hr period soot blowing or load change				N/A	62-210.700(3) FAC	III. A.7.
VE	Gas	N/A	60% opacity 3 hrs in any 24 hr period soot blowing or load change				N/A	62-210.700(3) FAC	III. A.7.

Notes: * The "Equivalent Emissions" listed are for annual fee purposes. [Rule 62-213.205, F.A.C.]

N/A : Not Applicable

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No. **Brief Description**
-004 Fossil Fuel Fired Steam Generator #7

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

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See Permit Condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
PM	Oil	8,760	0.1 lb/MMBtu			59.78	261.7	62-296.405 (1)(b) FAC	III. B.3.
PM	Gas	8,760	0.1 lb/MMBtu			61.56	269.6	62-296.405 (1)(b) FAC	III. B.3.
PM	Oil	N/A	0.3 lb/MMBtu - 3hrs in any 24 hr period			179.3	785.2	62-210.700 (3) FAC	III. B.4.
PM	Gas	N/A	0.3 lb/MMBtu - 3 hrs in any 24 hr period			184.7	808.9	62-210.700 (3) FAC	III. B.4.
SO ₂	Oil	8,760	2.75 lb/MMBtu			1843	7198	62-296.405(1)(c)1.j.FA	III. B.5.
VE	Oil	8,760	20% opacity except 40% for 2 min /hr				N/A	62-296.405(1)(a) FAC	III. B.6.
VE	Gas	8,760	20% opacity except 40% for 2 min /hr				N/A	62-296.405(1)(a) FAC	III. B.6.
VE	Oil	N/A	60% opacity 3 hrs in any 24 hr period soot blowing or load change				N/A	62-210.700(3) FAC.	III. B.7.
VE	Gas	N/A	60% opacity 3 hrs in any 24 hr period soot blowing or load change				N/A	62-210.700(3) FAC	III. B.7.

Notes: * The "Equivalent Emissions" listed are for annual fee purposes. [Rule 62-213.205, F.A.C.]
N/A : Not Applicable

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-005	Peaking Gas Turbine #3
-006	Peaking Gas Turbine #2
-007	Peaking Gas Turbine #1

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

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Oil	8,760	0.5% Sulfur by weight				485.2	EBA / AO 53-238714	III.C.3.
VE	Oil	8,760	20% opacity				N/A	62-296.320(4)(b)1 FAC	III.C.4.
VE	Gas	8,760	20% opacity				N/A	62-296.320(4)(b)1 FAC	III.C.4.

Notes: * The "Equivalent Emissions" listed are for annual fee purposes. [Rule 62-213.205, F.A.C.]
EBA: Established By Applicant
N/A : Not Applicable

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

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-008	Combined Cycle Combustion Turbine

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

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See Permit Condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
NO _x	Gas	8,760	25 ppm @ 15% O ₂ dry basis		425.0			62-212.400(6) FAC; PSD-FL-166	III.D.4.
NO _x	Oil**		42 ppm @ 15% O ₂ dry basis		244			62-212.400(6) FAC; PSD-FL-166	III.D.5.
SO ₂	Gas	8,760	Natural gas as primary fuel		9			62-212.400(6) FAC; PSD-FL-166	III.D.6.
SO ₂	Oil**		0.20% Sulfur by weight		307			62-212.400(6) FAC; PSD-FL-166	III.D.7.
PM/PM ₁₀	Gas	8,760	0.006 lb/MMBtu		22			62-212.400(6) FAC; PSD-FL-166	III.D.8.
PM/PM ₁₀	Oil**		0.025 lb/MMBtu		22			62-212.400(6) FAC; PSD-FL-166	III.D.9.
SAM	Gas	8,760	Natural gas as primary fuel		0.8			62-212.400(6) FAC; PSD-FL-166	III.D.10.
SAM	Oil**		0.20% Sulfur by weight		9.13 X 10 ⁻³			62-212.400(6) FAC; PSD-FL-166	III.D.11.
VE		8,760	Not Exceed 10% opacity					EBA/AC 53-190437	III.D.12.

Notes: * The "Equivalent Emissions" listed are for annual fee purposes. [Rule 62-213.205, F.A.C.]
 ** Maximum annual consumption of No. 2 fuel oil shall not exceed 1/3 of the annual capacity factor
 EBA: Established By Applicant SAM: Sulfuric Acid Mist

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Table 2-1, Summary of Compliance Requirements

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-003	Fossil Fuel Fired Steam Generator #6

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

Pollutant Name or parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	Permit Condition(s)
PM	Oil	17, 5, 5B, or 5F	Annual	1-Nov	1 hour		III.A.12
PM	Gas	17, 5, 5B, or 5F	Annual	1-Nov	1 hour		III.A.12
SO ₂	Oil	6, 6A, 6B, 6C, or fuel sampling and analysis DEP Method 9	Annual	1-Nov	1 hour		III.A.13
VE	All		Annual	1-Nov	60 minutes		III.A.15

Notes:

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

**CMS [=] compliance demonstrated by CEMS

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Table 2-1, Summary of Compliance Requirements

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-004	Fossil Fuel Fired Steam Generator #7

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

Pollutant Name or parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	Permit Condition(s)
PM	Oil	17, 5, 5B, or 5F	Annual	6-Dec	1 Hour		III.B.12
PM	Gas	17, 5, 5B, or 5F	Annual	6-Dec	1 Hour		III.B.12
SO ₂	Oil	6, 6A, 6B, 6C, or Fuel Sampling and Analysis	Annual	6-Dec	1 Hour		III.B.13
VE	All	DEP Method 9	Annual	6-Dec	60 Minutes		III.B.15

Notes:

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

**CMS [=] compliance demonstrated by CEMS

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Table 2-1, Summary of Compliance Requirements

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-005	Peaking Gas Turbine #3
-006	Peaking Gas Turbine #2
-007	Peaking Gas Turbine #1

This table summarizes information for convenience purposes only.

This table does not supersede any of the terms or conditions of this permit.

Pollutant Name or parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	Permit Condition(s)
Sulfur	Oil	Fuel Sampling and Analysis					III.C.7.
VE	All	9	Annual	5-Mar	30 Minutes		III.C.8.

Notes:

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

**CMS [=] compliance demonstrated by CEMS

[electronic file name: 10500032.xls]

Table 2-1, Summary of Compliance Requirements

Lakeland Electric & Water Utilities
Charles Larsen Memorial Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

E.U. ID No.	Brief Description
-008	Combined Cycle Combustion Turbine

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

Pollutant Name or parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	Permit Condition(s)
NO _x	all	20	Annual	6-Aug	1 Hour	yes	III.D.21.
PM/PM ₁₀	oil	5 or 17	Renewal	6-Aug	1 Hour		III.D.24.
SAM	all	Low Sulfur Fuel					III.D.25.
VE	all	9	Annual	6-Aug	30 Minutes		III.D.26.
Water to Fuel	all						III.D.16.

Notes:

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

**CMS | = | compliance demonstrated by CEMS

[electronic file name: 10500032.xls]

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

Abbreviations and Acronyms:

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

Citations:

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

Code of Federal Regulations:

Example: [40 CFR 60.334]

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

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

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

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

Guidance Memorandums from the Bureau of Air Regulation, Department of Environmental Protection:

Example: [DARM-PER/GEN-12] (Refers to a specific, numbered guidance memorandum.)

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

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

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

Permit Numbers:

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

Where:

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

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

Where:

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

Appendix H-1, Permit History/ID Number Changes

Lakeland Electric & Water Utilities
Larsen Power Plant

DRAFT Permit No.: 1050003-004-AV
Facility ID No.: 1050003

Permit History (for tracking purposes):

E.U.

<u>ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u> ^{1,2}	<u>Revised Date(s)</u>
-001	Oil-Fired Steam Generator #4	AO53-175869	4/30/90	5/17/95*		
-002	Oil-Fired Steam Generator #5	AO53-175868	4/27/90	5/17/95**		
-003	Oil-Fired Steam Generator #6	AO53-175871	4/30/90	5/17/95	8/14/96	
-004	Oil-Fired Steam Generator #7	AO53-175870	4/30/90	5/17/95	8/14/96	
-005	Peaking Gas Turbine #3	AO53-238714	12/15/93	9/1/98		
-006	Peaking Gas Turbine #2	AO53-238714	12/15/93	9/1/98		
-007	Peaking Gas Turbine #1	AO53-238714	12/15/93	9/1/98		
-008	Combined Cycle Combustion Turbine	AO53-219296	9/28/93	8/1/98		2/1/96
		AC53-190437/ PSD-FL-166	7/26/91	3/30/93		12/18/95

* Permanent Shutdown December 31, 1994; permit surrendered October 16, 1996.

** Permanent Shutdown September 30, 1991; permit surrendered October 16, 1996.

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

From: Facility ID No.: 40TPA530003

To: Facility ID No.: 1050003

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}