



Lawton Chiles
Governor

Florida Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
813-744-6100

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

In the Matter of an Application
for permit by:

DER File No.: A053-244727
County: Polk

Ronald W. Tomlin
City of Lakeland
Department of Electric and Water Utilities
3030 E. Lake Parker Drive
Lakeland, Florida 33805

Enclosed is Permit Number A053-244727 to operate Peaking Unit No. 1 at your C.D. McIntosh Power Plant in Lakeland, issued pursuant to Section 403, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under section 120.57 Florida Statutes.

The Petition shall contain the following information;

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

- (e) A statement of facts which petitioner contends warrants reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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

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

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Street Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



David R. Zell
Air Permitting Engineer
3804 Coconut Palm Drive
Tampa Florida 33619-8318
Phone (813) 744-6100 Ext. 412

DRZ/
Attachment

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on JUN 01 1994 to the listed persons.

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


Clerk

JUN 01 1994
Date

Is your RETURN ADDRESS completed on the reverse side?

SENDER: A053-244726 + 727 D2

- 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.

MR RONALD W TOMLIN
 CITY OF LAKELAND
 DEPT OF ELEC & WATER UTIL
 3030 E LAKE PARKER DRIVE
 LAKELAND FL 33805

4a. Article Number
P 648 754 848

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

7. Date of Delivery
6-2-94

5. Signature (Addressee)
X Janelle Otto

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

6. Signature (Agent)

P 648 754 848



Certified Mail Receipt

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

MR RONALD W TOMLIN
 CITY OF LAKELAND
 DEPT OF ELEC & WATER UTIL
 3030 E LAKE PARKER DRIVE
 LAKELAND FL 33805

PS Form 3800, June 1990

Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	JUN 01 1994
A053-244726	
A053-244727	



Florida Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
813-744-6100

Virginia B. Wetherell
Secretary

PERMITTEE:

City of Lakeland
Department of Electric & Water
Utilities
3030 E. Lake Parker Drive
Lakeland, FL 33805

PERMIT/PROJECT:

Permit No: A053-244727
County: Polk
Expiration Date: 05/27/99
Project: Peaking Unit No. 1
(Gas Turbine)
C.D. McIntosh Power Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 17-200 through 297, and Chapter 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For the operation of Peaking Unit No. 1 at the C.D. McIntosh Power Plant. This unit consists of gas turbine which drives a generator producing electrical power at a maximum rated output of 20 megawatts (MW). The gas turbine is fired with natural gas, or No. 2 fuel oil with a maximum sulfur content of 0.50% by weight. The maximum fuel firing rate is 320 MCF per hour of natural gas (corresponds to approximately 330 MMBtu/hour) or 2,310 gallons per hour of No. 2 fuel oil (corresponds to approximately 320 MMBtu/hour).

Location: C. D. McIntosh Power Plant
3030 East Lake Parker Drive, Lakeland

UTM: 17-408.5 E 3105.8 N **NEDS No:** 0004 **Point ID No:** 04

Replaces Permit No.: A053-158431

PERMITTEE:

City of Lakeland
C. D. McIntosh Power Plant

PERMIT/PROJECT:

Permit No. : AO53-244727
Project: Peaking Unit No. 1
(Gas Turbine)

Specific Conditions:

1. A part of this permit is the attached 15 General Conditions.
[Rule 17-4.160, F.A.C.]
2. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 17-200 through 17-297, or any other requirements under federal, state or local law.
[Rule 17-210.300, F.A.C.]

Operation and Emission Limitations

3. This unit is permitted for continuous operation (i.e. 8,760 hours/year).
[Permit renewal application dated 01/26/94 and previous permits]
4. The gas turbine shall be fired only with the following fuels:

<u>Permitted Fuel</u>	<u>Max. Sulfur Content</u>	<u>Max. Fuel Firing Rate</u>
Natural Gas	- - -	320 MCF/hour (approx. 330 MMBtu/hour)
No. 2 Fuel Oil (new)	0.5% by weight	2,310 gallons/hour (approx. 320 MMBtu/hour)

No used or recycled oil shall be fired in this unit.
[Permit renewal application dated 01/26/94 and previous permits]

5. Visible emissions from the gas turbine shall not be equal to or greater than 20% opacity.
[Rule 17-296.310(2)(a), F.A.C.]

Testing and Compliance Documentation Requirements

6. Annual visible emissions testing shall be conducted on the gas turbine while burning No. 2 fuel oil. The visible emissions compliance test for the gas turbine can be waived, on a year by year basis, if fuel oil has not been used in the gas turbine for more than 400 hours for the previous 12 months. If this waiver is exercised, each year when the VE test is due a letter must be sent to the Air Program of the Southwest District office of the Department stating that the above qualifications for the waiver have been satisfied. Regardless of the fuel oil operating hours, a visible emissions test shall be conducted during the 12 month period prior to submittal of an operation permit renewal application.
[Rules 17-297.340(c), (d) and (h), F.A.C.]

PERMITTEE:

City of Lakeland
C. D. McIntosh Power Plant

PERMIT/PROJECT:

Permit No. : AO53-244727
Project: Peaking Unit No. 1
(Gas Turbine)

Specific Conditions:

7. Compliance with the visible emission limitation of Specific Condition No. 5 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 17-297, F.A.C. The visible emissions test shall be conducted by a certified observer and be a minimum of sixty (60) minutes in duration. The test observation period shall include the period during which the highest opacity can reasonably be expected to occur. The minimum requirements for stationary point source emissions test procedures and reporting shall be in accordance with Rule 17-297, F.A.C. and 40 CFR 60, Appendix A.

[Rule 17-297.330(1)(b), and Table 297.330-1, F.A.C.]

8. The permittee shall notify the Air Program of the Southwest District Office of 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.

[Rules 17-297.340(1)(i), F.A.C.]

9. Visible emissions testing shall be conducted while firing No. 2 fuel oil at a rate within 90-100% of the maximum permitted heat input rate of 2,310 gallons per hour (corresponds to a fuel firing rate of approximately 320 MMBtu/hour), if feasible. A compliance test submitted at a rate less than 90% of the maximum permitted rate will automatically constitute an amended permitted fuel firing rate at that lesser rate. Within 30 days of that lower amended permitted rate being exceeded by more than 10%, a new compliance test shall be conducted at the higher rate. The test results shall be submitted to the Southwest District Office of the Department within 45 days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher tested rate, but in no case shall the maximum permitted No. 2 fuel oil firing rate of 2,310 gallons per hour be exceeded.

[Rule 17-4.070(3), F.A.C.]

10. A statement of the gas turbine fuel oil firing rate (gallons/hour) and corresponding heat input rate (MMBtu/hour) during the test period shall be included with each test report. Failure to submit this information with the test report may fail to provide reasonable assurance of compliance. [Rule 17-4.070(3), F.A.C.]

11. Proof of compliance with the fuel oil sulfur content limitation of Specific Condition No. 4 shall be submitted to the Department with any required visible emissions compliance test reports. This documentation may take the form of results of a fuel analysis done in accordance with an appropriate ASTM method, or by fuel supplier documentation that the fuel oil delivered for use in the gas turbine met the specifications for No. 2 fuel oil. (See Specific Condition No. 12). [Rule 17-4.070(3), F.A.C.]

PERMITTEE:

City of Lakeland
C. D. McIntosh Power Plant

PERMIT/PROJECT:

Permit No. : A053-244727
Project: Peaking Unit No. 1
(Gas Turbine)

Specific Conditions:

Recordkeeping Requirements

12. In order to document continuing compliance with Specific Condition No. 4, records shall be maintained of the sulfur content, in % by weight, of No. 2 fuel oil delivered for use in the gas turbine. On the basis of the requirements of Department of Agriculture and Consumer Services Rule 5F-2001 (which requires that No. 2 oil sold in Florida have a maximum sulfur content not to exceed 0.5%), reasonable assurance that the sulfur content requirement is being met can also be provided through vendor supplied documentation that the fuel oil delivered for use in the gas turbine meets the above specifications for No. 2 fuel oil. The above records shall be maintained for a minimum of the most recent two year period and made available to the Department upon request. [Rule 17-4.070(3), F.A.C.]

13. In order to document compliance with the requirements of Specific Condition Nos. 4 and 6, the permittee shall maintain records for the gas turbine which include the following information for each period of operation:

- A. date, time and duration (hours) of operation of the gas turbine;
- B. type (natural gas or No. 2 fuel oil) and estimated quantity (MCF or gallons) of fuel used during operation period.

The records shall also include a total of the oil-fired operating hours for each calendar month for the gas turbine. These records shall be recorded in a permanent form suitable for inspection by the Department upon request, and shall be retained for at least a two year period.

[Rule 17-4.070 (3), F.A.C.]

Reporting Requirements

14. The permittee shall submit to the Air Program of the Southwest District Office of the Department each calendar year on or before March 1, completed DER Form 17-213.900(4), "Annual Operating Report for Air Pollutant Emitting Facility," for the preceding calendar year.

[Rule 17-210.370(2), F.A.C.]

PERMITTEE:

City of Lakeland
C. D. McIntosh Power Plant

PERMIT/PROJECT:

Permit No. : A053-244727
Project: Peaking Unit No. 1
(Gas Turbine)


Specific Conditions:

Permits

15. At least two applications to renew this operating permit shall be submitted to the Air Program of the Southwest District Office of the Department no later than March 28, 1999 (60 days prior to the expiration date of this permit).

[Rule 17-4.090(1), F.A.C.]

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION


for Richard D. Garrity, Ph.D.
Director of District Management
Southwest District Office

ATTACHMENT - 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, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

GENERAL CONDITIONS:

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

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

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

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

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

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

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

GENERAL CONDITIONS:

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

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)

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 three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

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