

# Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-5561

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Richard Garrity, Deputy Assistant Secretary

February 17, 1989

## NOTICE OF PERMIT

Mr. Ronald W. Tomlin  
Plant Manager  
City of Lakeland  
3030 East Lake Parker Drive  
Lakeland, Florida 33805

Dear Mr. Tomlin:

Re: Polk County - AP  
Peaking Unit No. 1

Enclosed is Permit Number A053-158431 to operate Peaking Unit No. 1, issued pursuant to Section 403.087, Florida Statutes.

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

Mr. Ronald W. Tomlin  
Lakeland, Florida 33805

Page Two

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

Executed in Tampa, Florida.

Sincerely,



George W. Richardson  
Air Permitting Engineer

GWR/gr

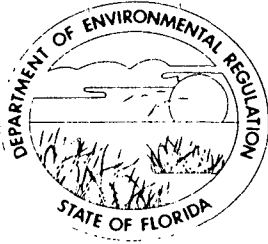
CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on FEB 17 1989 to the listed persons.

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

Marilyn Quispe  
Clerk

FEB 17 1989  
Date



# Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-5561

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Richard Garrity, Deputy Assistant Secretary

## PERMITTEE:

City of Lakeland  
3030 East Lake Parker Drive  
Lakeland, Florida 33805

## PERMIT/CERTIFICATION

Permit No.: A053-158431  
County: Polk  
Expiration Date: 02-10-94  
Project: Peaking Unit No. 1

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 & 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 rated at 20 MW at the C. D. McIntosh, Jr., Power Plant. This unit is fired on natural gas or No. 2 fuel oil with a maximum sulfur content of 0.5%.

Location: 3030 East Lake Parker Drive, Lakeland, Polk County

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

Replaces Permit No.: A053-74766

PERMITTEE:  
City of Lakeland

Permit/Certification No.: A053-158431  
Project: Peaking Unit No. 1

SPECIFIC CONDITIONS

- ✓ 1. A part of this permit is the attached 15 General Conditions.
2. Test the emissions for the following pollutant(s) at intervals of 12 months from the date May 9, 1988 and submit a copy of test data to the Air Section of the Southwest District Office of the Department of Environmental Regulation within forty-five days of such testing (Section 17-2.700(2), Florida Administrative Code (F.A.C.)).

( ) Particulates	(X) Sulfur Oxides*
( ) Fluorides	( ) Nitrogen Oxides
(X) Opacity	( ) Hydrocarbons

\* A fuel oil analysis may be submitted in lieu of a sulfur dioxide stack test.

3. Testing of emissions must be accomplished within  $\pm 10\%$  of the rated capacity of 20 MW. Failure to submit the input rates or operation at conditions which do not reflect actual operating conditions may invalidate the data (Section 403.161(1)(c), Florida Statutes).

✓ 4. Visible emissions shall not be equal to or greater than 20% opacity in accordance with Subsection 17-2.610(2)(a), F.A.C.

✓ 5. Compliance with the emission limitations of Specific Condition No. 4 shall be determined using EPA Method No. 9 contained in 40 CFR 60, Appendix A and adopted by reference in Section 17-2.700, F.A.C. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Section 17-2.700, F.A.C. and 40 CFR 60, Appendix A.

✓ 6. If No. 2 fuel oil has been used to fire this unit for more than 400 hours in the 12 months prior to the annual compliance test, the compliance test shall be conducted while this unit is being fired on No. 2 fuel oil (Chapter 17-2.700(2)(a)3.b., F.A.C.).

✓ 7. The compliance test shall be conducted by a certified observer and be a minimum of thirty (30) minutes in duration.

✓ 8. This Southwest District Office of the Department of Environmental Regulation shall be notified in writing at least 15 days prior to compliance testing.

PERMITTEE:  
City of Lakeland

Permit/Certification No.: A053-158431  
Project: Peaking Unit No. 1

SPECIFIC CONDITIONS (con't):

✓ 9. Submit for this facility, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following:

- (A) Annual amount of materials and/or fuels utilized.
- (B) Annual emissions (note calculation basis).
- (C) Any changes in the information contained in the permit application.

✓ 10. Four applications to renew this operating permit shall be submitted to the Department sixty (60) days prior to the expiration date of this permit.

Issued this 16 day of Feb  
1987

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL REGULATION



Richard D. Garrity, Ph.D.  
Deputy Assistant Secretary  
Southwest District

## GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and are binding and enforceable pursuant to the authority of Section 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 403.712(5), Florida Statutes, 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 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 any 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 credential or other documents as maybe required by law and at reasonable times, access to the premises, where the permitted activity is located or conducted:

GENERAL CONDITIONS (con't):

7. (con't):

- 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 (17-6.130) with the following information:

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

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or 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 Section 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedures 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 17-30.300, 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 (con't):

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)
- ( ) Certification of Compliance with State Water Quality Standards (Section 401. PL 92-500)
- ( ) Compliance with New Source Performance Standards

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

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 submitted or corrected promptly.