

## Memorandum

# Florida Department of Environmental Protection

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TO: Trina L. Vielhauer, Chief  
Bureau of Air Regulation

THROUGH: Jonathan Holtom *JH*  
Title V Section

FROM: Scott M. Sheplak *sms*  
Title V Section

DATE: June 17, 2008

SUBJECT: Draft/Proposed Air Permit No. 1050221-015-AV  
Calpine Operating Services Company, Inc.  
Auburndale Energy Complex  
Title V Air Operation Permit Revision

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit;
- Public Notice of Intent to Issue Air Permit;
- Statement of Basis; and
- Draft/Proposed Permit.

The Permit incorporates the Clean Air Interstate Rule (CAIR) Part Form into the Title V air operation permit. The Statement of Basis provides a summary of the project.

The application was received and deemed complete on May 8, 2008. Day 90 is August 6, 2008. Today is ARMS Day 41.

We recommend your approval and signature.

JH/sms

Attachments



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

June 25, 2008

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

*Electronic Mail – Received Receipt Requested*

Mr. Jason M. Goodwin, P.E.  
Regional Director - Environmental, Health & Safety Section  
Calpine Operating Services Company, Inc.  
Calpine Center  
717 Texas Avenue, Suite 1000  
Houston, Texas 77002

Re: Draft/Proposed Permit No. 1050221-015-AV  
Auburndale Energy Complex  
Title V Air Operation Permit Revision, Clean Air Interstate Rule Part

Dear Mr. Goodwin:

On May 8, 2008, you submitted a Clean Air Interstate Rule (CAIR) Part Form (DEP Form No. 62-210.900(1)(b) - Form, Effective: 3/16/08) for incorporation into the Title V air operation permit for the Auburndale Energy Complex. This facility is located at 1501 Derby Avenue and 1651 Derby Avenue, Auburndale, Polk County, Florida. Enclosed are the following documents:

- The proposed Draft/Proposed Title V Air Operation Permit Revision includes the CAIR Part which specifies that the owner/operator will operate the facility and each CAIR unit at the facility in accordance with 40 Code of Federal Regulations (CFR) 96 and Rule 62-296.470, Florida Administrative Code (F.A.C.).
- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and any changes since the last Title V air operation permit revision.
- The Written Notice of Intent to Issue Title V Air Operation Permit Revision provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the revised Draft/Proposed Permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Title V Air Operation Permit Revision is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Operation Permit Revision must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication.

If you have any other questions, please contact the Project Engineer, Mr. Scott M. Sheplak by telephone at 850/921-9532 or by email at [Scott.Sheplak@dep.state.fl.us](mailto:Scott.Sheplak@dep.state.fl.us).

Sincerely,

for Trina L. Vielhauer, Chief  
Bureau of Air Regulation

TLV/jkh/sms

Enclosures

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**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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*In the Matter of an*

*Application for Air Permit by:*

Calpine Operating Services Company, Inc.  
Calpine Center  
717 Texas Avenue, Suite 1000  
Houston, Texas 77002

Draft/Proposed Permit No. 1050221-015-AV  
Auburndale Energy Complex  
CAIR Part  
Polk County, Florida

*Alternate Designated Representative:*

Mr. Jason M. Goodwin, P.E.  
Regional Director - Environmental, Health & Safety Section

**Facility Location:** Calpine Operating Services Company, Inc. operates the Auburndale Energy Complex, which is located at 1501 Derby Avenue and 1651 Derby Avenue, Auburndale, Florida.

**Project:** The applicant has submitted a complete and certified Clean Air Interstate Rule (CAIR) Part Form and has requested its incorporation into the existing Title V air operation permit. Details of the project are provided in the application and the enclosed Statement of Basis.

Calpine Operating Services Company, Inc. operates three existing power plants that comprise the Auburndale Energy Complex. The Auburndale Power Plant located at 1501 Derby Avenue is owned by the Auburndale Power Partners, L.P. The Auburndale Peak Energy Center at the same location is owned by the Auburndale Peaker Energy Center, LLC. The Osprey Energy Center located at 1651 Derby Avenue is owned by the Calpine Construction Finance Company, L.P. The plants consist of a combination of simple cycle and combined cycle combustion turbines. The nominal generating capacity of the Auburndale Energy Complex is 816 megawatts (MW).

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the CAIR Part Form, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft/Proposed Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

## **WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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**Public Notice:** Pursuant to Sections 403.815 and 403.087, F.S. and Rules 62-110.106 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 Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

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action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.


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 Written Notice of Intent to Issue Air Permit. 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.

**Mediation:** Mediation is not available in this proceeding.

**EPA Review:** EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



for

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

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**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Public Notice, the Statement of Basis, and the Draft/Proposed Permit) was sent by electronic mail with received receipt requested before the close of business on 6/26/08 to the persons listed below.

Mr. Jason M. Goodwin, P.E., Calpine Operating Services Company, Inc.;

[jgoodwin@calpine.com](mailto:jgoodwin@calpine.com)

Mr. Robert Callery, General Manager, Calpine Operating Services Company, Inc.;

[rcallery@calpine.com](mailto:rcallery@calpine.com)

Ms. Heidi M. Whidden, Calpine Operating Services Company, Inc.;

[hwhidden@calpine.com](mailto:hwhidden@calpine.com)

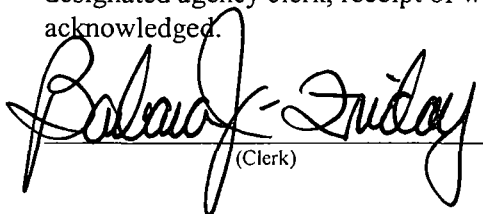
Ms. Katy R. Forney, U.S. EPA, Region 4; [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov)

Ms. Cindy Zhang-Torres, P.E., DEP SWD; [Zhang-Torres@dep.state.fl.us](mailto:Zhang-Torres@dep.state.fl.us)

Ms. Barbara Friday, DEP BAR; [Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

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.

 6/26/08  
(Clerk) (Date)

## PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft/Proposed Air Permit No. 1050221-015-AV  
Calpine Operating Services Company, Inc.  
Auburndale Energy Complex  
Polk County, Florida

**Applicant:** The applicant for this project is Florida Power Corporation dba Auburndale Energy Complex. The applicant's authorized representative and mailing address is: Mr. Jason M. Goodwin, P.E., Regional Director - Environmental, Health & Safety Section, Calpine Operating Services Company, Inc.; Auburndale Energy Complex; Calpine Center, 717 Texas Avenue, Suite 1000, Houston, Texas 77002.

**Facility Location:** Calpine Operating Services Company, Inc. operates the existing Auburndale Energy Complex, which is located at 1501 Derby Avenue and 1651 Derby Avenue, Auburndale, Florida.

**Project:** The applicant has submitted a complete and certified Clean Air Interstate Rule (CAIR) Part Form and has requested its incorporation into the existing Title V air operation permit.

Calpine Operating Services Company, Inc. operates three existing power plants that comprise the Auburndale Energy Complex. The Auburndale Power Plant located at 1501 Derby Avenue is owned by the Auburndale Power Partners, L.P. The Auburndale Peak Energy Center at the same location is owned by the Auburndale Peaker Energy Center, LLC. The Osprey Energy Center located at 1651 Derby Avenue is owned by the Calpine Construction Finance Company, L.P. The plants consist of a combination of simple cycle and combined cycle combustion turbines. The nominal generating capacity of the Auburndale Energy Complex is 816 megawatts (MW).

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft/Proposed Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation Permit for a period of 30 days from the date of publication of this Public Notice. Written comments

(Public Notice to be Published in the Newspaper)

## PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 Public Notice of Intent to Issue Air Permit. 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.

**Mediation:** Mediation is not available for this proceeding.

**EPA Review:** EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public



## **PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

## **STATEMENT OF BASIS**

Calpine Operating Services Company, Inc.  
Auburndale Energy Complex  
Facility ID No. 1050221  
Polk County

Draft/Proposed Permit No. 1050221-015-AV

Title V Operation Permit Revision

CAIR Part

## **PROJECT DESCRIPTION**

On May 8, 2008, the applicant submitted a CAIR Part Form in order to incorporate the Clean Air Interstate Rule provisions into Title V Permit No. 1050221-013-AV.

Calpine Operating Services Company, Inc. operates three existing power plants that comprise the Auburndale Energy Complex. The Auburndale Power Plant located at 1501 Derby Avenue is owned by the Auburndale Power Partners, L.P. The Auburndale Peak Energy Center at the same location is owned by the Auburndale Peaker Energy Center, LLC. The Osprey Energy Center located at 1651 Derby Avenue is owned by the Calpine Construction Finance Company, L.P. The plants consist of a combination of simple cycle and combined cycle combustion turbines. The nominal generating capacity of the Auburndale Energy Complex is 816 megawatts (MW).

## **PROJECT REVIEW**

No comments.

## **CONCLUSION**

The CAIR Part Form is now a part of this permit and has been incorporated as Section VI., CAIR Part Form. This section identifies the units that must comply with the standard requirements and special provisions set forth in the CAIR Part Form.

This project revises Title V Air Operation Permit No. 1050221-013-AV, which was effective January 1, 2008. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, Florida Administrative Code (F.A.C.). In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

*(Draft/Proposed)*

<b>Permittee:</b>	Draft/Proposed Permit No. 1050221-015-AV
Calpine Operating Services Company, Inc.	Facility ID No. 1050221
Auburndale Energy Complex	SIC No. 4911
	Project: Title V Air Operation Permit Revision
	CAIR Part

The purpose of this permit is for the revision of the Title V Air Operating Permit to include the Clean Air Interstate Rule (CAIR) Part. This project revises Title V Air Operation Permit No. 1050221-013-AV, which was effective January 1, 2008. This existing facility is located at 1501 Derby Avenue and 1651 Derby Avenue, Auburndale, Polk County; UTM Coordinates: Zone 17, 420.8 km East and 3103.3 km North.

The entire facility is known as the Auburndale Energy Complex and consists of two locations, three plants and three owners as follows:

- Location: 1501 Derby Avenue, Auburndale, Florida  
Auburndale Power Plant owned by the Auburndale Power Partners, L.P.  
Auburndale Peak Energy Center owned by the Auburndale Peaker Energy Center, LLC.
- Location: 1651 Derby Avenue, Auburndale, Florida  
Osprey Energy Center owned by the Calpine Construction Finance Company, L.P.

Calpine Operating Services Company, Inc. operates all of the units at these plants. The nominal generating capacity of the plant is 816 megawatts (MW).

This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. 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 revision:**

Section VI. CAIR Part Form

1050221-013-AV Effective Date: January 1, 2008  
**Revision Effective Date:** January 1, 2009  
**Renewal Application Due Date:** July 5, 2012  
**Expiration Date:** December 31, 2012

*(Draft/Proposed)*

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Joseph Kahn, Director  
Division of Air Resource Management

JK/tlv/jkh/sms

**SECTION VI. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

**Clean Air Interstate Rule (CAIR).**

**Operated by:** Calpine Operating Services Company, Inc.

**Plant Name:** Auburndale Energy Complex consisting of:

Auburndale Power Plant (APP)

Auburndale Peaker Energy Center (APEC)

Osprey Energy Center (OEC)

**ORIS Code:** 45658 (APP & APEC)

55412 (OEC)

The emissions units below are regulated under the Clean Air Interstate Rule.

<b>E.U. ID No.</b>	<b>EPA Unit ID#</b>	<b>Brief Description</b>
Auburndale Power Plant (APP)		
-001	1	Nominal 156 MW combined cycle unit consisting of a nominal 121 MW combustion turbine-electrical generator set, an unfired heat recovery steam generator (HRSG) and a nominal 35 MW steam-electrical generator set.
Auburndale Peaker Energy Center (APEC)		
-006	6	Nominal 120 MW simple cycle combustion turbine-electrical generator set
Osprey Energy Center (OEC)		
-007	CT-1	Nominal 170 MW combustion turbine-electrical generator set; part of a combined cycle unit
-009	CT-1	HRSG equipped with 250 MMBtu per hour duct burner system; part of a combined cycle unit
-008	CT-2	Nominal 170 MW combustion turbine-electrical generator set; part of a combined cycle unit
-010	CT-2	HRSG equipped with 250 MMBtu per hour duct burner system; part of a combined cycle unit

1. Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b) - Form, Effective: 3/16/08), which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

## Clean Air Interstate Rule (CAIR) Part

For more information, see instructions and refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321 and 96.322; and Rule 62-256.470, F.A.C.

This submission is: ☒ New ☐ Revised ☐ Renewal

### STEP 1

**Identify the source by  
plant name and ORIS  
or EIA plant code**

Plant Name: Auburndale Energy Complex consisting of: *Auburndale Power Plant (APP) *Auburndale Peaker Energy Center (APEC) *Osprey Energy Center (OEC)	State: Florida	ORIS or EIA Plant Code: 45658 (APP & APEC) 55412 (OEC)
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## STEP 2

In column "a" enter the unit ID# for every CAIR unit at the CAIR source.

In columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s).

**For new units, enter the requested information in columns "e" and "f."**

[illegible]

DEP Form No. 62-210.900(1)(b) – Form  
Effective: 3/16/08

**SECTION VI. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

Auburndale Energy Complex

Plant Name (from STEP 1)

**STEP 3**

**Read the  
standard  
requirements.**

**CAIR NO<sub>x</sub> ANNUAL TRADING PROGRAM**

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
  - (ii) [Reserved];
- (2) The owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH, shall be used to determine compliance by each CAIR NO<sub>x</sub> source with the following CAIR NO<sub>x</sub> Emissions Requirements.

NO<sub>x</sub> Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under 40 CFR 96.154(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with 40 CFR Part 96, Subpart HH.
- (2) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.
- (4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FF and GG.
- (5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 96.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO<sub>x</sub> allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> unit.

Excess Emissions Requirements.

If a CAIR NO<sub>x</sub> source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
  - (i) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program.
  - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

**SECTION VI. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

Auburndale Energy Complex  
Plant Name (from STEP 1)

**STEP 3,  
Continued**

Liability.

- (1) Each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program.  
(2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> source or the CAIR designated representative of a CAIR NO<sub>x</sub> source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units at the source.  
(3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program that applies to a CAIR NO<sub>x</sub> unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO<sub>x</sub> Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source or CAIR NO<sub>x</sub> unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR SO<sub>2</sub> TRADING PROGRAM**

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall:  
(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and  
(ii) [Reserved];  
(2) The owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR SO<sub>2</sub> source and each SO<sub>2</sub> CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHH, and Rule 62-296.470, F.A.C.  
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO<sub>2</sub> source with the following CAIR SO<sub>2</sub> Emission Requirements.

SO<sub>2</sub> Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.  
(2) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.  
(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO<sub>2</sub> Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.  
(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.  
(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.  
(6) A CAIR SO<sub>2</sub> allowance does not constitute a property right.  
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO<sub>2</sub> unit.

Excess Emissions Requirements.

If a CAIR SO<sub>2</sub> source emits SO<sub>2</sub> during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and  
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

**SECTION VI. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

Auburndale Energy Complex  
Plant Name (from STEP 1)

STEP 3,  
Continued

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Department or the Administrator.
  - (i) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR SO<sub>2</sub> unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.213 changing the CAIR designated representative.
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO<sub>2</sub> Trading Program.
  - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the CAIR SO<sub>2</sub> Trading Program.
- (2) The CAIR designated representative of a CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall submit the reports required under the CAIR SO<sub>2</sub> Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

- (1) Each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit shall meet the requirements of the CAIR SO<sub>2</sub> Trading Program.
- (2) Any provision of the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR SO<sub>2</sub> source or the CAIR designated representative of a CAIR SO<sub>2</sub> source shall also apply to the owners and operators of such source and of the CAIR SO<sub>2</sub> units at the source.
- (3) Any provision of the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR SO<sub>2</sub> unit or the CAIR designated representative of a CAIR SO<sub>2</sub> unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR SO<sub>2</sub> Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO<sub>2</sub> source or CAIR SO<sub>2</sub> unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**CAIR NO<sub>x</sub> OZONE SEASON TRADING PROGRAM**

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall:
  - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.322 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
  - (ii) [Reserved];
- (2) The owners and operators of each CAIR NO<sub>x</sub> Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO<sub>x</sub> Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR NO<sub>x</sub> Ozone Season source with the following CAIR NO<sub>x</sub> Ozone Season Emissions Requirements.

NO<sub>x</sub> Ozone Season Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.
- (2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1),(2), or (3) and for each control period thereafter.
- (3) A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO<sub>x</sub> Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.
- (4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.
- (5) A CAIR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 96.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO<sub>x</sub> Ozone Season unit.



**SECTION VI. CAIR PART FORM**  
**CLEAN AIR INTERSTATE RULE PROVISIONS**

Auburndale Energy Complex  
Plant Name (from STEP 1)

**STEP 3,**  
**Continued**

Excess Emissions Requirements.

If a CAIR NO<sub>x</sub> Ozone Season source emits NO<sub>x</sub> during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:  
(1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and  
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
- (i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
- (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
- (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO<sub>x</sub> Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (2) The CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

- (1) Each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit shall meet the requirements of the CAIR NO<sub>x</sub> Ozone Season Trading Program.
- (2) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season source or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> Ozone Season units at the source.
- (3) Any provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program that applies to a CAIR NO<sub>x</sub> Ozone Season unit or the CAIR designated representative of a CAIR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

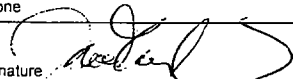
No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> Ozone Season source or CAIR NO<sub>x</sub> Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

**STEP 4**

**Certification (for designated representative or alternate designated representative only)**

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

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

Jason Goodwin		Director--EHS; ADR	Title
Name			
Auburndale Power Partners, LP (APP)		Company	
Owner Name			
Auburndale Peaker Energy Center, LLC (APEC)			
Calpine Construction Finance Company, LP (OEC)			
(713) 570-4795		jgoodwin@calpine.com	E-
Phone		mail Address	
Signature 		Date 5/7/08	

**Friday, Barbara**

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**To:** Jason Goodwin; rcallery@calpine.com; 'Heidi Whidden'; Forney.Kathleen@epamail.epa.gov; Zhang-Torres

**Cc:** Sheplak, Scott

**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

**Attachments:** CAIR1050221-015-AVWrittenNotice.pdf; CAIR1050221-015-AVPlacardPage.pdf; CAIR1050221-015-AVPublicNotice.pdf; CAIR1050221-015-AVRevisedPart.pdf; CAIR1050221-015-AVStatementofBasis.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html>> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

6/26/2008

**Friday, Barbara**

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**From:** System Administrator  
**To:** Zhang-Torres  
**Sent:** Thursday, June 26, 2008 11:48 AM  
**Subject:** Delivered:DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Your message

**To:** 'Jason Goodwin'; 'rcallery@calpine.com'; 'Heidi Whidden'; 'Forney.Kathleen@epamail.epa.gov'; Zhang-Torres  
**Cc:** Sheplak, Scott  
**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex  
**Sent:** 6/26/2008 11:48 AM

was delivered to the following recipient(s):

Zhang-Torres on 6/26/2008 11:48 AM

## Friday, Barbara

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**From:** System Administrator  
**To:** Sheplak, Scott  
**Sent:** Thursday, June 26, 2008 11:48 AM  
**Subject:** Delivered: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

### Your message

**To:** 'Jason Goodwin'; 'rcallery@calpine.com'; 'Heidi Whidden'; 'Forney.Kathleen@epamail.epa.gov'; Zhang-Torres  
**Cc:** Sheplak, Scott  
**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex  
**Sent:** 6/26/2008 11:48 AM

was delivered to the following recipient(s):

Sheplak, Scott on 6/26/2008 11:48 AM

**Friday, Barbara**

---

**From:** Exchange Administrator  
**Sent:** Thursday, June 26, 2008 11:49 AM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT167677.txt; DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex



ATT167677.txt DRAFT/PROPOSED  
(447 B) Title V Permit ...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

jgoodwin@calpine.com  
rcallery@calpine.com  
HWhidden@calpine.com

## Friday, Barbara

---

**From:** Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]  
**Sent:** Thursday, June 26, 2008 11:49 AM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(502 B)



Message  
Headers.txt (2 KB)

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<Forney.Kathleen@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250  
OK, sent 4863BA81\_29452\_14207\_1 13D342D402D

## Friday, Barbara

---

**From:** Forney.Kathleen@epamail.epa.gov  
**Sent:** Sunday, June 29, 2008 2:27 PM  
**To:** Friday, Barbara  
**Subject:** Re: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

thanks

-----  
Katy R. Forney  
Air Permits Section  
EPA - Region 4  
61 Forsyth St., SW  
Atlanta, GA 30303

Phone: 404-562-9130  
Fax: 404-562-9019

"Friday,  
Barbara"  
<Barbara.Friday@  
dep.state.fl.us>

06/26/2008 11:48  
AM

To  
"Jason Goodwin"  
<jgoodwin@calpine.com>,  
<rallery@calpine.com>, "Heidi  
Whidden" <HWhidden@calpine.com>,  
Kathleen Forney/R4/USEPA/US@EPA,  
"Zhang-Torres"  
<Cindy.Zhang-Torres@dep.state.fl.  
us>

cc

"Sheplak, Scott"  
<Scott.Sheplak@dep.state.fl.us>  
Subject  
DRAFT/PROPOSED Title V Permit  
Revision No.: 1050221-015-AV -  
Calpine Operating Services  
Company, Inc. - Auburndale Energy  
Complex

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

## Friday, Barbara

---

**From:** Heidi Whidden [HWhidden@calpine.com]  
**To:** Friday, Barbara  
**Sent:** Thursday, June 26, 2008 11:58 AM  
**Subject:** Read: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Your message

**To:** HWhidden@calpine.com  
**Subject:**

was read on 6/26/2008 11:58 AM.



## Friday, Barbara

---

**From:** Sheplak, Scott  
**To:** Friday, Barbara  
**Sent:** Thursday, June 26, 2008 12:03 PM  
**Subject:** Read: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

### Your message

**To:** 'Jason Goodwin'; 'rcallery@calpine.com'; 'Heidi Whidden'; 'Forney.Kathleen@epamail.epa.gov'; Zhang-Torres  
**Cc:** Sheplak, Scott  
**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex  
**Sent:** 6/26/2008 11:48 AM

was read on 6/26/2008 12:03 PM.

**Friday, Barbara**

---

**From:** Jason Goodwin [jgoodwin@calpine.com]  
**To:** undisclosed-recipients  
**Sent:** Thursday, June 26, 2008 12:13 PM  
**Subject:** Read: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Your message

**To:** jgoodwin@calpine.com  
**Subject:**

was read on 6/26/2008 12:13 PM.

## Friday, Barbara

---

**From:** Zhang-Torres  
**To:** Friday, Barbara  
**Sent:** Thursday, June 26, 2008 12:18 PM  
**Subject:** Read: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

### Your message

**To:** 'Jason Goodwin'; 'rcallery@calpine.com'; 'Heidi Whidden'; 'Forney.Kathleen@epamail.epa.gov'; Zhang-Torres  
**Cc:** Sheplak, Scott  
**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex  
**Sent:** 6/26/2008 11:48 AM

was read on 6/26/2008 12:17 PM.

## Friday, Barbara

---

**From:** Bob Callery [RCallery@calpine.com]  
**To:** Friday, Barbara  
**Sent:** Thursday, June 26, 2008 12:19 PM  
**Subject:** Read: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Your message

**To:** RCallery@calpine.com  
**Subject:**

was read on 6/26/2008 12:19 PM.

## Friday, Barbara

---

**From:** Bob Callery [RCallery@calpine.com]  
**Sent:** Thursday, June 26, 2008 12:26 PM  
**To:** Friday, Barbara  
**Subject:** RE: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Bob Callery  
General Manager  
Calpine Corp.  
Osprey Energy Center / Auburndale Power Partners  
863-551-4665  
1651 W. Derby Ave.  
Auburndale; Fl. 33823

-----Original Message-----

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]  
Sent: Thursday, June 26, 2008 11:48 AM  
To: Jason Goodwin; Bob Callery; Heidi Whidden; Forney.Kathleen@epamail.epa.gov; Zhang-Torres  
Cc: Sheplak, Scott  
Subject: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Dear Sir/Madam:

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The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<<http://www.adobe.com/products/acrobat/readstep.html>>  
<<http://www.adobe.com/products/acrobat/readstep.html>> > .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey <<http://survey.dep.state.fl.us/?refemail=Barbara.Friday@dep.state.fl.us>> . Thank you in

## Friday, Barbara

---

**From:** Jason Goodwin [jgoodwin@calpine.com]  
**Sent:** Thursday, June 26, 2008 4:08 PM  
**To:** Friday, Barbara  
**Subject:** RE: DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

Received

Thanks,

Jason Goodwin  
Calpine Eastern Region  
713.570.4795 o  
713.332.5168 f  
713.252.8064 c

---

**From:** Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]  
**Sent:** Thursday, June 26, 2008 10:48 AM  
**To:** Jason Goodwin; Bob Callery; Heidi Whidden; Forney.Kathleen@epamail.epa.gov; Zhang-Torres  
**Cc:** Sheplak, Scott  
**Subject:** DRAFT/PROPOSED Title V Permit Revision No.: 1050221-015-AV - Calpine Operating Services Company, Inc. - Auburndale Energy Complex

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<<http://www.adobe.com/products/acrobat/readstep.html>> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey <<http://survey.dep.state.fl.us/?refemail=Barbara.Friday@dep.state.fl.us>> . Thank you in advance for completing the survey.