

Adams, Patty

From: Quillian, Ann [Ann.Quillian@pgnmail.com]
Sent: Tuesday, November 21, 2006 10:33 AM
To: Harvey, Mary
Cc: Mitchell, Bruce; Adams, Patty
Subject: RE: Florida Power Corporation dba Progress Energy Florida, Inc. - Permit #1050234-015 - FINAL

E-mail was received with two (2) attachments.

Ann Quillian, PE
Progress Energy

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

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Monday, November 20, 2006 4:38 PM
To: worley.gregg@epa.gov; Quillian, Ann
Cc: Mitchell, Bruce; Adams, Patty
Subject: Florida Power Corporation dba Progress Energy Florida, Inc. - Permit #1050234-015 - FINAL

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

Adams, Patty

From: Harvey, Mary
Sent: Tuesday, November 21, 2006 8:54 AM
To: Mitchell, Bruce; Adams, Patty
Subject: FW: Florida Power Corporation dba Progress Energy Florida, Inc. - Permit #1050234-015 - FINAL

From: Quillian, Ann [<mailto:Ann.Quillian@pgnmail.com>]
Sent: Tuesday, November 21, 2006 8:22 AM
To: Harvey, Mary
Subject: Read: Florida Power Corporation dba Progress Energy Florida, Inc. - Permit #1050234-015 - FINAL

Your message

To: Ann.Quillian@pgnmail.com
Subject:

was read on 11/21/2006 8:22 AM.

Adams, Patty

From: Harvey, Mary
Sent: Tuesday, November 21, 2006 8:54 AM
To: Mitchell, Bruce; Adams, Patty
Subject: FW: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

From: Nasca, Mara
Sent: Tuesday, November 21, 2006 7:49 AM
To: Harvey, Mary
Subject: Read: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Ann.Quillian@pgnmail.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC
Sent: 11/20/2006 4:31 PM

was read on 11/21/2006 7:49 AM.

Adams, Patty

From: Harvey, Mary
Sent: Tuesday, November 21, 2006 8:55 AM
To: Mitchell, Bruce; Adams, Patty
Subject: FW: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

From: Osbourn, Scott [mailto:Scott_Osbourn@golder.com]
Sent: Monday, November 20, 2006 7:11 PM
Subject: Read: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

Your message

To: Scott_Osbourn@golder.com
Subject:

was read on 11/20/2006 7:11 PM.

Adams, Patty

From: Harvey, Mary
Sent: Tuesday, November 21, 2006 8:54 AM
To: Mitchell, Bruce; Adams, Patty
Subject: FW: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

From: Oven, Hamilton
Sent: Tuesday, November 21, 2006 8:03 AM
To: Harvey, Mary
Subject: Read: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Ann.Quillian@pgnmail.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC
Sent: 11/20/2006 4:31 PM

was read on 11/21/2006 8:02 AM.

Adams, Patty

From: Harvey, Mary
Sent: Monday, November 20, 2006 4:31 PM
To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Ann.Quillian@pgnmail.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: Final Permit -Florida Power Corporation dba Progress Energy Florida, Inc. #1050234-015-AC
Attachments: Florida Power Corporation - #1050234-015-AC-FINAL.zip

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).

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Thank you,

DEP, Bureau of Air Regulation

Adams, Patty

From: Harvey, Mary
Sent: Monday, November 20, 2006 4:38 PM
To: 'worley.gregg@epa.gov'; 'Ann.Quillian@pgnmail.com'
Cc: Mitchell, Bruce; Adams, Patty
Subject: Florida Power Corporation dba Progress Energy Florida, Inc. - Permit #1050234-015 - FINAL
Attachments: Certificate of Service-LTR-#1050234-015-AC-FINAL.pdf; 1050234 015 AC letterAC Final FPCdbaPEFI Hines Energy Complex - #1050234-015 - FINAL.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).

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
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Thank you,

DEP, Bureau of Air Regulation


Florida Department of
Environmental Protection

Memorandum

TO: Joseph Kahn
THRU: Trina Vielhauer 
THRU: Jeff Koerner 
FROM: Bruce Mitchell 
DATE: November 16, 2006
SUBJECT: Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex
Final Air Construction Permit
1050234-015-AC/PSD-FL-195(D)/296(C)/330(B)

Attached is the Final Air Construction Permit.

The subjects of the Air Construction Permit are: (1) removal of Emergency Diesel Generator, Emissions Unit - 004, from the facility because it was never built; (2) allow the latest ASTM analytical methods for testing of the sulfur content of the fuels contained in 40 CFR 60, Subpart GG; and, (3) allow certain Power Blocks CEMS data exclusion of excess emissions for "Cold Start of the CT-HRSG", "Cold Startup of the Combustion Turbine Generator", and "Fuel Switches".

One comment was made regarding the draft air construction permit during the Public comment period. The comment resulted in no change to the permit. Therefore, it is recommended that the attached air construction permit be signed. 

Attachments

JK/tlv/jk/bm

Final Determination

Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex

Air Construction Permit No.: 1050234-015-AC
PSD Permit Amendments Nos.: PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B)

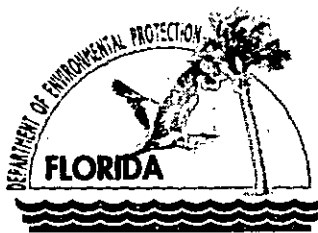
Facility ID: 1050234

An "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" to Florida Power Corporation dba Progress Energy Florida, Inc. (PEF) for the Hines Energy Complex's Power Blocks 1, 2 and 3, located off County Road 555, approximately 2.5 miles South of County Road 640, Polk County, was clerked on October 27, 2006. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" was published in The Ledger on November 1, 2006. The Draft Permit was available for public inspection at the Department's Southwest District office in Tampa and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" was received on November 8, 2006, via e-mail, and on November 13, 2006, by mail.

During the Public Notice period, only the applicant provided comments. Only one comment regarded the air construction permit and is addressed in the following paragraph.

In the modification to Condition C.1., PSD-FL-195(B), the text of Rule 62-297.310(2), F.A.C., was omitted. The text established the SIP requirements for the capacity at which an emissions unit is to be tested. The commenter wondered why it was omitted in this instance. The reason that this text was omitted is because the emissions units have already been built, initially compliance tested, and the resultant SIP rule is an applicable requirement and currently carried in the Common Conditions under Section III., Subsection H., Specific Condition H.4., Title V permit No. 1050234-008-AV. Therefore, no change will be made.

The final action of the Department is to issue the Final Air Construction Permit (letter) as drafted.



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

November 20, 2006

(Electronically Sent – Received Receipt Requested)

Mr. Martin J. Drango, Plant Manager
Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex
100 Central Avenue, CX1B
St. Petersburg, Florida 33701

Re: Project No. 1050234-015-AC
Permit Nos. PSD-FL-195(D) / PSD-FL-296(C) / PSD-FL-330(B)
Power Plant Siting: PA 92-33
Hines Energy Complex
Power Block 1 (EUs 001 & 002), Power Block 2 (EUs 014 & 015), Power Block 3 (EUs 016 & 017), and
the Emergency Generator (EU 004)

Dear Mr. Drango:

You submitted an application to modify the above referenced air construction permits to: (1) remove the Emergency Generator; (2) for Power Blocks 1 - 3, allow the use of the ASTM analytical methods for testing the sulfur content of the fuels as established in 40 CFR 60, Subpart GG; (3) for Power Block 1, allow CEMS data exclusion for fuel switches; and, (4) for Power Blocks 2 and 3, revise the duration of CEMS data exclusions due to cold startups and fuel switches. Based on the additional supporting information provided, the Department approves these requests as specified in the following revised conditions. This is the final permit modification, which modifies the original air construction permits. Additions are double-underlined and deletions are single strike-through.

Permit No. PSD-FL-195(D)

Emergency Generator (EU 004)

A.3. Only natural gas (NG) or low sulfur fuel oil shall be fired in each combustion turbine and the auxiliary boiler. ~~Only low sulfur fuel oil shall be fired in the diesel generator. The maximum sulfur content of the low sulfur fuel oil shall not exceed 0.05 percent, by weight.~~

B.8. ~~Reserved.~~ Operation of the emergency diesel generator shall be limited to a maximum of 100 hours per year and only during periods of on-site emergency power needs (when no other power source is available) or during periodic testing. The following emission limitations shall apply:

- a. ~~NO_x emissions shall not exceed 9.82 grams/hp-hr.~~
- b. ~~Sulfur dioxide emissions shall be limited by firing only low sulfur fuel oil with maximum sulfur content of 0.05 percent by weight.~~
- c. ~~Visible emissions shall not exceed 20 percent opacity.~~

"More Protection, Less Process"

Printed on recycled paper.

Power Block 1 (EU 1 and 2)

B.3. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period except in the event that the steam turbine has been shut down for 8 hours or more. During a cold start-up to combined cycle operation, up to four hours of excess emissions are allowed in a 24-hour period. Cold start-up is defined as a start-up to combined cycle operation following a steam turbine shutdown of greater than 48 hours. During a warm start up to combined cycle operation, up to three hours of excess emissions are allowed in a 24-hour period. Warm start-up is defined as a startup to combined cycle operation following a steam turbine of greater than 8 hours and less than 48 hours. During fuel switches (oil-to-gas or gas-to-oil), up to two (2) hours of excess emissions per fuel switch per emissions unit are allowed.

[Applicant Request; Vendor Combined Cycle Startup Curves Data; Rule 62-210.700, F.A.C.; and, Permit No. PSD-FL-195(D)/Project No. 1050234-015-AC]

C.1. Initial (I) and annual (A) compliance test shall be performed on each CT with the fuel(s) indicated below. Tests shall be conducted using EPA reference methods in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter Rule 62-297, F.A.C.:

No changes were made to paragraphs a. through e.

- f. The permittee shall determine compliance (I, A) with the sulfur standards for distillate oil by using the ASTM reference methods specified in 40 CFR 60, Subpart GG, or their latest editions. ASTM D4294 (or equivalent) for sulfur content of distillate oil (I,A), which can be used for determining SO₂ emissions annually. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- g. The permittee shall determine compliance (I) with the sulfur standards for natural gas by using the ASTM reference methods specified in 40 CFR 60, Subpart GG, or their latest editions. ASTM D1072-80, D3031-81, or D3246-81 (or equivalent) for sulfur content of natural gas (I). See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.

No changes were made to paragraphs h. and i.

C.2. The maximum sulfur content of the low sulfur fuel oil shall not exceed 0.05 percent, by weight. Compliance shall be demonstrated in accordance with the requirements of 40 CFR 60.334 40 CFR 60, Subpart GG, or their latest editions, testing for sulfur content of the fuel oil in the storage tanks on each occasion that fuel is transferred to the storage tanks from any other source. Testing for fuel bound nitrogen content by ASTM D3431 or D4629 or other equivalent ASTM method and for fuel oil higher heating value; shall also be conducted in accordance with 40 CFR 60, Subpart GG, or their latest editions, on the same schedule. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.

Permit No. PSD-FL-296(C)

Power Block 2 (EU 014 and EU 015)

13. CEMS Data Exclusion: As provided in this paragraph, NO_x and CO emissions data recorded during periods of startup, shutdown, ~~oil to gas~~ fuel switches (oil-to-gas or gas-to-oil), and documented malfunctions may be excluded from the block average calculated to demonstrate compliance with the emission limits of this permit Condition No. 9 of this section.

- a. Periods of excess emissions data excluded for due to startup shall not exceed two (2) hours per startup per unit in any 24-hour block except for the following cold startups. A "cold STG startup" is defined as a startup following a complete steam turbine generator (STG) shutdown lasting a minimum of 48 hours. Periods of excess emissions data excluded for due to cold STG startup shall not exceed ~~four~~ six (6) hours per startup per unit in any 24-hour block period. A "cold CT-HRSG startup" is defined as startup

following a complete shutdown of the combustion turbine-heat recovery steam generator (CT-HRSG) lasting a minimum of 8 hours. Periods of excess emissions excluded due to cold CT-HRSG startup shall not exceed three (3) hours per startup per unit.

- b. Periods of data excluded for shutdown shall not exceed two (2) hours per shutdown per unit in any 24-hour block.
- c. Periods of data excluded for ~~oil to gas~~ fuel switches shall not exceed two (2) hours per fuel switch per unit in any 24-hour block.
- d. Periods of data excluded for documented malfunctions shall not exceed two (2) hours per unit in any 24-hour block. A "documented malfunction" means a malfunction that meets the notification requirements specified in Condition No. 26. of this section.
- e. All periods of data excluded for any startup, shutdown, ~~oil to gas~~ fuel switches, or documented malfunction shall be consecutive for each episode. ~~Periods of data excluded for all startups, shutdowns, oil to gas fuel switches, or documented malfunctions shall not exceed six hours in any 24-hour block period during which a cold startup occurred. For all other 24-hour block periods, periods of data excluded for all startups, shutdowns, oil to gas fuel switches, or documented malfunctions shall not exceed four hours.~~
- f. The permittee shall minimize the duration of data excluded to the extent practicable. Data shall not be excluded if the startup, shutdown, or documented malfunction was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably have been prevented. Best operating practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown, ~~oil to gas~~ fuel switching, or documented malfunction.

[Rules 62-212.400(BACT) and 62-210.700, F.A.C.; and, Permit No. PSD-FL-296(C)/Project No. 1050234-015-AC ~~1050234-007-AC/PSD-FL-296~~]

25. Fuel Sulfur Records: The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

- a. Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas shall be ASTM methods in accordance with 40 CFR 60, Subpart GG D4084-82, D3246-81 or more recent versions. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- b. Compliance with the distillate oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. ~~Sampling the fuel oil sulfur content shall be conducted in accordance with ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM D129-91, ASTM D1552-90, ASTM D2622-94, or ASTM D4294-90. Sampling and analysis for the fuel oil sulfur content shall be conducted in accordance with the methods in 40 CFR 60, Subpart GG, or their latest editions. More recent versions of these methods may be used.~~ For each subsequent fuel delivery, the permittee shall either (1) maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor, or (2) take and analyze a sample according to the above procedures and maintain a permanent file of the results of the analysis. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.

- c. The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75, Appendix D.

[Rules 62-4.070(3) and 62-4.160(15), F.A.C.; and, Permit No. PSD-FL-296(C)/Project No. 1050234-015-AC 1050234-007-AC/PSD-FL-296(A)]

Permit No. PSD-FL-330(B)

Power Block 3 (EU 016 and EU 017)

13. CEMS Data Exclusion: As provided in this paragraph, NO_x and CO emissions data recorded during periods of startup, shutdown, ~~oil to gas fuel switches (oil-to-gas or gas-to-oil)~~, and documented malfunctions may be excluded from the block average calculated to demonstrate compliance with the emission limits of this permit Condition No. 9 of this section.

- a. Periods of ~~excess emissions data~~ excluded ~~for~~ due to startup shall not exceed two (2) hours per startup per unit in any 24-hour block except for the following cold startups. A “cold STG startup” is defined as a startup following a complete steam turbine generator (STG) shutdown lasting a minimum of 48 hours. Periods of ~~excess emissions data~~ excluded ~~for~~ due to cold STG startup shall not exceed ~~four~~ six (6) hours per startup per unit in any 24-hour block period. A “cold CT-HRSG startup” is defined as startup following a complete shutdown of the combustion turbine-heat recovery steam generator (CT-HRSG) lasting a minimum of 8 hours. Periods of excess emissions excluded due to cold CT-HRSG startup shall not exceed three (3) hours per startup per unit.
- b. Periods of data excluded for shutdown shall not exceed two (2) hours per shutdown per unit in any 24-hour block.
- c. Periods of data excluded for ~~oil to gas fuel switches~~ shall not exceed two (2) hours per fuel switch per unit in any 24-hour block.
- d. Periods of data excluded for documented malfunctions shall not exceed two (2) hours per unit in any 24-hour block. A “documented malfunction” means a malfunction that meets the notification requirements specified in Condition No. 26. of this section.
- e. All periods of data excluded for any startup, shutdown, ~~oil to gas fuel switches~~, or documented malfunction shall be consecutive for each episode. ~~Periods of data excluded for all startups, shutdowns, oil to gas fuel switches, or documented malfunctions shall not exceed six hours in any 24-hour block period during which a cold startup occurred. For all other 24-hour block periods, periods of data excluded for all startups, shutdowns, oil to gas fuel switches, or documented malfunctions shall not exceed four hours.~~
- f. The permittee shall minimize the duration of data excluded to the extent practicable. Data shall not be excluded if the startup, shutdown, or documented malfunction was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably have been prevented. Best operating practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown, ~~oil to gas fuel switching~~, or documented malfunction.

[Rules 62-212.400(BACT) and 62-210.700, F.A.C.; and, Permit No. PSD-FL-330(B)/Project No. 1050234-015-AC 1050234-006-AC/PSD-FL-330]

25. Fuel Sulfur Records: The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

- a. Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas

shall be ASTM methods in 40 CFR 60, Subpart GG, or their latest editions D4084-82, D3246-81 or more recent versions. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.

- b. Compliance with the distillate oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. ~~Sampling the fuel oil sulfur content shall be conducted in accordance with ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM D129-91, ASTM D1552-90, ASTM D2622-94, or ASTM D4294-90. Sampling and analysis for the fuel oil sulfur content shall be conducted using the ASTM methods in 40 CFR 60, Subpart GG, or their latest editions. More recent versions of these methods may be used.~~ For each subsequent fuel delivery, the permittee shall either (1) maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor, or (2) take and analyze a sample according to the above procedures and maintain a permanent file of the results of the analysis. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- c. The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75, Appendix D.

[Rules 62-4.070(3) and 62-4.160(15), F.A.C.; and, Permit No. PSD-FL-330(B)/Project No. 1050234-015-AC 1050234-006-AC/PSD-FL-330]

A copy of this letter (permit modification) shall be filed with the referenced permits and shall become a part of each permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Joseph Kahn, Director
Division of Air Resource Management

JK/jfk/bm

cc: Mr. Martin J. Drango, Hines Energy Complex (martin.drango@pgnmail.com)
Ms. Ann Quillian, Progress Energy Services Company (Ann.Quillian@pgnmail.com)
Mr. Scott Osbourn, Golder Associates Inc. (sosbourn@golder.com)
Ms. Mara Nasca, SWD Office (Nasca_M@dep.state.fl.us)
Mr. Hamilton Oven, P.E., DEP-SCO (Oven_H@dep.state.fl.us)
Mr. Gregg Worley, U.S. EPA Region 4 (worley.gregg@epamail.epa.gov)

Final Air Construction Permit No.: 1050234-015-AC/PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B)
Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Permit and all copies were sent electronically (with Received Receipt requested) before the close of business on 11/20/06 to the person(s) listed below:

Mr. Martin J. Drango, Plant Manager and R.O., PEFI (martin.drango@pgnmail.com)

Ms. Mara Nasca, DAPA, DEP-SWD (Nasca_M@dep.state.fl.us)

Mr. Scott Osbourn, P.E., GAI (sosbourn@golder.com)

Mr. Hamilton Oven, P.E., DEP-SCO (Oven_H@dep.state.fl.us)

Ms. Ann Quillian, P.E., Application Contact (Ann.Quillian@pgnmail.com)

Mr. Gregg Worley, U.S. EPA, Region 4 (worley.gregg@epamail.epa.gov) ✓ *send separate*

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.

Mary J. Arroyo 11/20/06
(Clerk) (Date)

Friday, Barbara

To: martin.drango@pgnmail.com; Nasca, Mara; sosbourn@golder.com; Oven, Hamilton; Quillian, Ann

Cc: Mitchell, Bruce

Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Attachments: Appendix TV-6.pdf; 297310-1.pdf; 1050234.014.AV.FinalPermitSignaturePage.pdf; 1050234.014.AV.Renewal.FPCdbaPEF.Hines.Energy.Complex.notice.of.final.permit.pdf; 1050234.014.AV.Renewal.SOB.FINAL.PEF.Hines.Energy.Complex.pdf; 1050234f.014.AV.Renewal.PEFI.Hines.Energy.Complex.pdf; 1050234G.014.AV.Renewal.FINAL.PEF.Hines.Energy.Complex.pdf; 1050234H.014.AV.Renewal.FINAL.PEFI.Hines.Energy.Complex.pdf; 1050234U.014.AV.Renewal.FINAL.PEF.Hines.Energy.Complex.pdf; Acid Rain Part Renewal Application - PEF Hines Energy Complex.pdf; Alternate Sampling Schedule - ASP Number 97-B-01.pdf; Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.pdf; Appendix SS-1.pdf; Order Correcting Scrivener's Error - ASP No. 97-B-01.pdf; FIGURE1.pdf

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Thank you,

DEP, Bureau of Air Regulation

12/28/2006

Friday, Barbara

From: Drango, Martin J [Martin.Drango@pgnmail.com]
Sent: Thursday, December 28, 2006 11:00 AM
To: Friday, Barbara; Nasca, Mara; sosbourn@golder.com; Oven, Hamilton; Quillian, Ann
Cc: Mitchell, Bruce; Lobe, Mark A; ONeal, Tommy
Subject: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

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

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, December 28, 2006 10:48 AM
To: Drango, Martin J; Nasca, Mara; sosbourn@golder.com; Oven, Hamilton; Quillian, Ann
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines 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).

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Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: System Administrator
To: Oven, Hamilton
Sent: Thursday, December 28, 2006 10:49 AM
Subject: Delivered:FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex
Sent: 12/28/2006 10:48 AM

was delivered to the following recipient(s):

Oven, Hamilton on 12/28/2006 10:49 AM

Friday, Barbara

From: Oven, Hamilton
To: Friday, Barbara
Sent: Thursday, December 28, 2006 11:04 AM
Subject: Read: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex
Sent: 12/28/2006 10:48 AM

was read on 12/28/2006 11:04 AM.

Friday, Barbara

From: Oven, Hamilton
Sent: Thursday, December 28, 2006 11:06 AM
To: Friday, Barbara
Subject: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

From now on out, replace my name with Mike Halpin and Ann Seiler for these type of Notices. My last day will be 1/31/07.

Thanks,
Buck

From: Friday, Barbara
Sent: Thursday, December 28, 2006 10:48 AM
To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

12/28/2006

Friday, Barbara

From: System Administrator
To: Nasca, Mara
Sent: Thursday, December 28, 2006 10:49 AM
Subject: Delivered:FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex
Sent: 12/28/2006 10:48 AM

was delivered to the following recipient(s):

Nasca, Mara on 12/28/2006 10:49 AM

Friday, Barbara

From: Nasca, Mara
To: Friday, Barbara
Sent: Thursday, December 28, 2006 10:50 AM
Subject: Read: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex
Sent: 12/28/2006 10:48 AM

was read on 12/28/2006 10:50 AM.

Friday, Barbara

From: Nasca, Mara
To: Friday, Barbara
Sent: Thursday, December 28, 2006 10:51 AM
Subject: Read: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: Nasca, Mara
Subject: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex
Sent: 12/28/2006 10:51 AM

was read on 12/28/2006 10:51 AM.

Friday, Barbara

From: Nasca, Mara
Sent: Thursday, December 28, 2006 10:51 AM
To: Friday, Barbara
Cc: Zhang-Torres; Prickett, Patricia
Subject: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Thanks Barbara

From: Friday, Barbara
Sent: Thursday, December 28, 2006 10:48 AM
To: 'martin.drango@pgnmail.com'; Nasca, Mara; 'sosbourn@golder.com'; Oven, Hamilton; 'Quillian, Ann'
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

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Thank you,

DEP, Bureau of Air Regulation

12/28/2006

Friday, Barbara

To: sosbourn@golder.com
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc.
- Hines Energy Complex
Attachments: 1050234.014.AV.F_pdf[1].zip

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

12/28/2006

Friday, Barbara

From: Exchange Administrator
Sent: Thursday, December 28, 2006 11:03 AM
To: Friday, Barbara
Subject: Delivery Status Notification (Relay)

Attachments: ATT644276.txt; FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex



ATT644276.txt (286 B) FINAL Title V Permit Renewal N...

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.

sosbourn@golder.com

Friday, Barbara

From: Osbourn, Scott [Scott_Osbourn@golder.com]
Sent: Thursday, December 28, 2006 11:21 AM
Subject: Read: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: Scott_Osbourn@golder.com
Subject:

was read on 12/28/2006 11:21 AM.

Friday, Barbara

From: Quillian, Ann [Ann.Quillian@pgnmail.com]
To: Friday, Barbara
Sent: Thursday, December 28, 2006 2:11 PM
Subject: Read: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Your message

To: Ann.Quillian@pgnmail.com
Subject:

was read on 12/28/2006 2:11 PM.

Friday, Barbara

From: Quillian, Ann [Ann.Quillian@pgnmail.com]
Sent: Thursday, December 28, 2006 2:14 PM
To: Friday, Barbara
Cc: Drango, Martin J; Lobe, Mark A
Subject: RE: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

I received your e-mail along with 15 attachments.

Thanks,
Ann Quillian
Progress Energy

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

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, December 28, 2006 10:48 AM
To: Drango, Martin J; Nasca, Mara; sosbourn@golder.com; Oven, Hamilton; Quillian, Ann
Cc: Mitchell, Bruce
Subject: FINAL Title V Permit Renewal No.: 1050234-014-AV - FPC dba Progress Energy Florida, Inc. - Hines Energy Complex

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

12/28/2006

Mitchell, Bruce

From: Mitchell, Bruce
Sent: Friday, December 22, 2006 2:57 PM
To: Friday, Barbara
Cc: Koerner, Jeff
Subject: PEF's Hines Energy Complex: Posting and electronic mailing of the FINAL Title V Permit Renewal: 1050234-014-AV.

12/22/06

RE: PEF's Hines Energy Complex: Posting and electronic mailing of the FINAL Title V Permit Renewal: 1050234-014-AV.

Dear Barbara,

I have placed all of the pertinent files for this project in the following folder, including all of the "Attachments":
o:Bar/Title V/BRUCE/PERMITS: 1050234.014.AV.Renewal.015.AC.PEF.Hines.Energy.Complex.FINAL

Many thanks,


Bruce


12/22/2006


Memorandum

Florida Department of Environmental Protection

TO: Joseph Kahn

THRU: Trina Vielhaus 

THRU: Jeff Koerner 

FROM: Bruce Mitchell 

DATE: December 19, 2006

SUBJECT: Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex
FINAL Title V Air Operation Permit Renewal
1050234-014-AV

Attached is the FINAL Title V Air Operation Permit Renewal.

The subject of the Title V Air Operation Permit is for the renewal of the initial Title V Air Operation Permit, No. 1050234-001-AV, and the incorporation of the terms and conditions in Air Construction Permit, No. 1050234-015-AC/PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B). The Air Construction Permit became effective on November 20, 2006, and allowed the following: (1) removal of an Emergency Diesel Generator, Emissions Unit - 004, from the permit because it was never built; (2) the latest ASTM analytical methods for testing of the sulfur content of the fuels contained in 40 CFR 60, Subpart GG; and, (3) certain Power Blocks' CEMS data exclusion of excess emissions for "Cold Start of the CT-HRSG", "Cold Startup of the Combustion Turbine Generator", and "Fuel Switches".

There were no comments received from the U.S. EPA, Region 4 during its 45-Day review period for the DRAFT/PROPOSED Permit, which concluded on December 17, 2006. The effective date of the FINAL Permit is dated December 27, 2006, which is Day-55 of EPA's review clock for the DRAFT/PROPOSED Permit. However, some minor comments were received from the Ms. Ann Quillian, Application Contact, during the Public Notice period. The comments were addressed in the FINAL Determination. Therefore, it is recommended that the FINAL Permit be signed.

Attachments

TLV/jk/bm

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit Renewal:

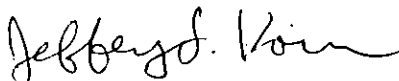
Mr. Martin J. Drango
Plant Manager and R.O.
Florida Power Corporation dba Progress Energy Florida, Inc.
100 Central Avenue, HE-44
St. Petersburg, Florida 33701

Permit Project No.: 1050234-014-AV
Hines Energy Complex
Polk County

Enclosed is the FINAL Title V Air Operation Permit Renewal, No. 1050234-014-AV. The subject of the permitting action is for the renewal of the operation permit and to incorporate the terms and conditions of the air construction permit, No. 1050234-015-AC/PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B), which authorized the following: (1) removal of the Emergency Generator; (2) for Power Blocks 1 - 3, the use of the ASTM analytical methods for testing the sulfur content of the fuels as established in 40 CFR 60, Subpart GG; (3) for Power Block 1, CEMS data exclusion for fuel switches; and, (4) for Power Blocks 2 and 3, revision of the duration of CEMS data exclusions due to cold startups and fuel switches. This permit renewal is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received from the U.S. EPA, Region 4 regarding the DRAFT/PROPOSED Permit; however, some minor comments were received from the applicant during the Public Notice period and are addressed in the FINAL Determination.

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

Executed in Tallahassee, Florida.

For 
Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

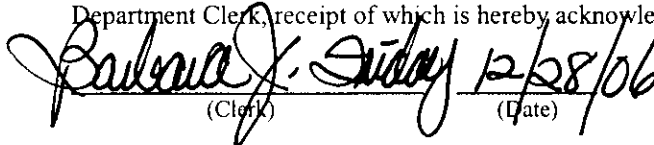
Permit Project No.: 1050234-014-AV

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL Determination and the FINAL Permit) was sent electronically (Received Receipt Requested) before the close of business on 12/28/06 to the person(s) listed or as otherwise noted:

Mr. Martin J. Drango, Plant Manager and R.O., PEF (martin.drango@pgnmail.com)
Ms. Mara Nasca, DAPA, DEP-SWD (Nasca_M@dep.state.fl.us)
Mr. Scott Osbourn, P.E., GAI (sosbourn@golder.com)
Mr. Hamilton Oven, P.E., DEP-SCO (Oven_H@dep.state.fl.us)
Ms. Ann Quillian, P.E., Application Contact, PEF (Ann.Quillian@pgnmail.com)
U.S. EPA, Region 4 (Posted)

Clerk Stamp

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


(Clerk) 12/28/06 (Date)

FINAL Determination

Florida Power Corporation dba Progress Energy Florida, Inc.

Hines Energy Complex

Polk County

Title V Air Operation Permit Renewal No.: 1050234-014-AV

I. Comments.

No comments were received from the U.S. EPA, Region 4 during its 45 day review period of the DRAFT/PROPOSED Permit, which ended on December 17, 2006 (Day-55 is December 27, 2006). However, some minor comments were received from Ms. Ann Quillian, Application Contact, during the Public Notice period. The Department will respond to each comment in the following section.

II. Responses to the comments.

A. Letter from Ms. Ann Quillian, Application Contact, received on November 14, 2006, via e-mail.

1. Statement of Basis.

a. Comment. In the 6th paragraph, 4th line, under Power Block 2, change the heating value from "LHV" to "HHV".

Response: This term is contained in the "Brief Description". Therefore, the request is acceptable and the change was made.

2. Permit Placard Page.

a. Comment. The request is to change the permittee's mailing address to:
FPC dba Progress Energy Florida, Inc.
100 Central Avenue, HE44
St. Petersburg, Florida 33701-5511

Response. The request is acceptable and the change was made.

3. Permit.

a. Comment. Section I. Facility Information. Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s). The request is to change the CT model numbers for Power Block 1 emissions units from "501F" to "501FC".

Response. The request is acceptable and the change was made.

b. Comment. Section II. Facility-wide Conditions. Condition 14. and throughout the permit. The request is to change the abbreviation for Progress Energy Florida, Inc. from "PEFI" to "PEF".

Response. The request is acceptable and the change(s) was made.

c. Comment. Section III. Subsection A. Power Block 1 Emissions Units Nos. -001 and -002. Specific Condition A.5.c. The request is to add a cross reference to Specific Condition A.6., which relates to fuel bound nitrogen content.

Response. The request is acceptable and the change was made.

d. Comment. Section III. Subsection E. Power Block 2 Emissions Units -014 and -015. Brief Description. In the 4th line, the request is to change the heating value from "LHV" to "HHV".

Response: This term is contained in the "Brief Description". Therefore, the request is acceptable and the change was made.

e. Comment. Section III. Subsection F. Power Block 3 Emissions Units -016 and -017. Specific Condition F.3. In the 2nd line, the request is to include "1050234-004-AC/PSD-FL-330(A)" regarding affected permits.
Response. The request is acceptable and the change was made.

f. Comment. Section III. Subsection F. Specific Conditions F.6., F.18. and F.19. Since the combustion turbines and associated HRSGs, CEMS, water injection systems and SCR systems have already been built/installed and the emissions units compliance tested, the request is to remove some obsolete terms of "install", "designed", and "constructed."

Response. The request is acceptable and the changes were made except for F.6.c., which specifies that the HRSG be designed to accommodate an oxidation catalyst as well as establishes lower CO standards should the oxidation catalyst be deemed necessary.

g. Comment. Section III. Subsection F. Specific Condition F.11. In the 2nd line and for clarity purposes, the request is to clarify by adding a parenthetical expression after the term "fuel switches" to reference "oil-to-gas and gas-to-oil", which was done for both Power Blocks 1 and 2.

Response. The request is acceptable and the change was made.

h. Comment. Section III. Subsection F. Specific Condition F.20. Since the "ammonia flow meter" has already been installed and the emissions units compliance tested, the request is to remove the obsolete term of "install".

Response. The request is acceptable and the change was made.

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

a. Comment. The request is to add the following new listings:

- 7. Vehicle fueling station with storage – gasoline and diesel.
- 8. Hydraulic oil storage (300, 200, and 166 gallons).

Response. The request is acceptable and the changes were made.

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

a. Comment. The request is to make editorial changes to the list as follows (using strikethroughs/double underline format):

<u>EU ID No.</u>	<u>Brief Description of Emissions Units and/or Activities</u>
-xxx	Three <u>Two</u> Lube Oil Storage Tanks (two with 7000 gallon capacity, one with 5550 <u>10,000 gallon capacity and 6,200 gallon capacity</u>)
	Two Waste Oil Storage Tanks (500 gallon capacity)
	One No. 2 Fuel Oil Storage Tank (3.80 million gallon capacity)
	One Diesel Fuel Storage Tank (300 gallon capacity)
	One <u>Three</u> Ammonium Storage Tanks (30,000 gallon capacity <u>each</u>)
	One Sodium Hypochlorite Storage Tank (4800 <u>10,000</u> gallon capacity)
	Fuel loading and unloading activities
	Lube oil vents with demisters
	Non-halogenated solvents

Response. The request is acceptable and the changes were made.

III. Conclusion.

In conclusion, the permitting authority hereby issues the FINAL Permit, which includes the minor changes noted above.

Statement of Basis

Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex

Facility ID No.: 1050234
Polk County

Title V Air Operation Permit Renewal
FINAL Permit Project No.: 1050234-014-AV

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

EPA agreed to treat the DRAFT Title V Permit as a PROPOSED Title V 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 was 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 was issued after the conclusion of the 45-day EPA review period, which ended December 17, 2006.

Facility:

The entire facility (inclusive of all Power Blocks 1, 2 & 3) has a total generating capacity of approximately 1560 MWs. This facility is a major source of hazardous air pollutants (HAPs). This facility consists of three power blocks (1, 2 and 3), each with two combined cycle combustion turbines with un-fired heat recovery steam generators (HRSGs), a 99 MMBtu/hr auxiliary boiler, a 97,570 barrel fuel oil storage tank, and a relocatable diesel generator that can be located at various Florida Power Corporation power plants, as needed. Emissions from each CT and HRSG combination are vented through a single stack for each. The combustion turbines may fire fuel oil or natural gas.

Power Block 1: Emission Units -001 (CT1A) and -002 (CT1B).

Emission units 001 and 002 each consist of a combined cycle Westinghouse 501FC Combustion Turbine, each with a nominal generator rating of 170 MW and each with a maximum heat input rating of 1,915 MMBtu/hr (HHV), while firing natural gas, and 2,020 MMBtu/hr (HHV), while firing fuel oil, based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load. For the CTs, the primary fuel is natural gas (NG), which is supplemented with No. 2 fuel oil (FO) with a sulfur content not to exceed 0.05%, by weight. NO_x emissions are controlled with dry low NO_x burners (DLN) for natural gas firing and wet injection for fuel oil firing, complete with Selective Catalytic Reduction (SCR). Each combustion turbine incorporates an unfired heat recovery steam generator (HRSG). Steam from both HRSGs is delivered to a single steam turbine-electrical generator, which has a generating capacity of 160 MW. The total generating capacity of the "2-on-1" combined cycle unit is approximately 500 MW.

These emissions units are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); PSD-FL-195 and revisions (A, B & C); PPSA: PA 92-33; and, Rule 62-212.400(6), F.A.C.

Power Block 2: Emission Units -014 (CT2A) and -015 (CT2B).

Emission units 014 and 015 each consist of a combined cycle Westinghouse 501FD Combustion Turbine, each with a nominal generator rating of 170 MW and each with a maximum heat input rating of 2,048 MMBtu/hr (HHV), while firing natural gas, and 2,155 MMBtu/hr (HHV), while firing fuel oil, based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load. For the CTs, the primary fuel is natural gas (NG), which is supplemented with No. 2 fuel oil (FO) with a sulfur content not to exceed 0.05%, by weight. NO_x emissions are controlled with dry low NO_x burners (DLN) for natural gas firing and wet injection for fuel oil firing, complete with Selective Catalytic Reduction (SCR). Each combustion turbine incorporates an unfired heat recovery steam generator (HRSG). Steam from both HRSGs is delivered to a single steam turbine-electrical generator, which has a generating capacity of 190 MW. The total generating capacity of the "2-on-1" combined cycle unit is approximately 530 MW.

These emissions unit are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); PSD-FL-296 and revisions (A & B); and, Rule 62-212.400(6), F.A.C.

Power Block 3: Emission Units -016 (CT3A) and -017 (CT3B).

Emission units (EU) 016 and 017 are each a Siemens Westinghouse 501FD gas turbine-electrical generator set with an automated gas turbine control system and an unfired heat recovery steam generator (HRSG). In addition, the project also includes a single steam turbine-electrical generator that serves both gas turbine/HRSG systems. Both of the gas turbine-electrical generator sets have a generating capacity of 170 MW for gas firing. Each gas turbine fires natural gas as the primary fuel and distillate oil as a restricted alternate fuel. Steam from both HRSGs is delivered to a single steam turbine-electrical generator, which has a generating capacity of 190 MW. The total generating capacity of the "2-on-1" combined cycle unit is approximately 530 MW. The maximum heat input rate is based on the higher heating value (HHV) of the fuel, which is 2,048 MMBtu/hr (HHV), while firing natural gas, and 2,155 MMBtu/hr (HHV), while firing fuel oil, based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load.

The efficient combustion of natural gas and restricted firing of low sulfur distillate oil minimizes the emissions of CO, PM/PM₁₀, SAM, SO₂ and VOC. Dry low-NO_x (DLN) combustion technology for gas firing and water injection for oil firing reduce NO_x emissions. A selective catalytic reduction (SCR) system – in combination with DLN combustion technology for gas firing and a water injection system for oil firing – reduces NO_x emissions. The HRSGs are designed and constructed such that an oxidation catalyst can be readily installed if necessary to achieve compliance with CO emission limitations.

Each HRSG has a stack that is 125 feet tall and 19 feet in diameter. Each stack is equipped with continuous emissions monitoring systems (CEMS) to measure and record CO and NO_x emissions as well as flue gas oxygen or carbon dioxide content. The Department may require the permittee to perform additional air dispersion modeling should the actual specified stack dimensions change.

These emissions unit are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); PSD-FL-330 and revisions (A); and, Rule 62-212.400(6), F.A.C.

Incorporation of Air Construction Permits

In addition to the permit renewal, the renewal will be used to incorporate the terms and conditions of several Air Construction Permits:

- No. 1050234-006-AC/PSD-FL-330 [Power Block (PB) 3 – initial AC authorization];
- No. 1050234-013-AC/PSD-FL-330(A) [PB3 – change in heat input rate to each combustion turbine, CT3A and CT3B]; and,
- No. 1050234-015-AC/PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B), PB1/PB2/PB3, respectively [PB1, PB2 & PB3 - changes in the ASTM methods for evaluating fuel quality; PB1 – allowing excess emissions for fuel switches (oil-to-gas or gas-to-oil); PB2 and PB3 - changing the timeframes for data exclusion of excess emissions for cold startups and fuel switches; and, the removal of the Emergency Diesel Generator (EU -004), which was never installed].

Miscellaneous

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

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit Renewal:

Mr. Martin J. Drango
Plant Manager and R.O.
Florida Power Corporation dba Progress Energy Florida, Inc.
100 Central Avenue, HE-44
St. Petersburg, Florida 33701

Permit Project No.: 1050234-014-AV
Hines Energy Complex
Polk County

Enclosed is the FINAL Title V Air Operation Permit Renewal, No. 1050234-014-AV. The subject of the permitting action is for the renewal of the operation permit and to incorporate the terms and conditions of the air construction permit, No. 1050234-015-AC/PSD-FL-195(D)/PSD-FL-296(C)/PSD-FL-330(B), which authorized the following: (1) removal of the Emergency Generator; (2) for Power Blocks 1 - 3, the use of the ASTM analytical methods for testing the sulfur content of the fuels as established in 40 CFR 60, Subpart GG; (3) for Power Block 1, CEMS data exclusion for fuel switches; and, (4) for Power Blocks 2 and 3, revision of the duration of CEMS data exclusions due to cold startups and fuel switches. This permit renewal is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received from the U.S. EPA, Region 4 regarding the DRAFT/PROPOSED Permit; however, some minor comments were received from the applicant during the Public Notice period and are addressed in the FINAL Determination.

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

Executed in Tallahassee, Florida.

Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

Permit Project No.: 1050234-014-AV

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL Determination and the FINAL Permit) was sent electronically (Received Receipt Requested) before the close of business on _____ to the person(s) listed or as otherwise noted:

Mr. Martin J. Drango, Plant Manager and R.O., PEF (martin.drango@pgnmail.com)
Ms. Mara Nasca, DAPA, DEP-SWD (Nasca_M@dep.state.fl.us)
Mr. Scott Osbourn, P.E., GAI (sosbourn@golder.com)
Mr. Hamilton Oven, P.E., DEP-SCO (Oven_H@dep.state.fl.us)
Ms. Ann Quillian, P.E., Application Contact, PEF (Ann.Quillian@pgnmail.com)
U.S. EPA, Region 4 (Posted)

Clerk Stamp

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

(Clerk)

(Date)

Florida Power Corporation dba Progress Energy Florida, Inc.
Hines Energy Complex
Facility ID No.: 1050234
Polk County

Title V Air Operation Permit Renewal
FINAL Permit Project No.: 1050234-014-AV

Permitting Authority:

State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation

Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-1344
Fax: 850/922-6979

Compliance Authority:

Department of Environmental Protection
Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Telephone: 813/632-7600
Fax: 813/744-6084

Title V Air Operation Permit Renewal
FINAL Permit No.: 1050234-014-AV

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Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

Permittee:

FPC dba Progress Energy Florida, Inc.
100 Central Avenue, HE44
St. Petersburg, Florida 33701-5511

FINAL Permit No.: 1050234-014-AV

Facility ID No.: 1050234

SIC Nos.: 49, 4911

Project: Title V Air Operation Permit Renewal

The purpose of this permitting action is for the renewal of the initial Title V Air Operation Permit and the incorporation of: (1) the terms and conditions established in the air construction permit (AC), No. 1050234-006-AC/PSD-FL-330, for Power Block 3; (2) the terms and conditions established in the AC, No. 1050234-013-AC, for Power Blocks 2 and 3; and, (3) the terms and conditions established in the AC, No. 1050234-015-AC, for Power Blocks 1, 2 and 3. The existing Hines Energy Complex is located at 7700 County Road 555, 2.5 miles South of County Road 640, Bartow, Polk County. UTM Coordinates are: Zone 17, 414.4 km East and 3073.9 km North. Latitude is: 27° 47' 19" North; and, Longitude is: 81° 52' 10" West.

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

Referenced attachments made a part of this permit:

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

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

Appendix TV-6, Title V Conditions version dated 06/23/2006

Appendix SS-1, Stack Sampling Facilities version dated 10/07/96

Table 297.310-1, Calibration Schedule version dated 10/07/96

Figure 1: Summary Report-Gaseous And Opacity Excess Emissions and Monitoring System Performance

Alternate Sampling Procedure: ASP Number 97-B-01

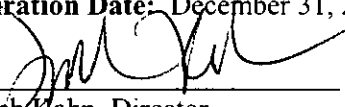
Acid Rain Part Renewal Application received 10/27/2006

Appendix GG - NSPS Subpart GG Requirements for Gas Turbines

Effective Date: January 1, 2007

Renewal Application Due Date: July 5, 2011

Expiration Date: December 31, 2011


Joseph Kahn, Director

Division of Air Resource Management

JK/tlv/jfk/bm

"More Protection, Less Process"

Printed on recycled paper.

Subsection C. Relevant Documents.

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

These documents are provided to the permittee for information purposes only:
Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
Appendix H-1, Permit History/ID Number Changes

Documents on file with USEPA
Risk Management Plan submitted to the RMP Reporting Center on June 21, 2004.

These documents are on file with the permitting authority:
Initial Title V Permit issued May 3, 1999.
Title V Permit Renewal Application received April 21, 2006.
Request for additional information (RAI) mailed/clerked on June 8, 2006.
Response to RAI letter received on September 5, 2006.
Letter with Enclosure from Ms. Ann Quillian received September 15, 2006.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-6, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: APPENDIX TV-6, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}

2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA).

a. As required by Section 112(r)(7)(B)(iii) of the CAA and 40 CFR 68, the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.

b. As required under Section 252.941(1)(c), F.S., the owner or operator shall report to the appropriate representative of the Department of Community Affairs (DCA), as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the CAA.

c. The owner or operator shall submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S., and Rule 9G-21, F.A.C.

Any required written reports, notifications, certifications, and data required to be sent to the DCA, should be sent to:

Department of Community Affairs
Division of Emergency Management
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
Telephone: 850/413-9921, Fax: 850/488-1739

Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, Maryland 20703-1515
Telephone: 301/429-5018

Any required reports to be sent to the National Response Center, should be sent to:

National Response Center
EPA Office of Solid Waste and Emergency Response
USEPA (5305 W)
401 M Street, SW
Washington, D.C. 20460
Telephone: 1/800/424-8802

Send the required annual registration fee using approved forms made payable to:

Cashier
Department of Community Affairs
State Emergency Response Commission
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2149

[Part IV, Chapter 252, F.S.; and, Rule 9G-21, F.A.C.]

5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

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

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

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

7. Not federally enforceable. General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

[Rule 62-296.320(1)(a), F.A.C.; and, 1050234-001-AV]

8. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- Maintenance of paved areas as needed;
- Regular mowing of grass and care of vegetation;
- Limiting access to plant property by unnecessary vehicles; and,
- Fugitive dust emissions during the construction period shall be minimized by covering or watering dust generation areas.

[Rule 62-296.320(4)(c)2., F.A.C.; PSD-FL-195(A); and, 1050234-001-AV]

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

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

10. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 51., APPENDIX TV-6, TITLE V CONDITIONS}

[Rule 62-214.420(11), F.A.C.]

11. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office.

Department of Environmental Protection
Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813/632-7600, Fax: 813/744-6458

12. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9155, Fax: 404/562-9164

13. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]

14. FPC vs. PEF. Where previous text referenced "FPC", for Florida Power Corporation, they have been changed to "PEF" to represent Progress Energy Florida, Inc. FPC is doing business as PEF.

Section I. Facility Information.

Subsection A. Facility Description.

Power Block 1 consists of two combined cycle combustion turbines with unfired heat recovery steam generators (HRSGs), for a nominal total of 500 MWs, a 99 MMBtu/hr auxiliary boiler, and a 97,570 barrel fuel oil storage tank. Emissions from each CT and HRSG combination are vented through a single stack for each.

Power Block 2 consists of two combined cycle combustion turbines with unfired HRSGs, and an associated single steam-turbine electrical generator, for a nominal total of 530 MWs. Emissions from each CT and HRSG combination are vented through a single stack for each.

Power Block 3 consists of two combined cycle combustion turbines with unfired HRSGs, and an associated single steam-turbine electrical generator, for a nominal total of 530 MWs. Emissions from each CT and HRSG combination are vented through a single stack for each.

The entire facility (inclusive of all Power Blocks 1, 2 & 3) has a total generating capacity of approximately 1560 MWs.

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

This facility is a major source of hazardous air pollutants (HAPs).

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

E.U. ID No.	Brief Description
-001	170 MW Westinghouse 501FC CT1A with unfired HRSG
-002	170 MW Westinghouse 501FC CT1B with unfired HRSG
-014	170 MW Westinghouse 501FD CT2A with unfired HRSG
-015	170 MW Westinghouse 501FD CT2B with unfired HRSG
-016	170 MW Westinghouse 501FD CT3A with unfired HRSG
-017	170 MW Westinghouse 501FD CT3B with unfired HRSG
-003	Auxiliary Steam Boiler
-001 (7775047)	Relocatable diesel generator(s) with a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled.

Insignificant Emissions Units and/or Activities

{See Appendix I-1}

Unregulated Emissions Units and/or Activities

{see Appendix U-1}

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

Emission Limitations and Standards

A.5. Emission Limitations.

1. Emissions from the CT, while firing natural gas or low sulfur fuel oil, shall not exceed the following (at 59 °F reference temperature for NO_x emissions) (except during periods of startup, shutdown, malfunction):

Pollutant	Fuel	Basis(g)	CT Allowables	
			lbs/hr	TPY(b)
NO _x (a)	Gas	12 ppmvd (h)	73(i)	639
	Oil	42 ppmvd (c)(h)	305	153
VOC (d)	Gas	7 ppmvw	10.4	91
	Oil	10 ppmvw	19.0	5.6
SO ₂	Gas(f)		4.7	44
	Oil(f)		94	47
CO	Gas	25 ppmvd	77	675
	Oil	30 ppmvd	93	47
VE	Gas	10 percent opacity		
	Oil	20 percent opacity		
PM/PM ₁₀	Gas		15.6	79
	Oil(e)		44.8	21

a. Pollutant emission rates may vary depending on ambient conditions (compressor inlet temperatures) and the CT characteristics. Manufacturer's curves for the NO_x emission rate correction to other temperatures at different loads were provided to the DEP for review and are now a part of this permit (see Appendix G-1). The manufacturer's curves shall be used to establish pollutant emission rates over a range of temperatures for the purpose of compliance determination. Emission limitations in lbs/hr/CT of NO_x are blocked 24-hour averages (midnight to midnight) and are calculated as follows:

NO_x emissions shall be determined continuously by a Continuous Emissions Monitoring System (CEMS). A CEMS operated and maintained in accordance with 40 CFR 75 shall be used. Compliance with the NO_x emissions standards in the above table shall be demonstrated with this CEMS system based on a 24-hour block average. Based on CEMS data at the end of each operating day, new 24-hour average emission rates, both actual and allowable (based on compressor inlet temperatures) are calculated from the arithmetic average of all valid hourly emission rates during the previous 24 operating hours. Valid hourly emission rates shall not include periods of startup (including fuel switching), shutdown, or malfunction as defined in Rule 62-210.200, F.A.C., where emissions exceed the NO_x standard. These excess emission periods shall be reported as required in 40 CFR 60.7(b). A valid hourly emission rate shall be calculated for each hour in which two NO_x and carbon dioxide (or oxygen) concentrations are obtained at least 15 minutes apart. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate the 24-hour block average.

b. Annual emission limits (TPY) for natural gas are based on a total of two CTs operating at full load 8,760 hours per year [i.e., NO_x: 73 lbs/hr x 2 CTs x 8,760 hrs/yr x 1 ton/2,000 lbs = 639 TPY].

Annual emission limits (TPY) for fuel oil are based on full load operation for a total of 1,000 hours per year for the two CTs [i.e., NO_x: 305 lbs/hr x 1,000 hrs/yr x 1 ton/ 2,000 lbs = 153 TPY].

- c. Fuel oil NO_x emissions are based on full load operation and 15 percent oxygen. For fuel oil firing, NO_x levels of 42 ppmvd @ 15 percent O₂ are based on a fuel bound nitrogen content of zero by the firing of No. 2 fuel oil, a distillate, with a maximum sulfur content of 0.05%, by weight. See Specific Condition A.6.
- d. Exclusive of background concentrations.
- e. PM/PM₁₀ emission limitations include sulfuric acid mist.
- f. SO₂ emissions are based on a maximum of 1 grain of S/100 cf of natural gas and 0.05 percent sulfur, by weight, in the fuel oil.
- g. The values are the computational basis for the lbs/hr numbers, which are the actual emission limitations.
- h. At 15 percent O₂, not ISO corrected.
- i. Control of nitrogen oxides from each CT while firing natural gas shall be accomplished using dry low NO_x burners (DLN) and SCR. Ammonia slip shall not exceed 10 ppm.

2. The following pollutants were evaluated under preconstruction review for PSD purposes:

<u>POLLUTANT</u>	<u>METHOD OF CONTROL</u>	<u>Basis (b)</u>
Benzene	Natural Gas	BACT
Inorganic Arsenic	No. 2 Fuel Oil (a)	BACT
Beryllium	No. 2 Fuel Oil (a)	BACT
Mercury	No. 2 Fuel Oil (a)	(c)
Pb	No. 2 Fuel Oil (a)	(c)

- a. The No. 2 fuel oil shall have a maximum sulfur content of 0.05 percent, by weight.
- b. Since these pollutants are inherent constituents in the fuel, the basis for control will be by specifying that only natural gas and No. 2 fuel oil can be fired at the facility.
- c. Below PSD significant emission levels.

[1050234-002-AC/PSD-FL-195(B); and, 40 CFR 60.334(i)(1)]

A.6. Oxides of Nitrogen. In addition to the specific NO_x emission limits specified for each turbine, NO_x emissions shall not exceed any of the following limits:

a. Nitrogen oxide emissions, expressed as NO_x shall not exceed:

$$\text{STD} = 0.0042 + F$$

where:

STD = allowable NO_x emissions (percent by volume at 15 percent O₂ and on a dry basis).

F = NO_x emission allowance for fuel-bound nitrogen defined by the following table:

Fuel-Bound Nitrogen (% by weight)	F (NO _x % by volume)
0 < N < 0.015	0
0.015 < N < 0.03	0.04(N-0.015)

where: N = the nitrogen content of the fuel (% by weight).

[1050234-002-AC/PSD-FL-195(B)]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS, NESHAP, or Acid Rain program provision.}

A.7. Excess emissions resulting from startup, shutdown, or malfunction, shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized.

Excess emissions occurrences shall in no case exceed two (2) hours in any 24-hour period except in the event that the steam turbine has been shut down for 8 hours or more. During a cold start-up to combined cycle operation, up to four (4) hours of excess emissions are allowed in a 24-hour period. Cold start-up is defined as a start-up to combined cycle operation following a steam turbine shutdown lasting at least 48 hours. During a warm start up to combined cycle operation, up to three (3) hours of excess emissions are allowed in a 24-hour period. Warm start-up is defined as a startup to combined cycle operation following a steam turbine shutdown lasting at least 8 hours. During fuel switches (oil-to-gas or gas-to-oil), up to two (2) hours of excess emissions per fuel switch per emissions unit are allowed.

[Applicant Request; Vendor Combined Cycle Startup Curves Data; Rule 62-210.700(1), F.A.C.; and, Permit No. PSD-FL-195(D)/Project No. 1050234-015-AC]

Monitoring of Operations

A.8. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

A.9. For each combined cycle unit, the permittee shall install, operate, and maintain a continuous emission monitoring system (CEMS) (in accordance with 40 CFR 60, Appendix F, or 40 CFR 75, whichever is more stringent) or use other DEP approved alternate methods to monitor nitrogen oxides and, if necessary, a diluent gas (CO₂ or O₂). The Federal Acid Rain Program requirements of 40 CFR 75 shall apply when those requirements become effective for the CTs.

1. Each CEMS shall meet performance specifications of 40 CFR 60, Appendix B, or 40 CFR 75, whichever is more stringent.
2. CEMS data shall be recorded and reported in accordance with 40 CFR 60, Appendix A and Subpart GG, or 40 CFR 75, whichever is more stringent. The record shall include periods of start up, shutdown, and malfunction. Compliance with specific condition **A.5.** for NO_x shall be determined by CEMS on a mass emission rate basis (lbs/hr) using EPA Method 19 and hourly averaged heat inputs (MMBtu/hr).
3. A malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.
4. The procedures under 40 CFR 60.13 or 40 CFR 75, whichever is more stringent, shall be followed for installation, evaluation, and operation of all CEMS.
5. For purposes of the reports required under this permit, excess emissions are defined as any calculated average emission rate, as determined pursuant to specific condition **A.7.**, which exceeds the applicable emission limits in specific condition **A.5.**

[1050234-002-AC/PSD-FL-195(B)]

A.10. Tests Required.

- a. PM, VE, and CO. Except as provided in specific conditions **A.17.**, **A.18.** and **H.3.**, emission testing for particulate matter emissions, visible emissions, and carbon monoxide emissions shall be performed annually.
- b. Volatile Organic Compounds (VOCs). The initial test requirement for VOCs has been satisfied.

[Rules 62-4.070(3), 62-213.440 and 62-297.310(7), F.A.C.]

A.11. The permittee shall monitor sulfur content and nitrogen content of the new No. 2 distillate fuel oil and sulfur content of natural gas. These values may be provided by the vendor and the frequency of determinations of these values shall be as follows:

- a. New No. 2 Distillate Fuel Oil. The values, sulfur and nitrogen content, shall be determined on each occasion that fuel is transferred to the storage tanks from any other source. Records of these values shall be kept by the facility for a five year period for regulatory agency inspection purposes.
- b. Natural Gas. Pursuant to 40 CFR 60, Subpart GG, a custom fuel monitoring schedule for the determination of these values shall be followed for the natural gas fired at this facility and shall be as follows (See Appendix GG, NSPS Subpart GG Requirements for Gas Turbines):

Custom Fuel Monitoring Schedule for Natural Gas (NG)

1. Monitoring of fuel nitrogen content shall not be required if NG is the only fuel being fired in the gas turbines.
2. Sulfur Monitoring:
 - (a). Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. These methods are referenced in 40 CFR 60, Subpart GG. The permittee can use these methods or their latest editions.
 - (b). This custom fuel monitoring schedule shall become effective on May 3, 2001, the date the Initial Title V Permit was issued. Effective the date of this custom schedule, sulfur monitoring shall be

conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR 60.333 and the conditions of this permit, then sulfur monitoring shall be conducted once per quarter for six quarters. If monitoring data is provided by the applicant which demonstrates consistent compliance with the requirements herein the applicant may begin monitoring as per the requirements of 2(c).

(c). If after the monitoring required in item 2(b) above, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333 and the conditions of this permit, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

(d). Should any sulfur analysis as required in items 2(b) or 2(c) above indicate noncompliance with 40 CFR 60.333 and the conditions of this permit, the owner or operator shall notify the Department of such excess emissions and the custom schedule shall be reexamined. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

3. If there is a change in fuel supply, the owner or operator must notify the Department of such change for re-examination of this custom schedule. A substantial change in natural gas quality (i.e., sulfur content varying by more than 1 grain/100 standard cubic feet of gas) shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

4. Records of sample analysis and fuel supply pertinent to this custom schedule shall be retained for a period of five years, and be available for inspection by personnel of federal, state, and local air pollution control agencies.

[40 CFR 60.334; 40 CFR 60.335; PSD-FL-195(B); Custom Fuel Monitoring Schedule Approved on June 1, 2000; and, 1050234-014-AV]

Test Methods and Procedures

A.12. Critical Fuel Parameters. The maximum sulfur content of the low sulfur fuel oil shall not exceed 0.05 percent, by weight. Compliance shall be demonstrated in accordance with the requirements of 40 CFR 60, Subpart GG, or their latest editions, testing for sulfur content of the fuel oil in the storage tanks on each occasion that fuel is transferred to the storage tanks from any other source. Testing for fuel bound nitrogen content per 40 CFR 60, Subpart GG, or their latest editions, and for fuel oil higher heating value, shall also be conducted on the same schedule. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.

[40 CFR 60.334; and, 1050234-015-AC/PSD-FL-195(D)]

A.13. Particulate Matter. The test methods for particulate emissions shall be either EPA Method 5 or Method 17, incorporated by reference in Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; and, 1050234-002-AC/PSD-FL-195(B)]

A.14. Visible Emissions. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; and, 1050234-002-AC/PSD-FL-195(B)]

A.15. Sulfur Dioxide - NSPS. The permittee shall determine compliance with the sulfur standards for distillate oil by using the ASTM reference methods specified in 40 CFR 60, Subpart GG, or their latest editions. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines. [40 CFR 60.334; 40 CFR 60.335; Rules 62-297.440 and 62-297.620(2)(d), F.A.C.; PSD-FL-195(B); and, 1050234-015-AC/PSD-FL-195(D)]

A.16. Carbon Monoxide and Volatile Organic Compounds.

- a. Carbon Monoxide. The test method for carbon monoxide shall be EPA Method 10, incorporated and adopted by reference in Chapter 62-297, F.A.C.
- b. Volatile Organic Compounds (VOCs). The test method for VOCs shall be EPA Method 18 or Method 25A, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rule 62-297.401, F.A.C.; and, 1050234-002-AC/PSD-FL-195(B)]

A.17. Frequency of Compliance Tests. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit. [Rule 62-297.310(7)(a)8., F.A.C.]

A.18. Annual emissions compliance testing for particulate matter emissions, carbon monoxide emissions, and visible emissions shall be performed for oil and only if fuel oil is used for more than 400 hours by the emission unit in the previous federal fiscal year. [1050234-002-AC/PSD-FL-195(B)]

A.19. Other DEP approved methods may be used for compliance testing after prior Departmental approval. [1050234-002-AC/PSD-FL-195(B)]

A.20. To meet the requirements of 40 CFR 60, Subpart GG, the permittee shall use the methods specified in 40 CFR 60.334 and 40 CFR 60.335 to determine the sulfur content of the fuel being burned. The analysis may be performed by the permittee, a service contractor retained by the permittee, the fuel vendor, or any other qualified agency. See specific conditions A.11. and A.12. See Appendix GG, NSPS Subpart GG Requirements for Gas Turbines. [40 CFR 60.334; 40 CFR 60.335; and, 1050234-015-AC/PSD-FL-195(D)]

Continuous Monitoring Requirements

A.21. Oxides of Nitrogen. NO_x emissions shall be determined continuously by a Continuous Emissions Monitoring System (CEMS). A CEMS operated and maintained in accordance with 40 CFR 75 shall be used. Compliance with the NO_x emissions standards in the above table (see specific condition A.5.) shall be demonstrated with this CEMS based on a 24-hour block average. Based on CEMS data at the end of each operating day, new 24-hour average emission rates, both actual and allowable (based on compressor inlet temperatures) are calculated from the arithmetic average of all valid hourly emission rates during the previous 24 operating hours. Valid hourly emission rates shall not include periods of startup (including fuel switching), shutdown, or malfunction as defined in Rule 62-210.200(Definitions), F.A.C., where emissions exceed the NO_x standard. These excess emission periods shall be reported as required by 40 CFR 60.7(b). A valid hourly emission rate shall be calculated for each hour in which two (2) NO_x and carbon dioxide (or oxygen) concentrations are obtained at least 15 minutes apart. When monitoring

data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate the 24-hour block average.
[1050234-002-AC/PSD-FL-195(B)]

Recordkeeping and Reporting Requirements

A.22. To determine compliance with the natural gas and fuel oil firing heat input limitation, the permittee shall maintain daily records of natural gas and fuel oil consumption for each turbine, as well as recent records of the heating value for each fuel. All records shall be maintained for a minimum of five years after the date of each record and shall be made available to representatives of the Department upon request.

[Rule 62-4.070(3), F.A.C.; and, 1050234-002-AC/PSD-FL-195(B)]

Miscellaneous Conditions

A.23. The permittee shall have the option of installing duct module(s) suitable for possible future installation of an oxidation catalyst and/or SCR equipment on each combined cycle generating unit. In the event that the module(s) are not installed in the HRSG, the retrofit costs associated with not making provisions for such technology (initially) shall not be considered in any future economic evaluation to justify not installing SCR or an oxidation catalyst.

[1050234-002-AC/PSD-FL-195(B)]

A.24. Units to be constructed or modified in later phases of the project will be reviewed under the supplementary review process of the Power Plant Siting Act. If site construction has not commenced within 18 months of issuance of this certification, then PEF shall obtain from DEP a review and, if necessary, a modification of the BACT determination and allowable emissions for the unit(s) on which construction has not commenced.

[1050234-002-AC/PSD-FL-195(B)]

Common Conditions

A.25. These emissions unit are also subject to specific conditions **H.1.** through **H.22.** contained in **Subsection H. Common Conditions.**

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

E.U. ID No.	Brief Description
-003	Auxiliary Steam Boiler

Emission unit 003 is a fossil fuel steam boiler rated at 99 MMBtu at 1,050 Btu/cf natural gas (HHV). The boiler provides steam for periods of combustion turbine startup or quick startup out of a short-term shutdown. The boiler has no add-on pollution control equipment. Air pollution emissions are controlled by efficient combustion and firing natural gas.

{Permitting note: The emissions unit is regulated under NSPS - 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, adopted and incorporated by reference in Rule 62-204.800, F.A.C.}

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

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. The maximum operation heat input rate for the boiler is as follows:

Unit No.	Fuel Type	MMBtu/hr Heat Input
003	Natural Gas	.99

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, 1050234-002-AC/PSD-FL-195(B)]

B.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **H.4.**

B.3. Methods of Operation - (i.e., Fuels). Only natural gas shall be fired in the auxiliary steam boiler at all times.

[1050234-003-AC/PSD-FL-195(C)]

B.4. Hours of Operation. The operation of the auxiliary steam boiler shall be limited to a maximum of 1000 hours per year and only during periods of cold CT startup or quick startup out of a short-term shutdown mode, when no other source of steam is available or during periodic testing.

[PSD-FL-195(A); and, Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

B.5. Nitrogen Oxides (NO_x). NO_x emissions shall not exceed 0.1 lb/MMBtu for natural gas firing based on vendor-certified stack test data for this model of auxiliary boiler.

[1050234-003-AC/PSD-FL-195(C)]

B.6. Sulfur Dioxide. Emissions shall be limited by firing natural gas.

[Rule 62-296.406(2), F.A.C.; and, 1050234-003-AC/PSD-FL-195(C)]

B.7. Visible Emissions. Visible emissions shall not exceed 10 percent opacity while burning natural gas.

[1050234-003-AC/PSD-FL-195(C)]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS, NESHAP, or Acid Rain program provision. }

B.8. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two (2) hours in any 24-hour period unless specifically authorized by the Department for a longer duration.
[Rule 62-210.700(1), F.A.C.]

B.9. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.
[Rule 62.210.700(2), F.A.C.]

Test Methods and Procedures

B.10. Visible Emissions. The test method for visible emissions shall be EPA Method 9, incorporated in Chapter 62-297, F.A.C.
[1050234-003-AC/PSD-FL-195(C); and, Rules 62-213.440 and 62-297.401, F.A.C.]

B.11. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
 - a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
 - b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

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

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

B.12. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

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

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

B.13. All recorded data shall be maintained on file by the Source for a period of five (5) years.

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

B.14. Test Reports.

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department's Southwest District office or Southwest District Branch office on the results of each such test.
- (b) The required test report shall be filed with the Department's Southwest District office or Southwest District Branch office as soon as practical but no later than 45 days after the last sampling run of each test is completed.

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

B.15. This emissions unit is also subject to specific conditions **H.1** through **H.22.** contained in **Subsection H. Common Conditions.**

Subsection C. Reserved.

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

Facility ID No.	E.U. ID No.	Brief Description
7775047	-001	Relocatable diesel generator(s) with a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2,460 kilowatts. Emissions from the generator(s) are uncontrolled.

The generators may be relocated to any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. Hines Energy Complex, County Road 555, 1 mi. southwest of Homeland, Polk County.
7. Anclote Power Plant, 1729 Baileys Road, Holiday, Pasco County

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Each generator has its own stack. This section of the permit is only applicable when the generator(s) is(are) located at the Hines Energy Complex. }

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

Essential Potential to Emit (PTE) Parameters

D.1. Permitted Capacity. The maximum (combined) heat input rate shall not exceed 25.74 million Btu per hour.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

D.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **D.13.**
[Rule 62-297.310(2), F.A.C.]

D.3. Methods of Operation - Fuels. Only new No. 2 fuel oil with a maximum sulfur content of 0.5%, by weight, shall be fired in the diesel generator(s).
[Rule 62-213.410, F.A.C.; and, AC09-202080]

D.4. Hours of Operation. The hours of operation expressed as "engine-hours" shall not exceed 2,970 hours in any consecutive 12-month period. The total hours of operation expressed as "engine-hours" shall be the summation of the individual hours of operation of each generator.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AC09-202080]

Emission Limitations and Standards

D.5. Visible Emissions. Visible emissions from each generator shall not be equal to or greater than 20 percent opacity, six minute average.
[Rule 62-296.320(4)(b)1., F.A.C.; and, AC09-202080]

Excess Emissions

D.6. Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two (2) hours in any 24-hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

D.7. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

D.8. Fuel Sulfur Analysis. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor or permittee upon each fuel delivery. See specific conditions **D.3.** and **D.10.**
[Rule 62-213.440, F.A.C.]

Test Methods and Procedures

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

D.10. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s).
[Rules 62-213.440 and 62-297.440, F.A.C.]

D.11. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning liquid fuels for less than 400 hours per year.
[Rules 62-297.310(7)(a)4. & 8., F.A.C.]

D.12. After each relocation, each generator shall be tested within 30 days of startup for opacity and the fuel shall be analyzed for the sulfur content. See specific conditions **D.3.**, **D.5.** and **D.8.**
[Rules 62-4.070(3) and 62-297.310(7)(b), F.A.C.; and, AO09-205952]

D.13. Operating Rate During Testing. Testing of emissions shall be conducted with the generator(s) operating at 90 to 100 percent of the maximum fuel firing rate for each generator. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case,

subsequent emissions unit operations may be limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Failure to submit the actual operating rate may invalidate the test. [Rules 62-297.310(2), F.A.C.; and, AC09-202080]

Recordkeeping and Reporting Requirements

D.14. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, the owner or operator shall notify the Department's Southwest District Air Section, in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department's Southwest District Air Section. [Rule 62-210.700(6), F.A.C.]

D.15. Test Reports.

- (a) Each generator shall be tested on an annual basis within 30 days of the date October 25.
 - (b) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.
 - (c) The required test report shall be filed with the Department's Southwest District office, as soon as practical but no later than 45 days after the last sampling run of each test is completed.
 - (d) The test reports for a unit that has been relocated shall be submitted to the Department's Southwest District office.
- [Rule 62-297.310(8), F.A.C.; and, AO09-205952]

D.16. To demonstrate compliance with specific condition **D.4.**, records shall indicate the daily hours of operation for each of the generators, the daily hours of operation expressed as "engine-hours" and the cumulative total hours of operation expressed as "engine-hours" for each month. The records shall be maintained for a minimum of 5 years and made available to the Department's Southwest District office upon request. The records shall be maintained at each individual site. [Rules 62-213.440 and 62-297.310(8), F.A.C.; and, AO09-205952]

D.17. To demonstrate compliance with specific condition **D.3.**, records of the sulfur content, in percent by weight, of all the fuel burned shall be kept based on either vendor provided as-delivered or as-received fuel sample analysis. The records shall be maintained for a minimum of 5 years and made available to the Department's Southwest District office upon request. The records shall be maintained at each individual site. [Rule 62-297.310(8), F.A.C.; and, AC09-202080]

Source Obligation

D.18. Source Obligation. Specific conditions in construction permit AC 09-202080, limiting the “engine hours”, were accepted by the applicant to escape Prevention of Significant Deterioration new source review. If PEF requests a relaxation of any of the federally enforceable emission limits in this permit, the relaxation of limits may be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., as though construction had not yet begun.
[Rule 62-212.400(12)(b), F.A.C.; and, AC09-202080]

D.19. PEF shall notify the Department’s Southwest District office, in writing, at least 15 days prior to the date on which any diesel generator is to be relocated. The notification shall specify the following:

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

[Rule 62-4.070(3), F.A.C.; and, AC09-202080]

D.20. These emissions units are also subject to specific conditions **H.1.** through **H.22.**, except for specific condition **H.4**, contained in **Subsection H. Common Conditions.**

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

E.U. ID No.	Brief Description of Power Block 2
-014	170 MW Westinghouse 501FD CT2A with unfired HRSG
-015	170 MW Westinghouse 501FD CT2B with unfired HRSG

Emission units 014 and 015 each consist of a combined cycle Westinghouse 501FD Combustion Turbine, each with a nominal generator rating of 170 MW and each with a maximum heat input rating of 2,048 MMBtu/hr (HHV), while firing natural gas, and 2,155 MMBtu/hr (HHV), while firing fuel oil, based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load. NO_x emissions are controlled with dry low NO_x burners (DLN) for natural gas firing and wet injection for fuel oil firing, complete with Selective Catalytic Reduction (SCR). Each combustion turbine incorporates an unfired heat recovery steam generator (HRSG). Steam from both HRSGs is delivered to a single steam turbine-electrical generator, which has a generating capacity of 190 MW. The total generating capacity of the "2-on-1" combined cycle unit is approximately 530 MW.

{Permitting notes: These emissions unit are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); PSD-FL-296 and revisions (A & B); and, Rule 62-212.400(6), F.A.C.}

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

General

E.0. Appendix GG - NSPS Subpart GG Requirements for Gas Turbines is a part of the permit and Power Block 2 must comply with it.

[1050234-015-AC/PSD-FL-195(D)]

Essential Potential to Emit (PTE) Parameters

E.1. Permitted Capacity. The maximum heat input rates, based on the higher heating value of the fuels, and an ambient air temperature of 59 °F, shall not exceed 2,048 MMBtu per hour when firing natural gas and 2,155 MMBtu per hour when firing distillate oil (based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load). Heat input rates will vary depending upon gas turbine characteristics, ambient conditions, alternate fuels, and evaporative cooling. The permittee shall provide manufacturer's performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the initial compliance testing. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves and/or equations on file with the Department.

[Rule 62-210.200(PTE), F.A.C.; 1050234-007-AC/PSD-FL-296(A); and, 1050234-011-AC/PSD-FL-296(B)]

E.2. Equipment and Controls - Gas Turbines. The permittee is authorized to install, tune, operate, and maintain two Siemens Westinghouse Model 501 FD gas turbine-electrical generator sets each with a generating capacity of 170 MW. Each gas turbine shall include the Siemens TXP automated gas turbine control system and have dual-fuel capability. The gas turbines will utilize DLN combustors.
[Application; and, Design]

a. Gas Turbine NO_x Controls

1. DLN Combustion. The permittee shall operate and maintain the DLN combustion system to control NO_x emissions from each gas turbine when firing natural gas. Prior to the initial emissions performance tests required for each gas turbine, the DLN combustors and automated gas turbine control system shall be tuned, in conjunction with any post-combustion emissions control equipment, to achieve the permitted levels for CO and NO_x emissions. Thereafter, each system shall be maintained and tuned in accordance with the manufacturer's recommendations.
2. Water Injection. The permittee shall install, operate, and maintain a water injection system to reduce NO_x emissions from each gas turbine when firing distillate oil. Prior to the initial emissions performance tests required for each gas turbine, the water injection system shall be tuned, in conjunction with any post-combustion emissions control equipment, to achieve the permitted levels for CO and NO_x emissions. Thereafter, each system shall be maintained and tuned in accordance with the manufacturer's recommendations.
3. SCR System. The permittee shall install, tune, operate, and maintain a SCR system to control NO_x emissions from each gas turbine when firing either natural gas or distillate oil. The SCR system consists of an ammonia injection grid, catalyst, ammonia storage, monitoring and control system, electrical, piping and other ancillary equipment. The SCR system shall be designed, constructed and operated to achieve the permitted levels for NO_x emissions and ammonia slip.

{Permitting note: In accordance with 40 CFR 60.130, the storage of ammonia shall comply with all applicable requirements of the Chemical Accident Prevention Provisions in 40 CFR 68.}

[Design; and, Rule 62-212.400(BACT), F.A.C.]

- b. HRSGs. The permittee is authorized to install, operate, and maintain two unfired HRSGs. Each HRSG shall be designed to recover heat energy from one of the two gas turbines (CT 2A or CT 2B) and deliver steam to the steam turbine-electrical generator through a common manifold.

{Permitting note: The two HRSGs deliver steam to a single steam turbine-electrical generator with a generating capacity of 190 MW.}

[Application; and, Design]

- c. CO Controls. The permittee shall design and construct the HRSGs such that an oxidation catalyst can be readily installed if necessary to achieve compliance with the CO emission limitations.

[Rule 62-4.070(3), F.A.C.]

E.3. Methods of Operation. Subject to the restrictions and requirements of this permit, the gas turbines may operate under the following methods of operation.

- a. Hours of Operation. Subject to the other operational restrictions of this permit, the gas turbines may operate throughout the year (8,760 hours per year).
- b. Authorized Fuels. Each gas turbine shall fire natural gas as the primary fuel, which shall contain no more than 1.0 grains of sulfur per 100 standard cubic feet of natural gas. As a restricted alternate fuel, each gas turbine may fire No. 2 distillate oil (or a superior grade) containing no more than 0.05% sulfur, by weight. Distillate fuel oil consumption of both emissions units shall not exceed 19,703,000 gallons in any consecutive 12-month period.

{Permitting note: This condition limits annual average fuel oil consumption to the equivalent of approximately 720 hours of operation per year per turbine, based on 59 °F annual average temperature. Fuel oil consumption is not limited per turbine, and the allowable fuel may be used in a single turbine.}

- c. Combined Cycle Operation. Each gas turbine/HRSG system may operate to produce direct, shaft-driven electrical power and steam-generated electrical power from the steam turbine-electrical generator as a "2-on-1" combined cycle unit subject to the restrictions of this permit. In accordance with the specifications of the SCR and HRSG manufacturers, the SCR system shall be on line and functioning properly during combined cycle operation or when the HRSG is producing steam.
- d. Ammonia Injection. Ammonia injection shall begin as soon as operation of the gas turbine/HRSG system achieves the operating parameters specified by the manufacturer.

[Application; Rules 62-210.200(PTE) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

Emission Limitations and Standards

E.4. Emissions Standards. Emissions from each gas turbine/HRSG shall not exceed the following limits for the listed pollutants at any ambient temperature.

{Permitting note: Unless otherwise specified, the averaging times are based on the specified averaging time of the applicable test method.}

Pollutant	Emission Limit (ppmvd corrected to 15% oxygen)		Averaging Time
	Natural Gas	Fuel Oil	
CO ^a	16	30	24 hour block
NO _x ^b	3.5	12	24 hour block
VOC ^c	2	10	3 hours
Ammonia ^d	5	9	3 hours

Pollutant	Fuel Specification and Emission Limit
PM/PM ₁₀ ^e	Fuel specifications. Visible emissions shall not exceed 10% opacity for each 6-minute block average.
SAM/SO ₂ ^f	Fuel specifications.

- a. Compliance with the CO standards shall be demonstrated based on data collected by the required CEMS. Compliance with the 24-hour CO CEMS standards shall be determined separately based on the hours of operation for each alternative fuel.

{Permitting note: A 24-hour compliance average may be based on as little as 1-hour of CEMS data or as much as 24-hours of CEMS data.}

- b. Compliance with the NO_x standards shall be demonstrated based on data collected by the required CEMS. NO_x mass emission rates are defined as oxides of nitrogen expressed as NO₂. Compliance with the 24-hour NO_x CEMS standards shall be determined separately based on the hours of operation for each alternative fuel.

{Permitting note: A 24-hour compliance average may be based on as little as 1-hour of CEMS data or as much as 24-hours of CEMS data.}

- c. Compliance with the VOC standards shall be demonstrated by conducting tests in accordance with EPA Method 25A. Optionally, EPA Method 18 may also be performed to deduct emissions of methane and ethane. The emission standards are based on VOC measured as propane.

- d. Subject to the requirements of this permit, each SCR system shall be designed and operated for an initial ammonia slip target of less than 5 ppmvd corrected to 15% oxygen when firing natural gas based on the average of three test runs. Compliance with the ammonia slip standard shall be demonstrated by conducting tests in accordance with EPA Method CTM-027.

- e. The fuel specifications established in specific condition E.3. combined with the efficient combustion design and operation of each gas turbine represents the BACT determination for PM/PM₁₀ emissions. Compliance with the fuel specifications, CO standards, and visible emissions standards shall serve as indicators of good combustion. Compliance with the fuel specifications shall be demonstrated by keeping records of the fuel sulfur content. Compliance

with the visible emissions standard shall be demonstrated by conducting tests in accordance with EPA Method 9.

- f. The fuel sulfur specifications in specific condition **E.3**, effectively limit the potential emissions of SAM and SO₂ from the gas turbines and represent the BACT determination for these pollutants. Compliance with the fuel sulfur specifications shall be determined by the requirements in specific condition **E.18**.

{Permitting note: The concentration limits and fuel specifications for the control of the above pollutants are equivalent to the following mass emission rates (at 20 °F):

- CO = 78.7 lbs/hr for natural gas firing and 119.5 lbs/hr for distillate fuel oil firing,
- NO_x = 27.0 lbs/hr for natural gas firing and 99.7 lbs/hr for distillate fuel oil firing,
- VOC = 5.0 lbs/hr for natural gas firing and 23.5 lbs/hr for distillate fuel oil firing,
- PM₁₀ = 7.3 lbs/hr for natural gas firing and 64.8 lbs/hr for distillate fuel oil firing, and
- SO₂ = 5.6 lbs/hour for natural gas firing and 105.6 lbs/hr for distillate fuel oil firing.

SAM emissions are estimated to be less than 10% of the SO₂ emissions.}

[Rules 62-210.200(PTE) and 62-212.400(BACT), F.A.C.; 1050234-007-AC/PSD-FL-296(A); and, 1050234-011-AC/PSD-FL-296(B)]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS, NESHAP, or Acid Rain program provision.}

E.5. Excess emissions caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. All such preventable emissions shall be included in any compliance determinations based on CEMS data.

[Rule 62-210.700(4), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.6. Visible emissions due to startups, shutdowns, and malfunctions shall not exceed 10% opacity except for up to ten, 6-minute averaging periods during a calendar day, which shall not exceed 20% opacity.

[Rule 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

Monitoring of Operations

E.7. The BACT determinations established by this permit rely on “good operating practices” to reduce emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the gas turbines, HRSGs, and pollution control systems in accordance with the guidelines and procedures established by each manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.8. CEMS Data Exclusion. As provided in this paragraph, NO_x and CO emissions data recorded during periods of startup, shutdown, fuel switches (oil-to-gas or gas-to-oil), and documented malfunctions may be excluded from the block average calculated to demonstrate compliance with the emission limits of this permit. See specific condition **E.4**.

- a. Periods of excess emissions excluded due to startup shall not exceed two (2) hours per startup per unit except for the following cold startups. A “cold STG startup” is defined as a startup following a complete steam turbine generator (STG) shutdown lasting a minimum of 48 hours. Periods of excess emissions excluded due to cold STG startup shall not exceed six (6) hours per startup per unit. A “cold CT-HRSG startup” is defined as startup following a complete shutdown of the combustion turbine-heat recovery steam generator (CT-HRSG) lasting a minimum of 8 hours. Periods of excess emissions excluded due to cold CT-HRSG startup shall not exceed three (3) hours per startup per unit.
- b. Periods of data excluded for shutdown shall not exceed two (2) hours per shutdown per unit.
- c. Periods of data excluded for fuel switches shall not exceed two (2) hours per fuel switch per unit.
- d. Periods of data excluded for documented malfunctions shall not exceed two (2) hours per unit in any 24-hour block. A “documented malfunction” means a malfunction that meets the notification requirements specified in specific condition **E.19**.
- e. All periods of data excluded for any startup, shutdown, fuel switches, or documented malfunction shall be consecutive for each episode.
- f. The permittee shall minimize the duration of data excluded to the extent practicable. Data shall not be excluded if the startup, shutdown, or documented malfunction was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably have been prevented. Best operating practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown, fuel switching, or documented malfunction.

[Rules 62-212.400(BACT) and 62-210.700, F.A.C.; and, Permit No. PSD-FL-296(C)/Project No. 1050234-015-AC]

E.9. CEMS Data Exclusion – DLN Tuning. CEMS data collected during initial or other major DLN tuning sessions shall be excluded from the CEMS compliance demonstration provided the tuning session is performed in accordance with the manufacturer’s specifications. A “major tuning session” would occur after completion of initial construction, a combustor change-out, a major repair or maintenance to a combustor, or other similar circumstances. Prior to performing any major tuning session, the permittee shall provide the Department’s Southwest District Compliance Authority with an advance notice that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal, or electronic mail.

[Rule 62-4.070(3), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.10. Tests Required.

- a. **Initial Compliance Determinations.** Each gas turbine shall be stack tested to demonstrate initial compliance with the emission standards for CO, NO_x, VOC, visible emissions, and ammonia slip. The tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup of each unit. Each unit shall be tested when firing natural gas and when firing distillate fuel oil. CEMS data collected during the required Relative Accuracy Test Assessments (RATA) may be used to

demonstrate compliance with the initial CO and NO_x standards. CO and NO_x emissions recorded by the CEMS shall also be reported for each run during tests for visible emissions, VOC and ammonia slip. The Department may require the permittee to conduct additional tests after major replacement or major repair of any air pollution control equipment, such as the SCR catalyst, DLN combustors, etc.

[Rule 62-297.310(7)(a)1., F.A.C.; and, 40 CFR 60.8]

- b. Annual Compliance Tests. During each federal fiscal year (October 1st to September 30th), each gas turbine shall be tested to demonstrate compliance with the emission standards for visible emissions and ammonia.

1. Visible Emissions. Each unit shall be tested for visible emissions when firing natural gas and when firing distillate fuel oil. Annual emissions testing while firing fuel oil is not required during any federal fiscal year in which less than 5,473,000 gallons of distillate fuel oil is fired in both emission units combined. CO emissions recorded by the CEMS shall be reported for the visible emissions observation period.

{Permitting note: The fuel limitation for waiving testing while firing distillate fuel oil corresponds to the equivalent of approximately 200 hours of operation per year per turbine.}

2. Ammonia. Annual testing to determine the ammonia slip shall be conducted while firing natural gas. NO_x emissions recorded by the CEMS shall be reported for each ammonia slip test run.

{Permitting note: After initial compliance with the VOC standards is demonstrated, annual compliance tests for VOC emissions are not required. Compliance with the continuously monitored CO standards shall indicate efficient combustion and low VOC emissions.}

[Rules 62-212.400(BACT) and 62-297.310(7)(a)4., F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

- c. Continuous Compliance. The permittee shall demonstrate continuous compliance with the CO and NO_x emissions standards based on data collected by the certified CEMS. Within 45 days of conducting any RATA on a CEMS, the permittee shall submit a report to the Department's Southwest District Compliance Authority summarizing results of the RATA.

{Permitting note: Compliance with the CO emission standards also serves as an indicator of efficient fuel combustion, which reduces emissions of PM/PM₁₀ and VOC.}

[Rule 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

Test Methods and Procedures

E.11. Test Methods. Any required tests shall be performed in accordance with the following reference methods.

<u>Method</u>	<u>Description of Method and Comments</u>
CTM-027	<i>Procedure for Collection and Analysis of Ammonia in Stationary Sources</i> This is an EPA conditional test method. The minimum detection limit shall be 1 ppm.
7E	<i>Determination of Nitrogen Oxide Emissions from Stationary Sources (Instrumental Analyzer Procedure)</i>
9	<i>Visual Determination of the Opacity of Emissions from Stationary Sources</i> The test shall be conducted for a minimum of 30 minutes.
10	<i>Determination of Carbon Monoxide Emissions from Stationary Sources</i> This method shall be based on a continuous sampling train.
18	<i>Measurement of Gaseous Organic Compound Emissions by Gas Chromatography</i> (Optional) EPA Method 18 may be used concurrently with EPA Method 25A to deduct emissions of methane and ethane from the measured VOC emissions.
20	<i>Determination of Nitrogen Oxides, Sulfur Dioxide, and Diluent Emissions from Stationary Gas Turbines</i>
25A	<i>Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer</i>

Note: Method CTM-027 is published on EPA's Technology Transfer Network Web Site at <http://www.epa.gov/ttn/emc/ctm.html>. The other methods are described in Appendix A, 40 CFR 60, adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60, Appendix A]

E. 12. Operating Procedures. The BACT determinations established by this permit rely on "good operating practices" to reduce emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the gas turbines, HRSGs, and pollution control systems in accordance with the guidelines and procedures established by each manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

Continuous Monitoring Requirements

E.13. CEMS. The permittee shall install, calibrate, maintain, and operate CEMS to measure and record the emissions of CO and NO_x from the combined cycle gas turbine. The CEMS shall be used to demonstrate continuous compliance with the CEMS emission standards specified in this permit. Upon request by the Department's Southwest District Compliance Authority, the CEMS emission rates shall be corrected to ISO conditions to demonstrate compliance with the applicable standards of 40 CFR 60.332. Each monitoring system shall be installed, calibrated, and properly functioning prior to the initial performance tests. Within one working day of discovering emissions in excess of a CO or NO_x standard (and subject to the specified averaging period), the permittee shall notify the Department's Southwest District Compliance Authority.

- a. CO Monitors. Except as otherwise specified by this condition, the CO monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4 or 4A. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F, and the Data Assessment Report of Section 7 shall be made each calendar quarter, and reported semiannually to the Department's Southwest District Compliance Authority. The RATA tests required for the CO monitor shall be performed using EPA Method 10 in Appendix A, 40 CFR 60. The Method 10 analysis shall be based on a continuous sampling train, and the ascarite trap may be omitted or the interference trap of Section 10.1 may be used in lieu of the silica gel and ascarite traps. The CO monitor shall be a dual range monitor. The span for the lower range shall not be greater than 50 ppm. The span for the upper range shall be set at a level that provides for accurate measurement during startups and shutdowns.
- b. NO_x Monitors. Except as otherwise specified by this condition, the NO_x monitor shall be certified pursuant to 40 CFR 75, and shall be operated and maintained in accordance with the applicable requirements of 40 CFR 75, Subparts B and C. Record keeping and reporting shall be conducted pursuant to 40 CFR 75, Subparts F and G. The RATA tests required for the NO_x monitor shall be performed using EPA Method 20 or 7E in Appendix A, 40 CFR 60. The NO_x monitor shall be a dual range monitor. The span for the lower range shall not be greater than 10 ppm. The span for the upper range shall be set at a level that provides for accurate measurement during startups and shutdowns.
- c. Diluent Monitors. The oxygen or carbon dioxide (CO₂) content of the flue gas shall be monitored at the location where CO and NO_x are monitored to correct the measured emissions rates to 15% oxygen. If a CO₂ monitor is installed, the oxygen content of the flue gas shall be calculated using F-factors that are appropriate for the fuel fired. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75.
- d. Moisture Correction. Final results of the CEMS shall be expressed as ppmvd corrected to 15% oxygen. If the CEMS measures concentration on a wet basis, the CEMS shall include provisions to determine the moisture content of the exhaust gas and an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Alternatively, the permittee may develop through manual stack test measurements a curve of moisture contents in the exhaust gas versus load for each allowable fuel, and use these typical values in an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). If the CEMS measures concentration on a wet basis and the diluent monitor measures CO₂ on a wet basis, then the permittee may develop an algorithm to enable correction of the CEMS results to a dry basis (0% moisture) without determining the corresponding moisture content.
- e. 1-Hour Block Averages. Hourly average values shall begin at the top of each hour. Each hourly average value shall be computed using at least one data point in each fifteen-minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly value shall be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour). If less than two such data points are available, the hourly average value is not valid. An hour in which any oil is fired is attributed towards compliance with the permit standards for oil firing. The permittee shall use all valid measurements or data points collected during an hour to calculate the hourly average values. The CEMS shall be designed and operated to sample, analyze, and record data evenly spaced over an hour.
- f. 24-hour Block Average. A 24-hour block shall begin at midnight of each operating day and shall be calculated from 24 consecutive hourly average emission rate values. If a unit operates less than 24 hours during the block, the 24-hour block average shall be the average of available valid

hourly average emission rate values for the 24-hour block. For purposes of determining compliance with the 24-hour CEMS emissions standards of this permit, missing (or excluded) data shall not be substituted. Instead, the 24-hour block average shall be determined using the remaining hourly data in the 24-hour block.

{Permitting note: There may be more than one 24-hour compliance demonstration required for CO and NO_x emissions depending on the use of alternate fuels}.

[Rule 62-212.400(BACT), F.A.C.]

- g. **Data Exclusion.** Each CEMS shall monitor and record emissions during all operations including episodes of startup, shutdown, malfunction, fuel switches, and DLN tuning. CEMS emissions data recorded during some of these episodes may be excluded from the corresponding CEMS compliance demonstration subject to the provisions of specific conditions **E.8.** and **E.9.**
- h. **Availability.** Monitor availability for the CEMS shall be 95% or greater in any calendar quarter. The quarterly permit excess emissions report shall be used to demonstrate monitor availability. In the event 95% availability is not achieved, the permittee shall provide the Department's Southwest District Compliance Authority with a report identifying the problems in achieving 95% availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit, except as otherwise authorized by the Department's Southwest District Compliance Authority.

{Permitting note: Compliance with these requirements assures compliance with the other applicable CEM system requirements such as: NSPS Subpart GG; Rule 62-297.520, F.A.C.; 40 CFR 60.7(a)(5) and 40 CFR 60.13; 40 CFR 60, Appendix B - Performance Specifications; and, 40 CFR 60, Appendix F - Quality Assurance Procedures.}

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.14. Water Injection Monitoring Requirements. In accordance with the manufacturer's specifications, the permittee shall install, calibrate, operate and maintain a monitoring system to continuously measure and record the water-to-fuel ratio when firing distillate oil. The permittee shall document the water-to-fuel ratio required to meet permitted emissions levels over the range of load conditions allowed by this permit. The NO_x CEMS is used to demonstrate compliance with the NO_x emissions standards. During NO_x CEMS downtimes or malfunctions, the permittee shall monitor the water-to-fuel ratio and operate at a level that is consistent with the documented flow rate for the gas turbine load condition.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.15. Ammonia Monitoring Requirements. In accordance with the manufacturer's specifications, the permittee shall install, calibrate, operate and maintain an ammonia flow meter to measure and record the ammonia injection rate to the SCR system. The permittee shall document the general range of ammonia flow rates required to meet permitted emissions levels over the range of load conditions allowed by this permit by comparing NO_x emissions recorded by the CEM system with ammonia flow rates recorded using the ammonia flow meter. During NO_x monitor downtimes or malfunctions, the permittee shall operate at the ammonia flow rate that is consistent with the documented flow rate for the combustion turbine load condition.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

Recordkeeping and Reporting Requirements

E.16. Monitoring of Operation. To demonstrate compliance with the fuel consumption limits of this permit, the permittee shall record the distillate fuel oil consumption on a rolling 12-month basis. [Rules 62-4.070(3) and 62-212.400, F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.17. Frequency of Recordkeeping. Specific condition **E.12.** requires the calculation of one or more 24-hour block average emission rates for each operating day. Within 24 hours of the conclusion of each operating day, the permittee shall complete the calculations and record the results for that operating day. [Rule 62-4.070(3), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.18. Fuel Sulfur Records. The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

- a. Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas shall be ASTM methods in 40 CFR 60, Subpart GG, or their latest editions. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- b. Compliance with the distillate oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. Sampling and analysis for the fuel oil sulfur content shall be conducted using the ASTM methods in 40 CFR 60, Subpart GG, or their latest editions. More recent editions of these methods may be used. For each subsequent fuel delivery, the permittee shall either (1) maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor, or (2) take and analyze a sample according to the above procedures and maintain a permanent file of the results of the analysis. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- c. The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75, Appendix D.

[Rules 62-4.070(3) and 62-4.160(15), F.A.C.; 40 CFR 75, Appendix D; and, Permit No. PSD-FL-296(C)/Project No. 1050234-015-AC]

E.19. Malfunction Notification. Within one working day of a malfunction for which CEMS data is excluded pursuant to specific condition **E.8.**, the permittee shall notify the Department's Southwest District Compliance Authority by telephone, facsimile transmittal, or electronic mail. The notification shall include a preliminary report of: the nature, extent, and duration of the emissions; the probable cause of the emissions; and the actions taken to correct the problem. If requested by the Department's Southwest District Compliance Authority, the permittee shall submit written quarterly reports summarizing the malfunctions in lieu of the individual malfunction notifications otherwise required. [Rule 62-210.700, F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.20. Semiannual NSPS Excess Emissions Report. In accordance with 40 CFR 60.7(c), the permittee shall semiannually submit a report to the Department's Southwest District Compliance Authority summarizing any emissions in excess of the NSPS standards. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the

information specified in 40 CFR 60.7(c)(1) through (c)(4). For purposes of reporting emissions in excess of 40 CFR 60, Subpart GG, excess emissions from the gas turbine are defined as: any CEMS hourly average value exceeding the NSPS NO_x emission standard identified in Appendix GG - NSPS Subpart GG Requirements for Gas Turbines (i.e., 112.5 ppmvd corrected to 15% oxygen for both natural gas and fuel oil); and any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds the NSPS standard identified in Appendix GG - NSPS Subpart GG Requirements for Gas Turbines (i.e., sulfur in excess of 0.8% by weight). An example of an acceptable report format is provided in Figure 1 - Summary Report-Gaseous And Opacity Excess Emissions and Monitoring System Performance.

[40 CFR 60.7(c); and, 1050234-007-AC/PSD-FL-296(A)]

E.21. Quarterly Data Exclusion and Monitor Availability Report. The permittee shall quarterly submit a report to the Department's Southwest District Compliance Authority summarizing all periods of valid hourly CO and NO_x emissions data excluded from the 24-hour block average compliance determinations pursuant to specific conditions **E.13.** and **E.14.** In addition, the quarterly report shall summarize the CEMS availability for the previous quarter. All reports shall be postmarked by the 30th day following the end of each calendar quarter. An example of an acceptable report format for monitoring systems availability is provided in Figure 1 - Summary Report-Gaseous And Opacity Excess Emissions and Monitoring System Performance.

[Rules 62-4.130, 62-204.800 and 62-210.700(6), F.A.C.; 40 CFR 60.7(c) and (d); and, 1050234-007-AC/PSD-FL-296(A)]

Miscellaneous Conditions

E.22. Additional Ammonia Slip Testing. If the tested ammonia slip rate for a gas turbine exceeds 5 ppmvd corrected to 15% oxygen when firing natural gas during the annual test, the permittee shall:

- a. Begin testing and reporting the ammonia slip for each subsequent calendar quarter;
- b. Before the ammonia slip exceeds 7 ppmvd corrected to 15% oxygen, take corrective actions that result in lowering the ammonia slip to less than 5 ppmvd corrected to 15% oxygen; and,
- c. Test and demonstrate that the ammonia slip is no more than 5 ppmvd corrected to 15% oxygen within 15 days after completing the corrective actions.

Corrective actions may include, but are not limited to, adding catalyst, replacing catalyst, or other SCR system maintenance or repair. After demonstrating that the ammonia slip level is no more than 5 ppmvd corrected to 15% oxygen, testing and reporting shall resume on an annual basis.

[Rules 62-4.070(3) and 62-297.310(7)(b), F.A.C.; and, 1050234-007-AC/PSD-FL-296(A)]

E.23. These emissions unit are also subject to specific conditions **H.1.** through **H.22.** contained in **Subsection H. Common Conditions.**

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

E.U. ID No.	Brief Description of Power Block 3
-016	170 MW Westinghouse 501FD CT3A with unfired HRSG
-017	170 MW Westinghouse 501FD CT3B with unfired HRSG

Emission units (EU) 016 and 017 are each a Siemens Westinghouse 501 FD gas turbine-electrical generator set with an automated gas turbine control system and an unfired heat recovery steam generator (HRSG). In addition, the project also includes a single steam turbine-electrical generator that serves both gas turbine/HRSG systems. Both of the gas turbine-electrical generator sets have a generating capacity of 170 MW for gas firing. Each gas turbine fires natural gas as the primary fuel and distillate oil as a restricted alternate fuel. Steam from both HRSGs is delivered to a single steam turbine-electrical generator, which has a generating capacity of 190 MW. The total generating capacity of the “2-on-1” combined cycle unit is approximately 530 MW. The maximum heat input rate is based on the higher heating value (HHV) of the fuel, which is 2,048 MMBtu/hr (HHV), while firing natural gas, and 2,155 MMBtu/hr (HHV), while firing fuel oil, based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load.

The efficient combustion of natural gas and restricted firing of low sulfur distillate oil minimizes the emissions of CO, PM/PM₁₀, SAM, SO₂ and VOC. Dry low-NO_x (DLN) combustion technology for gas firing and water injection for oil firing reduce NO_x emissions. A selective catalytic reduction (SCR) system – in combination with DLN combustion technology for gas firing and a water injection system for oil firing – reduces NO_x emissions. The HRSGs are designed and constructed such that an oxidation catalyst can be readily installed if necessary to achieve compliance with CO emission limitations.

Each HRSG has a stack that is 125 feet tall and 19 feet in diameter. Each stack is equipped with continuous emissions monitoring systems (CEMS) to measure and record CO and NO_x emissions as well as flue gas oxygen or carbon dioxide content. The Department may require the permittee to perform additional air dispersion modeling should the actual specified stack dimensions change. The following table summarizes the exhaust characteristics for the combined cycle systems. Heat input rate is based on the higher heating value (HHV) of the fuel, assuming 1,030 British thermal units (Btu) per standard cubic feet of natural gas and 19,892 Btu/lb of fuel oil.

Fuel	Heat Input Rate (HHV)	Compressor Inlet Temp	Exhaust Temperature	Exit Velocity	Flow Rate
Natural Gas	1,830 MMBtu/hour	59 °F	190 °F	59.2 ft/sec	1,009,487 acfm
Oil	1,932 MMBtu/hour	59 °F	270 °F	67.0 ft/sec	1,139,394 acfm

{Permitting notes: These emissions unit are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); PSD-FL-330 and revisions (A); and, Rule 62-212.400(6), F.A.C.}

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

General

F.0. Appendix GG - NSPS Subpart GG Requirements for Gas Turbines is a part of the permit and Power Block 3 must comply with it.

[1050234-015-AC/PSD-FL-330(B)]

F.1. BACT Determinations. Determinations of BACT were made for CO, NO_x, PM/PM₁₀, sulfuric acid mist (SAM), SO₂, and VOC.

[1050234-006-AC/PSD-FL-330]

F.2. New Source Performance Standards (NSPS). The Department determines that compliance with the BACT emissions performance and monitoring requirements also assures compliance with the NSPS for gas turbines at 40 CFR 60, Subpart GG. See Appendix GG of this permit for a summary of the applicable NSPS requirements.

[Rule 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.3. Applicable Regulations, Forms and Application Procedures. Unless otherwise indicated in the permit, No. 1050234-006-AC/PSD-FL-330, the construction and operation of this emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.; and, 40 CFR Parts 60, 72, 73, and 75, adopted by reference in Rule 62-204.800, F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the F.A.C. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C., and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

[Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.4. Operating Procedures. The BACT determinations established by this permit rely on "good operating practices" to reduce emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the gas turbines, HRSGs, and pollution control systems in accordance with the guidelines and procedures established by each manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Essential Potential to Emit (PTE) Parameters

F.5. Permitted Capacity. The maximum heat input rate to each gas turbine is 2,048 MMBtu per hour when firing natural gas and 2,155 MMBtu per hour when firing distillate oil (based on a compressor inlet air temperature of 59 °F, the HHV of each fuel, and 100% load). Heat input rates will vary depending upon gas turbine characteristics, ambient conditions, alternate fuels, and evaporative cooling. The permittee shall provide manufacturer's performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the initial compliance testing. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves and/or equations on file with the Department.

[Rule 62-210.200(Definitions-PTE), F.A.C.; 1050234-006-AC/PSD-FL-330; and, 1050234-013-AC/PSD-FL-330(A)]

F.6. Gas Turbines. The permittee is authorized to tune, operate, and maintain two Siemens Westinghouse Model 501FD gas turbine-electrical generator sets each with a generating capacity of 170 MW. Each gas turbine shall include the Siemens TXP automated gas turbine control system and have dual-fuel capability. The gas turbines will utilize DLN combustors.

[Application and design; and, 1050234-006-AC/PSD-FL-330]

a. Gas Turbine NO_x Controls

1. DLN Combustion. The permittee shall operate and maintain the DLN combustion system to control NO_x emissions from each gas turbine when firing natural gas. Prior to the initial emissions performance tests required for each gas turbine, the DLN combustors and automated gas turbine control system shall be tuned, in conjunction with any post-combustion emissions control equipment, to achieve the permitted levels for CO and NO_x emissions. Thereafter, each system shall be maintained and tuned in accordance with the manufacturer's recommendations.
2. Water Injection. The permittee shall operate and maintain a water injection system to reduce NO_x emissions from each gas turbine when firing distillate oil. Prior to the initial emissions performance tests required for each gas turbine, the water injection system shall be tuned, in conjunction with any post-combustion emissions control equipment, to achieve the permitted levels for CO and NO_x emissions. Thereafter, each system shall be maintained and tuned in accordance with the manufacturer's recommendations.
3. SCR System. The permittee shall tune, operate, and maintain a SCR system to control NO_x emissions from each gas turbine when firing either natural gas or distillate oil. The SCR system consists of an ammonia injection grid, catalyst, ammonia storage, monitoring and control system, electrical, piping and other ancillary equipment. The SCR system shall be operated to achieve the permitted levels for NO_x emissions and ammonia slip.

Permitting note: In accordance with 40 CFR 60.130, the storage of ammonia shall comply with all applicable requirements of the Chemical Accident Prevention Provisions in 40 CFR 68.

[Design; Rule 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

- b. HRSGs. The permittee is authorized to operate and maintain two HRSGs. Each HRSG shall recover heat energy from one of the two gas turbines (CT 3A or CT 3B) and deliver steam to the steam turbine-electrical generator through a common manifold.

{Permitting note: The two HRSGs deliver steam to a single steam turbine-electrical generator with a generating capacity of 190 MW.}

[Application and design; and, 1050234-006-AC/PSD-FL-330]

- c. CO Controls. The permittee shall design and construct the HRSGs such that an oxidation catalyst can be readily installed if necessary to achieve compliance with the CO emission limitations. The oxidation catalyst, should it be installed, shall be designed and operated to achieve a maximum outlet concentration of 3.5 ppmvd corrected to 15% oxygen when natural gas is fired and 7.0 ppmvd corrected to 15% oxygen when distillate oil is fired.

[Rule 62-4.070(3), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.7. Methods of Operation. Subject to the restrictions and requirements of this permit, the gas turbines may operate under the following methods of operation.

- a. **Hours of Operation.** Subject to the other operational restrictions of this permit, the gas turbines may operate throughout the year (8,760 hours per year).
- b. **Authorized Fuels.** Each gas turbine shall fire natural gas as the primary fuel, which shall contain no more than 1.0 grains of sulfur per 100 standard cubic feet of natural gas. As a restricted alternate fuel, each gas turbine may fire No. 2 distillate oil (or a superior grade) containing no more than 0.05% sulfur by weight. Distillate fuel oil consumption of both emissions units shall not exceed 19,703,000 gallons in any consecutive 12 month period.

{Permitting note: This condition limits annual average fuel oil consumption to the equivalent of approximately 720 hours of operation per year per turbine, based on 59 °F annual average temperature. Fuel oil consumption is not limited per turbine, and the allowable fuel may be used in a single turbine.}

- c. **Combined Cycle Operation.** Each gas turbine/HRSG system may operate to produce direct, shaft-driven electrical power and steam-generated electrical power from the steam turbine-electrical generator as a "2-on-1" combined cycle unit subject to the restrictions of this permit. In accordance with the specifications of the SCR and HRSG manufacturers, the SCR system shall be on line and functioning properly during combined cycle operation or when the HRSG is producing steam.
- d. **Ammonia Injection.** Ammonia injection shall begin as soon as operation of the gas turbine/HRSG system achieves the operating parameters specified by the manufacturer.

[Application; Rules 62-210.200(PTE) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Emission Limitations and Standards

F.8. Emissions Standards. Emissions from each gas turbine/HRSG shall not exceed the following limits for the listed pollutants at any ambient temperature.

Pollutant	Emission Limit (ppmvd corrected to 15% oxygen)		Averaging Time
	Natural Gas	Fuel Oil	
CO ^a	10	20	24 hour block
NO _x ^b	2.5	10	24 hour block
VOC ^c	2	10	3 hours
Ammonia ^d	5	5	3 hours

Pollutant	Fuel Specification and Emission Limit
PM/PM ₁₀ ^e	Fuel specifications. Visible emissions shall not exceed 10% opacity for each 6-minute block average.
SAM/SO ₂ ^f	Fuel specifications.

- a. Compliance with the CO standards shall be demonstrated based on data collected by the required CEMS. Compliance with the 24-hour CO CEMS standards shall be determined separately based on the hours of operation for each alternative fuel.

{Permitting note: A 24-hour compliance average may be based on as little as 1-hour of CEMS data or as much as 24-hours of CEMS data. The Department shall revise the CO emissions standards following any future installation of an oxidation catalyst pursuant to specific condition F.6.c.}

- b. Compliance with the NO_x standards shall be demonstrated based on data collected by the required CEMS. NO_x mass emission rates are defined as oxides of nitrogen expressed as NO₂. Compliance with the 24-hour NO_x CEMS standards shall be determined separately based on the hours of operation for each alternative fuel.

{Permitting note: A 24-hour compliance average may be based on as little as 1-hour of CEMS data or as much as 24-hours of CEMS data.}

- c. Compliance with the VOC standards shall be demonstrated by conducting tests in accordance with EPA Method 25A. Optionally, EPA Method 18 may also be performed to deduct emissions of methane and ethane. The emission standards are based on VOC measured as propane.
- d. Subject to the requirements of specific condition F.17., each SCR system shall be designed and operated for an initial ammonia slip target of less than 5 ppmvd corrected to 15% oxygen when firing natural gas based on the average of three test runs. Compliance with the ammonia slip standard shall be demonstrated by conducting tests in accordance with EPA Method CTM-027.
- e. The fuel specifications established in specific condition F.7. combined with the efficient combustion design and operation of each gas turbine represents the BACT determination for PM/PM₁₀ emissions. Compliance with the fuel specifications, CO standards, and visible emissions standards shall serve as indicators of good combustion. Compliance with the fuel specifications shall be demonstrated by keeping records of the fuel sulfur content. Compliance

with the visible emissions standard shall be demonstrated by conducting tests in accordance with EPA Method 9.

- f. The fuel sulfur specifications in specific condition **F.7.** effectively limit the potential emissions of SAM and SO₂ from the gas turbines and represent the BACT determination for these pollutants. Compliance with the fuel sulfur specifications shall be determined by the requirements in specific condition **F.23.**

{Permitting note: The concentration limits and fuel specifications for the control of the above pollutants are equivalent to the following mass emission rates (at 20 °F):

- CO = 49.2 lbs/hr for natural gas firing and 80.0 lbs/hr for distillate fuel oil firing,
- NO_x = 19.1 lbs/hr for natural gas firing and 82.0 lbs/hr for distillate fuel oil firing,
- VOC = 5.7 lbs/hr for natural gas firing and 23.5 lbs/hr for distillate fuel oil firing,
- PM₁₀ = 8.5 lbs/hr for natural gas firing and 64.8 lbs/hr for distillate fuel oil firing, and
- SO₂ = 5.6 lbs/hour for natural gas firing and 105.6 lbs/hr for distillate fuel oil firing.

SAM emissions are estimated to be less than 10% of the SO₂ emissions.}

[Rule 62-212.400(BACT), F.A.C.; and, 1050234-013-AC/PSD-FL-330(A)]

F.9. Alternate Visible Emissions Standard. Visible emissions due to startups, shutdowns, and malfunctions shall not exceed 10% opacity except for up to ten, 6-minute averaging periods during a calendar day, which shall not exceed 20% opacity.

[Rule 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS, NESHAP, or Acid Rain program provision.}

F.10. Excess Emissions Prohibited. Excess emissions caused entirely or in part by poor maintenance, poor operation or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. All such preventable emissions shall be included in any compliance determinations based on CEMS data.

[Rule 62-210.700(4), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Monitoring of Operations

F.11. CEMS Data Exclusion. As provided in this paragraph, NO_x and CO emissions data recorded during periods of startup, shutdown, fuel switches (oil-to-gas and gas-to-oil), and documented malfunctions may be excluded from the block average calculated to demonstrate compliance with the emission limits of specific condition **F.8.**

- a. Periods of excess emissions excluded due to startup shall not exceed two (2) hours per startup per unit except for the following cold startups. A "cold STG startup" is defined as a startup following a complete steam turbine generator (STG) shutdown lasting a minimum of 48 hours. Periods of excess emissions excluded due to cold STG startup shall not exceed six (6) hours per startup per unit. A "cold CT-HRSG startup" is defined as startup following a complete shutdown

of the combustion turbine-heat recovery steam generator (CT-HRSG) lasting a minimum of 8 hours. Periods of excess emissions excluded due to cold CT-HRSG startup shall not exceed three (3) hours per startup per unit.

- b. Periods of data excluded for shutdown shall not exceed two (2) hours per shutdown per unit.
- c. Periods of data excluded for fuel switches shall not exceed two (2) hours per fuel switch per unit.
- d. Periods of data excluded for documented malfunctions shall not exceed two (2) hours per unit in any 24-hour block. A “documented malfunction” means a malfunction that meets the notification requirements specified in specific condition **F.24**.
- e. All periods of data excluded for any startup, shutdown, fuel switches, or documented malfunction shall be consecutive for each episode.
- f. The permittee shall minimize the duration of data excluded to the extent practicable. Data shall not be excluded if the startup, shutdown, or documented malfunction was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably have been prevented. Best operating practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown, fuel switching, or documented malfunction.

[Rules 62-212.400(BACT) and 62-210.700, F.A.C.; and, Permit No. PSD-FL-330(B)/Project No. 1050234-015-AC]

F.12. CEMS Data Exclusion – DLN Tuning. CEMS data collected during initial or other major DLN tuning sessions shall be excluded from the CEMS compliance demonstration provided the tuning session is performed in accordance with the manufacturer’s specifications. A “major tuning session” would occur after completion of initial construction, a combustor change-out, a major repair or maintenance to a combustor, or other similar circumstances. Prior to performing any major tuning session, the permittee shall provide the Department’s Southwest District Compliance Authority with an advance notice that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal, or electronic mail.

[Design; Rule 62-4.070(3), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Test Methods and Procedures

F.13. Test Methods. Any required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
CTM-027	<i>Procedure for Collection and Analysis of Ammonia in Stationary Sources</i> This is an EPA conditional test method. The minimum detection limit shall be 1 ppm.
7E	<i>Determination of Nitrogen Oxide Emissions from Stationary Sources (Instrumental Analyzer Procedure)</i>
9	<i>Visual Determination of the Opacity of Emissions from Stationary Sources</i> The test shall be conducted for a minimum of 30 minutes.
10	<i>Determination of Carbon Monoxide Emissions from Stationary Sources</i> This method shall be based on a continuous sampling train.
18	<i>Measurement of Gaseous Organic Compound Emissions by Gas Chromatography</i> (Optional) EPA Method 18 may be used concurrently with EPA Method 25A to deduct emissions of methane and ethane from the measured VOC emissions.
20	<i>Determination of Nitrogen Oxides, Sulfur Dioxide, and Diluent Emissions from Stationary Gas Turbines</i>
25A	<i>Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer</i>

Note: Method CTM-027 is published on EPA's Technology Transfer Network Web Site at <http://www.epa.gov/ttn/emc/ctm.html>. The other methods are described in Appendix A, 40 CFR 60, adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Rules 62-204.800, F.A.C.; 40 CFR 60, Appendix A; and, 1050234-006-AC/PSD-FL-330]

F.14. Initial and Subsequent Compliance Determinations. Each gas turbine shall be stack tested to demonstrate initial compliance with the emission standards for CO, NO_x, VOC, visible emissions, and ammonia slip. The tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup of each unit. Each unit shall be tested when firing natural gas and when firing distillate fuel oil. CEMS data collected during the required Relative Accuracy Test Assessments (RATA) may be used to demonstrate compliance with the initial CO and NO_x standards. CO and NO_x emissions recorded by the CEMS shall also be reported for each run during tests for visible emissions, VOC and ammonia slip. The Department may require the permittee to conduct additional tests after major replacement or major repair of any air pollution control equipment, such as the SCR catalyst, DLN combustors, etc.

[Rule 62-297.310(7)(a)1., F.A.C.; and, 40 CFR 60.8]

F.15. Continuous Compliance. The permittee shall demonstrate continuous compliance with the CO and NO_x emissions standards based on data collected by the certified CEMS. Within 45 days of conducting any RATA on a CEMS, the permittee shall submit a report to the Compliance Authority summarizing results of the RATA.

{Permitting note: Compliance with the CO emission standards also serves as an indicator of efficient fuel combustion, which reduces emissions of PM/PM₁₀ and VOC.}

[Rule 62-212.400 (BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.16. Annual Compliance Tests. During each federal fiscal year (October 1st to September 30th), each gas turbine shall be tested to demonstrate compliance with the emission standards for visible emissions and ammonia.

1. **Visible Emissions.** Each unit shall be tested for visible emissions when firing natural gas and when firing distillate fuel oil. Annual emissions testing while firing fuel oil is not required during any federal fiscal year in which less than 5,473,000 gallons of distillate fuel oil is fired in both emission units combined. CO emissions recorded by the CEMS shall be reported for the visible emissions observation period.

{Permitting note: The fuel limitation for waiving testing while firing distillate fuel oil corresponds to the equivalent of approximately 200 hours of operation per year per turbine.}

2. **Ammonia.** Annual testing to determine the ammonia slip shall be conducted while firing natural gas. NO_x emissions recorded by the CEMS shall be reported for each ammonia slip test run.

{Permitting note: After initial compliance with the VOC standards is demonstrated, annual compliance tests for VOC emissions are not required. Compliance with the continuously monitored CO standards shall indicate efficient combustion and low VOC emissions.}

[Rules 62-212.400(BACT) and 62-297.310(7)(a)4., F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.17. Additional Ammonia Slip Testing. If the tested ammonia slip rate for a gas turbine exceeds 5 ppmvd corrected to 15% oxygen when firing natural gas during the annual test, the permittee shall:

- a. Begin testing and reporting the ammonia slip for each subsequent calendar quarter;
- b. Before the ammonia slip exceeds 7 ppmvd corrected to 15% oxygen, take corrective actions that result in lowering the ammonia slip to less than 5 ppmvd corrected to 15% oxygen; and
- c. Test and demonstrate that the ammonia slip is no more than 5 ppmvd corrected to 15% oxygen within 15 days after completing the corrective actions.

Corrective actions may include, but are not limited to, adding catalyst, replacing catalyst, or other SCR system maintenance or repair. After demonstrating that the ammonia slip level is no more than 5 ppmvd corrected to 15% oxygen, testing and reporting shall resume on an annual basis.

[Rules 62-4.070(3) and 62-297.310(7)(b), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Continuous Monitoring Requirements

F.18. Continuous Emissions Monitoring System (CEMS). The permittee shall calibrate, maintain, and operate CEMS to measure and record the emissions of CO and NO_x from the combined cycle gas turbine. The CEMS shall be used to demonstrate continuous compliance with the CEMS emission standards specified in this permit. Upon request by the Department, the CEMS emission rates shall be corrected to ISO conditions to demonstrate compliance with the applicable standards of 40 CFR 60.332. Each monitoring system shall be installed, calibrated, and properly functioning prior to the initial performance tests. Within one working day of discovering emissions in excess of a CO or NO_x standard (and subject to the specified averaging period), the permittee shall notify the Department's Southwest District Compliance Authority.

- a. CO Monitors. Except as otherwise specified by this condition, the CO monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4 or 4A. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F, and the Data Assessment Report of Section 7 shall be made each calendar quarter, and reported semiannually to the Department's Southwest District Compliance Authority. The RATA tests required for the CO monitor shall be performed using EPA Method 10 in Appendix A, 40 CFR 60. The Method 10 analysis shall be based on a continuous sampling train, and the ascarite trap may be omitted or the interference trap of Section 10.1 may be used in lieu of the silica gel and ascarite traps. The CO monitor shall be a dual range monitor. The span for the lower range shall not be greater than 50 ppm. The span for the upper range shall be set at a level that provides for accurate measurement during startups and shutdowns.
- b. NO_x Monitors. Except as otherwise specified by this condition, the NO_x monitor shall be certified pursuant to 40 CFR 75, and shall be operated and maintained in accordance with the applicable requirements of 40 CFR 75, Subparts B and C. Record keeping and reporting shall be conducted pursuant to 40 CFR 75, Subparts F and G. The RATA tests required for the NO_x monitor shall be performed using EPA Method 20 or 7E in Appendix A, 40 CFR 60. The NO_x monitor shall be a dual range monitor. The span for the lower range shall not be greater than 10 ppm. The span for the upper range shall be set at a level that provides for accurate measurement during startups and shutdowns.
- c. Diluent Monitors. The oxygen or carbon dioxide (CO₂) content of the flue gas shall be monitored at the location where CO and NO_x are monitored to correct the measured emissions rates to 15% oxygen. If a CO₂ monitor is installed, the oxygen content of the flue gas shall be calculated using F-factors that are appropriate for the fuel fired. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75.
- d. Moisture Correction. Final results of the CEMS shall be expressed as ppmvd corrected to 15% oxygen. If the CEMS measures concentration on a wet basis, the CEMS shall include provisions to determine the moisture content of the exhaust gas and an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Alternatively, the permittee may develop through manual stack test measurements a curve of moisture contents in the exhaust gas versus load for each allowable fuel, and use these typical values in an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). If the CEMS measures concentration on a wet basis and the diluent monitor measures CO₂ on a wet basis, then the permittee may develop an algorithm to enable correction of the CEMS results to a dry basis (0% moisture) without determining the corresponding moisture content.
- e. 1-Hour Block Averages. Hourly average values shall begin at the top of each hour. Each hourly average value shall be computed using at least one data point in each fifteen-minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly value shall be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour). If less than two such data points are available, the hourly average value is not valid. An hour in which any oil is fired is attributed towards compliance with the permit standards for oil firing. The permittee shall use all valid measurements or data points collected during an hour to calculate the hourly average values. The CEMS shall be designed and operated to sample, analyze, and record data evenly spaced over an hour.
- f. 24-hour Block Averages. A 24-hour block shall begin at midnight of each operating day and shall be calculated from 24 consecutive hourly average emission rate values. If a unit operates less than 24 hours during the block, the 24-hour block average shall be the average of available

valid hourly average emission rate values for the 24-hour block. For purposes of determining compliance with the 24-hour CEMS emissions standards of this permit, missing (or excluded) data shall not be substituted. Instead, the 24-hour block average shall be determined using the remaining hourly data in the 24-hour block.

{Permitting note: There may be more than one 24-hour compliance demonstration required for CO and NO_x emissions depending on the use of alternate fuels}

- g. **Data Exclusion.** Each CEMS shall monitor and record emissions during all operations including episodes of startup, shutdown, malfunction, fuel switches, and DLN tuning. CEMS emissions data recorded during some of these episodes may be excluded from the corresponding CEMS compliance demonstration subject to the provisions of specific conditions **F.11.** and **F.12.**
- h. **Availability.** Monitor availability for the CEMS shall be 95% or greater in any calendar quarter. The quarterly permit excess emissions report shall be used to demonstrate monitor availability. In the event 95% availability is not achieved, the permittee shall provide the Department's Southwest District Compliance Authority with a report identifying the problems in achieving 95% availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit, except as otherwise authorized by the Department's Southwest District Compliance Authority.

{Permitting note: Compliance with these requirements assures compliance with the other applicable CEM system requirements such as: NSPS Subpart GG; Rule 62-297.520, F.A.C.; 40 CFR 60.7(a)(5) and 40 CFR 60.13; 40 CFR 60, Appendix B - Performance Specifications; and, 40 CFR 60, Appendix F - Quality Assurance Procedures.}

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.19. Water Injection Monitoring Requirements. In accordance with the manufacturer's specifications, the permittee shall calibrate, operate and maintain a monitoring system to continuously measure and record the water-to-fuel ratio when firing distillate oil. The permittee shall document the water-to-fuel ratio required to meet permitted emissions levels over the range of load conditions allowed by this permit. The NO_x CEMS is used to demonstrate compliance with the NO_x emissions standards. During NO_x CEMS downtimes or malfunctions, the permittee shall monitor the water-to-fuel ratio and operate at a level that is consistent with the documented flow rate for the gas turbine load condition.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.20. Ammonia Monitoring Requirements. In accordance with the manufacturer's specifications, the permittee shall calibrate, operate and maintain an ammonia flow meter to measure and record the ammonia injection rate to the SCR system. The permittee shall document the general range of ammonia flow rates required to meet permitted emissions levels over the range of load conditions allowed by this permit by comparing NO_x emissions recorded by the CEM system with ammonia flow rates recorded using the ammonia flow meter. During NO_x monitor downtimes or malfunctions, the permittee shall operate at the ammonia flow rate that is consistent with the documented flow rate for the combustion turbine load condition.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

Recordkeeping and Reporting Requirements

F.21. Monitoring of Operation. To demonstrate compliance with the fuel consumption limits of specific condition **F.7.**, the permittee shall record the distillate fuel oil consumption on a rolling 12-month basis.

[Rules 62-4.070(3) and 62-212.400(BACT), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.22. Frequency of Recordkeeping. Specific condition **F.18.** requires the calculation of one or more 24-hour block average emission rates for each operating day. Within 24 hours of the conclusion of each operating day, the permittee shall complete the calculations and record the results for that operating day.

[Rule 62-4.070(3), F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.23. Fuel Sulfur Records. The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

- a. Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas shall be ASTM methods in 40 CFR 60, Subpart GG, or their latest editions. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- b. Compliance with the distillate oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. Sampling and analysis for the fuel oil sulfur content shall be conducted using the ASTM methods in 40 CFR 60, Subpart GG, or their latest editions. More recent editions of these methods may be used. For each subsequent fuel delivery, the permittee shall either (1) maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor, or (2) take and analyze a sample according to the above procedures and maintain a permanent file of the results of the analysis. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. See Appendix GG - NSPS Subpart GG Requirements for Gas Turbines.
- c. The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75, Appendix D.

[Rules 62-4.070(3) and 62-4.160(15), F.A.C.; 40 CFR 75, Appendix D; and, Permit No. PSD-FL-330(B)/Project No. 1050234-015-AC]

F.24. Malfunction Notification. Within one working day of a malfunction for which CEMS data is excluded pursuant to specific condition **F.11.**, the permittee shall notify the Department's Southwest District Compliance Authority by telephone, facsimile transmittal, or electronic mail. The notification shall include a preliminary report of: the nature, extent, and duration of the emissions; the probable cause of the emissions; and the actions taken to correct the problem. If requested by the Department's Southwest District Compliance Authority, the permittee shall submit written quarterly reports summarizing the malfunctions in lieu of the individual malfunction notifications otherwise required.

[Rule 62-210.700, F.A.C.; and, 1050234-006-AC/PSD-FL-330]

F.25. Semiannual NSPS Excess Emissions Report. In accordance with 40 CFR 60.7(c), the permittee shall semiannually submit a report to the Department's Southwest District Compliance Authority summarizing any emissions in excess of the NSPS standards. All reports shall be postmarked by the 30th

day following the end of each six-month period. Written reports of excess emissions shall include the information specified in 40 CFR 60.7(c)(1) through (c)(4). For purposes of reporting emissions in excess of NSPS Subpart GG, excess emissions from the gas turbine are defined as: any CEMS hourly average value exceeding the NSPS NO_x emission standard identified in Appendix GG - NSPS Subpart GG Requirements for Gas Turbines (i.e., 112.5 ppmvd corrected to 15% oxygen for both natural gas and fuel oil); and any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds the NSPS standard identified in Appendix GG - NSPS Subpart GG Requirements for Gas Turbines (i.e., sulfur in excess of 0.8% by weight). See in Figure 1 - Summary Report-Gaseous And Opacity Excess Emissions and Monitoring System Performance.
[40 CFR 60.7(c); and, 1050234-006-AC/PSD-FL-330]

F.26. Quarterly Data Exclusion and Monitor Availability Report. The permittee shall quarterly submit a report to the Department's Southwest District Compliance Authority summarizing all periods of valid hourly CO and NO_x emissions data excluded from the 24-hour block average compliance determinations pursuant to specific conditions **F.11.** and **F.12.** In addition, the quarterly report shall summarize the CEMS availability for the previous quarter. All reports shall be postmarked by the 30th day following the end of each calendar quarter. See in Figure 1 - Summary Report-Gaseous And Opacity Excess Emissions and Monitoring System Performance.
[Rules 62-4.130, 62-204.800, 62-210.700(6), F.A.C.; 40 CFR 60.7(c) and (d); and, 1050234-006-AC/PSD-FL-330]

Subsection G. This area reserved for Power Block 4 emissions unit(s).

Subsection H. Common Conditions.

E.U. ID No.	Brief Description
001	170 MW Westinghouse 501FC CT1A with unfired HRSG
002	170 MW Westinghouse 501FC CT1B with unfired HRSG
014	170 MW Westinghouse 501FD CT2A with unfired HRSG
015	170 MW Westinghouse 501FD CT2B with unfired HRSG
016	170 MW Westinghouse 501FD CT3A with unfired HRSG
017	170 MW Westinghouse 501FD CT3B with unfired HRSG
003	Auxiliary Steam Boiler
001 (7775047)	Relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2,460 kilowatts. Emissions from the generator(s) are uncontrolled.

Except as otherwise specified under Subsections A. through G., the following conditions apply to the emissions unit(s) listed above:

Excess Emissions

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS, NESHAP, or Acid Rain program provision.}

H.1. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.

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

Monitoring of Operations

H.2. Determination of Process Variables.

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

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

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

H.3. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit

operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.

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

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

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

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

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

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

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

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

Test Methods and Procedures

H.4. Operating Rate During Testing. Testing of emissions shall be conducted with the source operating at capacity (maximum heat input rate for the tested operating temperature). Capacity is defined as 90 - 100 percent of permitted capacity. If it is impracticable to test at capacity, then sources may be tested at less than capacity; in this case subsequent source operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen consecutive days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the Department.
[Rules 62.297.310(2) and (2)(b), F.A.C.]

H.5. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

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

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

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

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

H.6. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee

may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

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

H.7. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

Recordkeeping and Reporting Requirements

H.8. Test Reports.

- (a) The owner or operator an emissions unit for which a compliance test is required shall file a report with the Department's Southwest District office on the results of each such test.
- (b) The required test report shall be filed with the Department's Southwest District office as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
 1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.
 4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops; total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.

18. All measured and calculated data required to be determined by each applicable test procedure for each run.

19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

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

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

H.9. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department's Southwest District office or Southwest District Branch office in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department's Southwest District office or Southwest District Branch office.

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

H.10. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or, any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 CFR 60.7(b)]

H.11. Quarterly Report. PEF shall submit a quarterly excess emissions report and monitoring systems performance report. All reports shall be postmarked by the 30th day following the end of each quarter. Written reports of excess emissions shall include the following information:

- (1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
- (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
- (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
- (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

[40 CFR 60.7(c)(1) thru (4)]

H.12. Summary Report. The summary report form shall contain the information and be in the format shown in Figure 1 of 40 CFR 60.7(d) unless otherwise specified by the Department. One summary report form shall be submitted for each pollutant monitored.

- (1) If the total duration of excess emissions for the reporting period is less than one percent of the operating time for the reporting period and CMS downtime for the reporting period is less than five percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Department.
- (2) If the total duration of excess emissions for the reporting period is one percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is

five percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.
[40 CFR 60.7(d)(1) and (2)]

H.13. Reporting Frequency. (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), a permittee who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

- (i) For 1 year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;
- (ii) PEF continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR 60, Subpart A, and the applicable standard; and
- (iii) The Department does not object to a reduced frequency of reporting for the affected facility, as provided in 40 CFR 60.7(e)(2).

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after PEF notifies the Department in writing of his or her intention to make such a change and the Department does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Department may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of a PEF conformance with operation and maintenance requirements. Such information may be used by the Department to make a judgment about the source's potential for noncompliance in the future. If the Department disapproves the PEF's request to reduce the frequency of reporting, the Department will notify the permittee in writing within 45 days after receiving notice of PEF's intention. The notification from the Department to the permittee will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the permittee shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with applicable standard for another full year, the permittee may again request approval from the Department to reduce the frequency of reporting for that standard as provided for in 40 CFR 60.7(e)(1) and (e)(2).
[40 CFR 60.7(e)(1), (2) and (3)]

H.14. Records Retention. The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and, all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least 5 (five) years following the date of such measurements, maintenance, reports, and records.
[40 CFR 60.7(f); and, Rule 62-213.440(1)(b)2.b., F.A.C.]

H.15. Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in 40 CFR 60, nothing in 40 CFR 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant

to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.
[40 CFR 60.11(g)]

Miscellaneous Conditions

H.16. Department Notification. PEF shall give written notification to the Department when there is any modification to this facility. This notice shall be submitted timely and in advance of any critical date involved to allow sufficient time for review, discussion, and revision of plans, if necessary. Such notice shall include, but not be limited to, information describing the precise nature of the change; modifications to any emission control system; production capacity of the facility before and after the change; and, the anticipated completion date of the change.
[40 CFR 60.7(a)]

Modifications

H.17. Except as provided under 40 CFR 60.14(e) and 40 CFR 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.
[Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(a)]

H.18. Emission rate shall be expressed as kg/hr (lbs/hr) of any pollutant discharged into the atmosphere for which a standard is applicable. The Department shall use the following to determine emission rate:
(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors", EPA Publication No. AP-42, or other emission factors determined by the Department to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrate that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.
(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in 40 CFR 60.14(b)(1) does not demonstrate to the Department's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Department's satisfaction that there are reasonable grounds to dispute the result obtained by the Department utilizing emission factors as referenced in 40 CFR 60.14(b)(1). When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in 40 CFR 60, Appendix C, shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Department shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.
[Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(b)]

H.19. The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of 40 CFR 60 any other facility within that source.
[Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(c)]

H.20. The following shall not, by themselves, be considered modifications under 40 CFR 60:

- (1) Maintenance, repair, and replacement which the Department determines to be routine for a source category, subject to the provisions of 40 CFR 60.14(c) and 40 CFR 60.15.
 - (2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
 - (3) An increase in the hours of operation.
 - (4) Use of an alternative fuel or raw material if, prior to the date any standard under 40 CFR 60 becomes applicable to that source type, as provided by 40 CFR 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.
 - (5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Department determines to be less environmentally beneficial.
 - (6) The relocation or change in ownership of an existing facility.
- [Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(e)]

H.21. Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of this section.

[Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(f)]

H.22. Within 180 days of the completion of any physical or operational change subject to the control measures specified in 40 CFR 60.14(a), compliance with all applicable standards must be achieved.

[Rule 62-296.800, F.A.C.; and, 40 CFR 60.14(g)]

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power Corporation

ORIS code: 7302

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

The emissions unit(s) listed below are regulated under Acid Rain, Phase II.

E.U. ID No.	Brief Description
-001	170 MW Combined Cycle Westinghouse 501FC CT1A
-002	170 MW Combined Cycle Westinghouse 501FC CT1B
-014	170 MW Combined Cycle Westinghouse 501FD CT2A
-015	170 MW Combined Cycle Westinghouse 501FD CT2B
-016	170 MW Combined Cycle Westinghouse 501FD CT3A
-017	170 MW Combined Cycle Westinghouse 501FD CT3B

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

- a. DEP Form No. 62-210.900(1)(a), Chapter 62-210, F.A.C.
[Chapter 62-213 and Rule 62-214.320, F.A.C.]

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

E.U. ID No.	EPA ID	Year	2007	2008	2009	2010	2011
-001	1A	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*
-002	1B	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*
-014	2A	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*
-015	2B	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*

-016	3A	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*
-017	3B	SO ₂ allowances, under Table 2 of 40 CFR Part 73	0*	0*	0*	0*	0*

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

A.3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

1. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

3. Allowances shall be accounted for under the Federal Acid Rain Program.
[Rule 62-213.440(1)(c), F.A.C.]

A.4. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described at Rule 62-214.370(4), F.A.C., may request such change as provided in Rule 62-213.413, F.A.C., Fast-Track Revisions of Acid Rain Parts.
[Rules 62-213.413 and 62-214.370(4), F.A.C.]

A.5. Comments, notes, and justifications: Phase II Permit received 1/19/99.

A.6. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.
[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200(Definitions-Applicable Requirements), F.A.C.]

Appendix H-1: Permit History

PEF
Hines Energy Complex

FINAL Permit No.: 1050234-014-AV
Facility ID No.: 1050234

E.U. ID No.	Description	Permit No.	Effective Date ¹	Expiration Date	Project Type
All	Facility	1050234-001-AV	01/01/2002	12/31/2006	Initial
Power Block 1					
-001	170 MW Westinghouse 501F CT1A with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)
-002	170 MW Westinghouse 501F CT1B with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)
Power Block 2					
-014	170 MW Westinghouse 501FD CT2A with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)
-015	170 MW Westinghouse 501FD CT2A with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)
Power Block 3					
-016	170 MW Westinghouse 501FD CT3A with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)
-017	170 MW Westinghouse 501FD CT3A with unfired HRSG and an associated shared steam turbine generator	1050234-014-AV	01/01/2007	12/31/2011	Renewal
		1050234-015-AC	11/20/2006	12/31/2011	Construction (mod.)

¹Change to an actual date, which is day 55 from the date of posting the PROPOSED Permit for EPA review (see confirmation e-mail from Tallahassee) or the date that EPA confirms resolution of any objections.

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

Abbreviations and Acronyms:

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

Citations:

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

Code of Federal Regulations:

Example: [40 CFR 60.334]

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

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

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

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

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(version dated 02/05/97) (continued)

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

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

Permit Numbers:

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

Where:

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

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

Where:

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

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

PEF

FINAL Permit No.: 1050234-014-AV

Hines Energy Complex

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

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

<u>E.U. ID No.</u>	<u>Brief Description of Emissions Units and/or Activities</u>
-xxx	Two Lube Oil Storage Tanks (10,000 gallon capacity and 6,200 gallon capacity) One No. 2 Fuel Oil Storage Tank (3.80 million gallon capacity) Three Ammonium Storage Tank (30,000 gallon capacity each) One Sodium Hypochlorite Storage Tank (10,000 gallon capacity) Fuel loading and unloading activities Lube oil vents with demisters Non-halogenated solvents

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

PEF

FINAL Permit No.: 1050234-014-AV

Hines Energy Complex

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

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

Brief Description of Emissions Units and/or Activities

1. Sand blaster, welding, lathes, hand-held tools, etc.
2. Diesel generator.
3. Fire water tank(s).
4. Brazing, soldering, or welding equipment.
5. Fire and safety equipment.
6. Surface coating operations within a single facility if the total quantity of coatings containing greater than 5.0 percent VOCs, by volume, used is 6.0 gallons per day or less, averaged monthly provided:
 - a. Such operations are not subject to a volatile organic compound Reasonably Available Control Technology (RACT) requirement of Chapter 62-296, F.A.C.; and
 - b. The amount of coatings used shall include any solvents and thinners used in the process including those used for cleanup.
7. Vehicle fueling station with storage – gasoline and diesel.
8. Hydraulic oil storage (300, 200, and 166 gallons).

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06)

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

{Permitting note: APPENDIX TV-6, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Chapter 62-4, F.A.C.

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

[Rule 62-4.030, Florida Administrative Code (F.A.C.); and, Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable. Procedures to Obtain Permits and Other Authorizations; Applications.**

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

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

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

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

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

(b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.

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

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

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

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

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.

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

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

3. Standards for Issuing or Denying Permits. Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

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

4. Modification of Permit Conditions.

(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following: (also, see Condition No. 38.)

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

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

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

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

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

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

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

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

[Rule 62-4.090, F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:

(a) Submitted false or inaccurate information in his application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

(4) No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

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

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

7. **Not federally enforceable. Financial Responsibility.** The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

8. **Transfer of Permits.**

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

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

9. **Plant Operation-Problems.** If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. (**also, see Condition No. 10.**)

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

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". (**also, see Conditions Nos. 9. and 12.(8).**)

[40 CFR 70.6(a)(3)(iii)(B)]

11. **Not federally enforceable. Review.** Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

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

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

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

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

- (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 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
- (4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- (5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, 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 reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location 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: **(also, see Condition No. 10.)**
- (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- (9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and 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 Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (14) The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

5. The analytical techniques or methods used;
 6. The results of such analyses.
- (15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

13. Construction Permits.

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

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
 1. Plant description and operations,
 2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,
 3. Proposed waste control facilities,
 4. The treatment objectives,
 5. The design criteria on which the control facilities are based, and
 6. Other information deemed relevant.

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

- (c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S., and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.
- (2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.
- (3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.
[Rule 62-4.210, F.A.C.]

14. **Not federally enforceable.** Operation Permit for New Sources. To properly apply for an operation permit for new sources the applicant shall submit the appropriate fee and certification that construction was completed, noting any deviations from the conditions in the construction permit and test results where appropriate.
[Rule 62-4.220, F.A.C.]

Chapters 28-106 and 62-110, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rules 62-110.106 and 62-210.350, F.A.C.
[Rules 62-110.106, 62-210.350 and 62-213.430(i)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.
[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

18. Permits Required. Unless exempted from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., or unless specifically authorized by provision of Rule 62-210.300(4), F.A.C., or Rule 62-213.300, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, modification, or the addition of pollution control equipment; or to authorize initial or continued operation of the emissions unit; or to establish a PAL or Air Emissions Bubble. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits.

(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment prior to the beginning of construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, or modification of the facility or emissions unit or addition of the pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of Chapter 62-210, F.A.C., Chapters 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction, reconstruction or modification of the facility or emissions unit or addition of the air pollution control equipment; and operation while the owner or operator of the new, reconstructed or modified facility or emissions unit or the new pollution control equipment is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.

1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:

- a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;
- b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and
- c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(1)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(1)(d)2., Rule 62-212.400 or Rule 62-212.500, F.A.C., as appropriate.

2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.

3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.

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

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

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.
 - a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.
 - b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:
 - (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and
 - (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and
 - (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.
 - c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.
 - d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.
4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(8), F.A.C.

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

19. **Not federally enforceable.** Notification of Startup. The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

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

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

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

20. Emissions Unit Reclassification.

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

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

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

21. Transfer of Air Permits.

(a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.

(b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C.

[Rule 62-210.300(7), F.A.C.]

22. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.

(c) Except as otherwise provided at Rules 62-210.350(2), (5), and (6), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.

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

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and

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3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
 2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
- (c) The notice shall identify:
1. The facility;
 2. The name and address of the office at which processing of the permit occurs;
 3. The activity or activities involved in the permit action;
 4. The emissions change involved in any permit revision;
 5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;

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6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and
8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rules 62-210.350(1) thru (3), F.A.C.]

23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
 - (a) Typographical errors noted in the permit;
 - (b) Name, address or phone number change from that in the permit;
 - (c) A change requiring more frequent monitoring or reporting by the permittee;
 - (d) A change in ownership or operational control of a facility, subject to the following provisions:
 1. The Department determines that no other change in the permit is necessary;
 2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
 3. The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
 - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
 - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

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

24. Emissions Computation and Reporting.

- (1) Applicability. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.
- (2) Computation of Emissions. For any of the purposes set forth in subsection 62-210.370(1), F.A.C., the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.
 - (a) Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit.
 1. If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
 2. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 3. If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 - (b) Continuous Emissions Monitoring System (CEMS).
 1. An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
 - a. The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or

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- b. The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
 2. Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
 - a. A calibrated flowmeter that records data on a continuous basis, if available; or
 - b. The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
 3. The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
 - (c) Mass Balance Calculations.
 1. An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
 - a. Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and
 - b. Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
 2. Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
 3. In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
 - (d) Emission Factors.
 1. An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements:
 - a. If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
 - b. Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
 - c. The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
 2. If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.
 - (e) Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.
 - (f) Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
 - (g) Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.
 - (h) Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.
- (3) Annual Operating Report for Air Pollutant Emitting Facility.
 - (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
 - (c) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by March 1 of the following year.
 - (d) Beginning with 2007 annual emissions, emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rules 62-210.370(1), (2) and (3)(a), (c) & (d), F.A.C.]

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

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

26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

(1) Application for Air Permit - Long Form, Form and Instructions (Effective 02-02-2006).

(a) Acid Rain Part, Form and Instructions (Effective 06-16-2003).

1. Repowering Extension Plan, Form and Instructions (Effective 07/01/1995).

2. New Unit Exemption, Form and Instructions (Effective 04/16/2001).

3. Retired Unit Exemption, Form and Instructions (Effective 04/16/2001).

4. Phase II NOx Compliance Plan, Form and Instructions (Effective 01/06/1998).

5. Phase II NOx Averaging Plan, Form (Effective 01/06/1998).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 02/11/1999).

(7) Application for Transfer of Air Permit – Title V Source, (Effective 04/16/2001).

[Rule 62-210.900, F.A.C.]

Chapter 62-213, F.A.C.

27. Responsible Official.

(1) Each Title V source must identify a responsible official on each application for Title V permit, permit revision, and permit renewal. For sources with only one responsible official, this is how the Title V source designates the responsible official.

(2) Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official.

(3) Any facility initially designating more than one responsible official or changing the list of responsible officials must submit a Responsible Official Notification Form (DEP Form No. 62-213.900(8)) designating all responsible officials for a Title V source, stating which responsible official is the primary responsible official, and providing an effective date for any changes to the list of responsible officials. Each individual listed on the Responsible Official Notification Form must meet the definition of responsible official given at Rule 62-210.200, F.A.C.

(4) A Title V source with only one responsible official shall submit DEP Form No. 62-213.900(8) for a change in responsible official.

(5) No person shall take any action as a responsible official at a Title V source unless designated a responsible official as required by this rule, except that the existing responsible official of any Title V source which has a change in responsible official during the term of the permit and before the effective date of this rule may continue to act as a responsible official until the first submittal of DEP Form No. 62-213.900(8) or the next application for Title V permit, permit revision or permit renewal, whichever comes first.

[Rules 62-213.202(1) thru (5), F.A.C.]

28. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

(1)(g) If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to

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pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

(1)(i) Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

(1)(j) A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.

[Rules 62-213.205, (1)(g), (1)(i) & (1)(j), F.A.C.]

29. Reserved.

30. Reserved.

31. Air Operation Permit Fees. No permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

32. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C., except those Title V sources permissible pursuant to Rule 62-213.300, F.A.C., Title V Air General Permits.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of Chapter 62-213, F.A.C., shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

- (a) Constitutes a modification;
- (b) Violates any applicable requirement;
- (c) Exceeds the allowable emissions of any air pollutant from any unit within the source;
- (d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;
- (e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;
- (g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;
- (h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;
- (i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;
- (j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

[Rules 62-213.400(1) & (2), F.A.C.]

33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

(1) Permitted sources may change among those alternative methods of operation;

(2) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

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

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

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

[Rule 62-213.410, F.A.C.]

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34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision, provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

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

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

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit. If any terms and conditions of the new or revised construction permit have not been complied with prior to the issuance of the draft operation permit revision, the operation permit shall include a compliance plan in accordance with the provisions of Rule 62-213.440(2), F.A.C.

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

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

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

35. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.

(a) Timely Application.

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

(b) Complete Application.

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

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed

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to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

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

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

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

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. (**also, see Condition No. 50.**) [Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C. [Rule 62-213.420(3), F.A.C.]

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40

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CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. (also, see Condition No. 4.)

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(n), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if all of the following criteria are met:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s);
3. Such unit or activity would not emit or have the potential to emit:
 - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
 - b. 1,000 pounds per year or more of any hazardous air pollutant;
 - c. 2,500 pounds per year or more of total hazardous air pollutants; or
 - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Permits for sources subject to the Federal Acid Rain Program shall be issued for terms of five years, provided that the initial Acid Rain Part may be issued for a term less than five years where necessary to coordinate the term of such part with the term of a Title V permit to be issued to the source. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five years.

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

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

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

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42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
[Rule 62-213.440(1)(b)2.b., F.A.C.]
43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.
[Rule 62-213.440(1)(b)3 a., F.A.C.]
44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.
[Rule 62-213.440(1)(b)3.b., F.A.C.]
45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.
[Rule 62-213.440(1)(b)3.c, F.A.C.]
46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.
[Rule 62-213.440(1)(d)1., F.A.C.]
47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.
[Rule 62-213.440(1)(d)3., F.A.C.]
48. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.
[Rule 62-213.440(1)(d)4., F.A.C.]
49. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.
[Rule 62-213.440(1)(d)5., F.A.C.]
50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. (also, see Condition No. 36.)
[Rule 62-213.440(1)(d)6., F.A.C.]
51. Statement of Compliance. (a)2. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:
- a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
 - b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.
3. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.

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(b) The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

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

[Rule 62-213.460, F.A.C.]

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

(1) Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)

(7) Statement of Compliance Form. (Effective 06/02/2002)

(8) Responsible Official Notification Form. (Effective 06/02/2002)

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

Chapter 62-256, F.A.C.

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

[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

55. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;

(2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;

(3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;

(4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (**Chapter 62-281, F.A.C., is not federally enforceable**)]

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Chapter 62-296, F.A.C.

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

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

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

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

3. Reasonable precautions include the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

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

[electronic file name: tv-6.doc]

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

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

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

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

(c) Sampling Ports.

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

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

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

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

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

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

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

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

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

(e) Access to Work Platform.

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

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

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

(f) Electrical Power.

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

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

(g) Sampling Equipment Support.

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

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

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

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

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

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

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

TABLE 297.310-1 CALIBRATION SCHEDULE
(version dated 10/07/96)

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

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

[electronic file name: 297310-1.doc]

FIGURE 1--SUMMARY REPORT--GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

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

Reporting period dates: From _____ to _____

Company: _____

Emission Limitation: _____

Address: _____

Monitor Manufacturer: _____

Model No.: _____

Date of Latest CMS Certification or Audit: _____

Process Unit(s) Description: _____

Total source operating time in reporting period ¹: _____

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

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

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

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

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

Name: _____

Signature: _____ Date: _____

Title: _____

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:)
)
Florida Electric Power Coordinating Group, Inc.,) ASP No. 97-B-01
)
Petitioner.)

ORDER ON REQUEST
FOR
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), the Florida Electric Coordinating Group, Incorporated, (FCG) petitioned for approval to: (1) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test; and, (2) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test during the year prior to renewal of an operation permit. This Order is intended to clarify particulate testing requirements for those fossil fuel steam generators which primarily burn gaseous fuels including, but not necessarily limited to natural gas.

Having considered the provisions of Rule 62-296.405(1), F.A.C., Rule 62-297.310(7), F.A.C., and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. The Florida Electric Power Coordinating Group, Incorporated, petitioned the Department to exempt those fossil fuel steam generators which have a heat input of more than 250 million Btu per hour and burn solid and/or liquid fuel less than 400 hours during the year from the requirement to conduct an annual particulate matter compliance test. [Exhibit 1]

2. Rule 62-296.405(1)(a), F.A.C., applies to those fossil fuel steam generators that are not subject to the federal standards of performance for new stationary sources (NSPS) in 40 CFR 60 and which have a heat input of more than 250 million Btu per hour.

3. Rule 62-296.405(1)(a), F.A.C., limits visible emissions from affected fossil fuel steam generators to, "20 percent opacity except for either one six-minute period per hour during which

not exceed 40 percent. The option selected shall be specified in the emissions unit's construction and operation permits. Emissions units governed by this visible emission limit shall test for particulate emission compliance annually and as otherwise required by Rule 62-297, F.A.C."

4. Rule 62-296.405(1)(a), F.A.C., further states, "Emissions units electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The results of such tests shall be submitted to the Department. Upon demonstration that the particulate standard has been regularly complied with, the Secretary, upon petition by the applicant, shall reduce the frequency of particulate testing to no less than once annually.

5. Rule 297.310(7)(a)1., F.A.C., states, "The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit."

6. Rule 297.310(7)(a)3., F.A.C., states, "The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision.

7. Rule 297.310(7)(a)3., F.A.C., further states, "In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b, c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal: a. Did not operate; or, b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours."

8. Rule 297.310(7)(a)4., F.A.C., states, "During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for: a. Visible emissions, if there is an applicable standard; b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant..."

9. Rule 297.310(7)(a)5., F.A.C., states, "An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours."

10. Rule 297.310(7)(a)6., F.A.C., states, "For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be

required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.”

11. Rule 297.310(7)(a)7., F.A.C., states, “For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.” [Note: The reference should be to Rule 62-296.405(1)(a), F.A.C., rather than Rule 62-296.405(2)(a), F.A.C.]

12. The fifth edition of the U. S. Environmental Protection Agency’s Compilation of Air Pollutant Emission Factors, AP-42, that emissions of filterable particulate from gas-fired fossil fuel steam generators with a heat input of more than about 10 million Btu per hour may be expected to range from 0.001 to 0.006 pound per million Btu. [Exhibit 2]

13. Rule 62-296.405(1)(b), F.A.C. and the federal standards of performance for new stationary sources in 40 CFR 60.42, Subpart D, limit particulate emissions from uncontrolled fossil fuel fired steam generators with a heat input of more than 250 million Btu to 0.1 pound per million Btu.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider the matter pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 62-297.620, F.A.C.

2. Pursuant to Rule 62-297.310(7), F.A.C., the Department may require Petitioner to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

3. There is reason to believe that a fossil fuel steam generator which does not burn liquid and/or solid fuel (other than during startup) for a total of more than 400 hours in a federal fiscal year and complies with all other applicable limits and permit conditions is in compliance with the applicable particulate mass emission limiting standard.

ORDER

Having considered the requirements of Rule 62-296.405, F.A.C., Rule 62-297.310, F.A.C., and supporting documentation, it is hereby ordered that:

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

2. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup;

3. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(1)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup;

4. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

5. Pursuant to Rule 62-297.310(7), F.A.C., owners of affected fossil fuel steam generators may be required to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

6. Pursuant to Rule 62-297.310(8), F.A.C., owners of affected fossil fuel steam generators shall submit the compliance test report to the District Director of the Department district office having jurisdiction over the emissions unit and, where applicable, the Air Program Administrator of the appropriate Department-approved local air program within 45 days of completion of the test.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of

the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

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

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

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

A request for mediation must contain the following information:

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

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and

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

The agreement to mediate must include the following:

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

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

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

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

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

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

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

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will

specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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

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

The petition must specify the following information:

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

The Department will grant a variance or waiver, when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully

each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

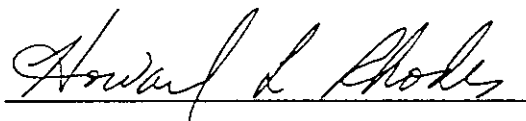
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 17 day of March, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 18th day of March 1997.

Clerk Stamp

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

Martha A. Wise 3-18-97
Clerk Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:)

Florida Electric Power Coordinating Group, Inc.,)

ASP No. 97-B-01

Petitioner.)


ORDER CORRECTING SCRIVENER'S ERROR

The Order which authorizes owners of natural gas fired fossil fuel steam generators to forgo particulate matter compliance testing on an annual basis and prior to renewal of an operation permit entered on the 17th day of March, 1997, is hereby corrected on page 4, paragraph number 4, by deleting the words "pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.":

4. In renewing an air operation permit ~~pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.~~, the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

DONE AND ORDERED this 2 day of July, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-0114

Acid Rain Part Application

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

This submission is: New Revised RENEWAL

STEP 1

Identify the source by plant name, State, and ORIS code

Hines Energy Complex Plant Name	Florida State	7302 ORIS Code
------------------------------------	------------------	-------------------

STEP 2

Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a." For new units, enter the requested information in columns "c" and "d."

a Unit ID#	b Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	c New Units Commence Operation Date	d New Units Monitor Certification Deadline
1A	Yes	Existing	
1B	Yes	"	
2A	Yes	"	
2B	Yes	"	
3A	Yes	"	
3B	Yes	"	
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

RECEIVED

OCT 27 2006

BUREAU OF AIR REGULATION

<p>Hines Energy Complex Plant Name (from Step 1)</p>
--

STEP 3
Read the standard requirements

Acid Rain Part Requirements

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
- (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
- (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain part application, the Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

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

Excess Emissions Requirements

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

Recordkeeping and Reporting Requirements

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

Hines Energy Complex
 Plant Name (from Step 1)

**STEP 3,
Cont'd.**

Recordkeeping and Reporting Requirements (cont)

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

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

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities.

No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

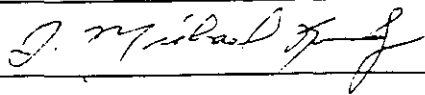
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Read the certification statement, sign, and date

Certification

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

Name	J. Michael Kennedy	
Signature		Date 10-23-06

Appendix GG – NSPS Subpart GG Requirements for Gas Turbines

Updated 4/27/06

Source [44 FR 52798, Sept. 10, 1979, as amended at 52 FR 42434, Nov. 5, 1987; 65 FR 61759, Oct. 17, 2000; 69 FR 41346, July 8, 2004]

Subpart GG-Standards of Performance for Stationary Gas Turbines

§ 60.330 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities: All stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after October 3, 1977, is subject to the requirements of this part except as provided in paragraphs (e) and (j) of § 60.332.

§ 60.331 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Stationary gas turbine* means any simple cycle gas turbine, regenerative cycle gas turbine or any gas turbine portion of a combined cycle steam/electric generating system that is not self propelled. It may, however, be mounted on a vehicle for portability.

(b) *Simple cycle gas turbine* means any stationary gas turbine which does not recover heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine, or which does not recover heat from the gas turbine exhaust gases to heat water or generate steam.

(c) *Regenerative cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine.

(d) *Combined cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to heat water or generate steam.

(e) *Emergency gas turbine* means any stationary gas turbine which operates as a mechanical or electrical power source only when the primary power source for a facility has been rendered inoperable by an emergency situation.

(f) *Ice fog* means an atmospheric suspension of highly reflective ice crystals.

(g) *ISO standard day conditions* means 288 degrees Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

(h) *Efficiency* means the gas turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output based on the lower heating value of the fuel.

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- (i) *Peak load* means 100 percent of the manufacturer's design capacity of the gas turbine at ISO standard day conditions.
- (j) *Base load* means the load level at which a gas turbine is normally operated.
- (k) *Fire-fighting turbine* means any stationary gas turbine that is used solely to pump water for extinguishing fires.
- (l) *Turbines employed in oil/gas production or oil/gas transportation* means any stationary gas turbine used to provide power to extract crude oil/natural gas from the earth or to move crude oil/natural gas, or products refined from these substances through pipelines.
- (m) A *Metropolitan Statistical Area* or *MSA* as defined by the Department of Commerce.
- (n) *Offshore platform gas turbines* means any stationary gas turbine located on a platform in an ocean.
- (o) *Garrison facility* means any permanent military installation.
- (p) *Gas turbine model* means a group of gas turbines having the same nominal air flow, combustor inlet pressure, combustor inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.
- (q) *Electric utility stationary gas turbine* means any stationary gas turbine constructed for the purpose of supplying more than one-third of its potential electric output capacity to any utility power distribution system for sale.
- (r) *Emergency fuel* is a fuel fired by a gas turbine only during circumstances, such as natural gas supply curtailment or breakdown of delivery system, that make it impossible to fire natural gas in the gas turbine.
- (s) *Unit operating hour* means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.
- (t) *Excess emissions* means a specified averaging period over which either:
- (1) The NO_x emissions are higher than the applicable emission limit in Sec. 60.332;
 - (2) The total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in Sec. 60.333; or
 - (3) The recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.
- (u) *Natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Natural gas contains 20.0 grains or less of total sulfur per 100 standard cubic feet. Equivalents of this in other units are as follows: 0.068 weight percent total sulfur, 680 parts per million by weight (ppmw) total sulfur, and 338 parts per million by volume (ppmv) at 20 degrees Celsius total sulfur. Additionally, natural gas must either be composed of at least 70 percent methane by

Appendix GG – NSPS Subpart GG Requirements for Gas Turbines

volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

(v) Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

(w) Lean premix stationary combustion turbine means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture for combustion in the combustor. Mixing may occur before or in the combustion chamber. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(x) Diffusion flame stationary combustion turbine means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(y) Unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

§ 60.332 Standard for nitrogen oxides.

(a) On and after the date on which the performance test required by § 60.8 is completed, every owner or operator subject to the provisions of this subpart as specified in paragraphs (b), (c), and (d) of this section shall comply with one of the following, except as provided in paragraphs (e), (f), (g), (h), (i), (j), (k), and (l) of this section.

(1) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

$$STD = 0.0075 \frac{(14.4)}{Y} + F$$

where:

STD = allowable ISO corrected (if required as given in Sec. 60.335(b)(1)) NO_x emission concentration (percent by volume at 15 percent oxygen and on a dry basis),
Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

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F = NO_x emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(2) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

$$STD = 0.0150 \frac{(14.4)}{Y} + F$$

where:

STD = allowable ISO corrected (if required as given in Sec. 60.335(b)(1)) NO_x emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NO_x emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(3) The use of F in paragraphs (a)(1) and (2) of this section is optional. That is, the owner or operator may choose to apply a NO_x allowance for fuel-bound nitrogen and determine the appropriate F-value in accordance with paragraph (a)(4) of this section or may accept an F-value of zero.

(4) If the owner or operator elects to apply a NO_x emission allowance for fuel-bound nitrogen, F shall be defined according to the nitrogen content of the fuel during the most recent performance test required under Sec. 60.8 as follows:

Fuel-bound nitrogen (% by weight)	F (NO _x % by volume)
N ≤ 0.015.....	0
0.015 < N ≤ 0.1.....	0.04(N)
0.1 < N ≤ 0.25.....	0.004 + 0.0067(N - 0.1)
N > 0.25.....	0.005

Where:

N = the nitrogen content of the fuel (percent by weight), or:

Manufacturers may develop and submit to EPA custom fuel-bound nitrogen allowances for each gas turbine model they manufacture. These fuel-bound nitrogen allowances shall be substantiated with data and must be approved for use by the Administrator before the initial performance test required by Sec. 60.8. Notices of approval of custom fuel-bound nitrogen allowances will be published in the Federal Register.

(b) Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.

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(c) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired, shall comply with the provisions of paragraph (a)(2) of this section.

(d) Stationary gas turbines with a manufacturer's rated base load at ISO conditions of 30 megawatts or less except as provided in § 60.332(b) shall comply with paragraph (a)(2) of this section.

(e) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired and that have commenced construction prior to October 3, 1982 are exempt from paragraph (a) of this section.

(f) Stationary gas turbines using water or steam injection for control of NO_x emissions are exempt from paragraph (a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine.

(g) Emergency gas turbines, military gas turbines for use in other than a garrison facility, military gas turbines installed for use as military training facilities, and fire fighting gas turbines are exempt from paragraph (a) of this section.

(h) Stationary gas turbines engaged by manufacturers in research and development of equipment for both gas turbine emission control techniques and gas turbine efficiency improvements are exempt from paragraph (a) on a case-by-case basis as determined by the Administrator.

(i) Exemptions from the requirements of paragraph (a) of this section will be granted on a case-by-case basis as determined by the Administrator in specific geographical areas where mandatory water restrictions are required by governmental agencies because of drought conditions. These exemptions will be allowed only while the mandatory water restrictions are in effect.

(j) Stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour that commenced construction, modification, or reconstruction between the dates of October 3, 1977, and January 27, 1982, and were required in the September 10, 1979, Federal Register (44 FR 52792) to comply with paragraph (a)(1) of this section, except electric utility stationary gas turbines, are exempt from paragraph (a) of this section.

(k) Stationary gas turbines with a heat input greater than or equal to 10.7 gigajoules per hour (10 million Btu/hour) when fired with natural gas are exempt from paragraph (a)(2) of this section when being fired with an emergency fuel.

(l) Regenerative cycle gas turbines with a heat input less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) are exempt from paragraph (a) of this section.

§ 60.333 Standard for sulfur dioxide.

On and after the date on which the performance test required to be conducted by § 60.8 is completed, every owner or operator subject to the provision of this subpart shall comply with one or the other of the following conditions:

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(a) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis.

(b) No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

§ 60.334 Monitoring of operations.

(a) Except as provided in paragraph (b) of this section, the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water or steam injection to control NO_x emissions shall install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine.

(b) The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NO_x emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NO_x and O₂ monitors. As an alternative, a CO₂ monitor may be used to adjust the measured NO_x concentrations to 15 percent O₂ by either converting the CO₂ hourly averages to equivalent O₂ concentrations using Equation F-14a or F-14b in appendix F to part 75 of this chapter and making the adjustments to 15 percent O₂, or by using the CO₂ readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as follows:

(1) Each CEMS must be installed and certified according to PS 2 and 3 (for diluent) of 40 CFR part 60, appendix B, except the 7-day calibration drift is based on unit operating days, not calendar days. Appendix F, Procedure 1 is not required. The relative accuracy test audit (RATA) of the NO_x and diluent monitors may be performed individually or on a combined basis, i.e., the relative accuracy tests of the CEMS may be performed either:

(i) On a ppm basis (for NO_x) and a percent O₂ basis for oxygen; or

(ii) On a ppm at 15 percent O₂ basis; or

(iii) On a ppm basis (for NO_x) and a percent CO₂ basis (for a CO₂ monitor that uses the procedures in Method 20 to correct the NO_x data to 15 percent O₂).

(2) As specified in Sec. 60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

(3) For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in Sec. 60.13(h).

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NO_x and diluent, the data acquisition and handling system must calculate and record the hourly NO_x emissions in the

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units of the applicable NO_x emission standard under Sec. 60.332(a), i.e., percent NO_x by volume, dry basis, corrected to 15 percent O₂ and International Organization for Standardization (ISO) standard conditions (if required as given in Sec. 60.335(b)(1)). For any hour in which the hourly average O₂ concentration exceeds 19.0 percent O₂, a diluent cap value of 19.0 percent O₂ may be used in the emission calculations.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (H_o), minimum ambient temperature (T_a), and minimum combustor inlet absolute pressure (P_o) into the ISO correction equation.

(iii) If the owner or operator has installed a NO_x CEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in Sec. 60.7(c).

(c) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which does not use steam or water injection to control NO_x emissions, the owner or operator may, but is not required to, for purposes of determining excess emissions, use a CEMS that meets the requirements of paragraph (b) of this section. Also, if the owner or operator has previously submitted and received EPA, State, or local permitting authority approval of a procedure for monitoring compliance with the applicable NO_x emission limit under Sec. 60.332, that approved procedure may continue to be used.

(d) The owner or operator of any new turbine constructed after July 8, 2004, and which uses water or steam injection to control NO_x emissions may elect to use either the requirements in paragraph (a) of this section for continuous water or steam to fuel ratio monitoring or may use a NO_x CEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section.

(e) The owner or operator of any new turbine that commences construction after July 8, 2004, and which does not use water or steam injection to control NO_x emissions, may, but is not required to, elect to use a NO_x CEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section. Other acceptable monitoring approaches include periodic testing approved by EPA or the State or local permitting authority or continuous parameter monitoring as described in paragraph (f) of this section.

(f) The owner or operator of a new turbine that commences construction after July 8, 2004, which does not use water or steam injection to control NO_x emissions may, but is not required to, perform continuous parameter monitoring as follows:

(1) For a diffusion flame turbine without add-on selective catalytic reduction controls (SCR), the owner or operator shall define at least four parameters indicative of the unit's NO_x formation characteristics and shall monitor these parameters continuously.

(2) For any lean premix stationary combustion turbine, the owner or operator shall continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO_x mode.

(3) For any turbine that uses SCR to reduce NO_x emissions, the owner or operator shall continuously monitor appropriate parameters to verify the proper operation of the emission controls.

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(4) For affected units that are also regulated under part 75 of this chapter, if the owner or operator elects to monitor NO_x emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in Sec. 75.19 of this chapter, the requirements of this paragraph (f) may be met by performing the parametric monitoring described in section 2.3 of appendix E or in Sec. 75.19(c)(1)(iv)(H) of this chapter.

(g) The steam or water to fuel ratio or other parameters that are continuously monitored as described in paragraphs (a), (d) or (f) of this section shall be monitored during the performance test required under Sec. 60.8, to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations and other relevant information shall be included in the monitoring plan. For affected units that are also subject to part 75 of this chapter and that use the low mass emissions methodology in Sec. 75.19 of this chapter or the NO_x emission measurement methodology in appendix E to part 75, the owner or operator may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a quality-assurance plan, as described in Sec. 75.19 (e)(5) or in section 2.3 of appendix E and section 1.3.6 of appendix B to part 75 of this chapter.

(h) The owner or operator of any stationary gas turbine subject to the provisions of this subpart:

(1) Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph (h)(3) of this section. The sulfur content of the fuel must be determined using total sulfur methods described in Sec. 60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see Sec. 60.17), which measure the major sulfur compounds may be used; and

(2) Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (i.e., if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in Sec. 60.332). The nitrogen content of the fuel shall be determined using methods described in Sec. 60.335(b)(9) or an approved alternative.

(3) Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in Sec. 60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

Appendix GG – NSPS Subpart GG Requirements for Gas Turbines

(4) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule.

(i) The frequency of determining the sulfur and nitrogen content of the fuel shall be as follows:

(1) Fuel oil. For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). If an emission allowance is being claimed for fuel-bound nitrogen, the nitrogen content of the oil shall be determined and recorded once per unit operating day.

(2) Gaseous fuel. Any applicable nitrogen content value of the gaseous fuel shall be determined and recorded once per unit operating day. For owners and operators that elect not to demonstrate sulfur content using options in paragraph (h)(3) of this section, and for which the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel shall be determined and recorded once per unit operating day.

(3) Custom schedules. Notwithstanding the requirements of paragraph (i)(2) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (i)(3)(i) and (i)(3)(ii) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in Sec. 60.333.

(i) The two custom sulfur monitoring schedules set forth in paragraphs (i)(3)(i)(A) through (D) and in paragraph (i)(3)(ii) of this section are acceptable, without prior Administrative approval:

(A) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (i)(3)(i)(B), (C), or (D) of this section, as applicable.

(B) If none of the 30 daily measurements of the fuel's total sulfur content exceeds 0.4 weight percent (4000 ppmw), subsequent sulfur content monitoring may be performed at 12 month intervals. If any of the samples taken at 12-month intervals has a total sulfur content between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), follow the procedures in paragraph (i)(3)(i)(C) of this section. If any measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section.

(C) If at least one of the 30 daily measurements of the fuel's total sulfur content is between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), but none exceeds 0.8 weight percent (8000 ppmw), then:

(1) Collect and analyze a sample every 30 days for three months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(2) of this section.

(2) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(3) of this section.

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(3) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, continue to monitor at this frequency.

(D) If a sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), immediately begin daily monitoring according to paragraph (i)(3)(i)(A) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than 0.8 weight percent (8000 ppmw), are obtained. At that point, the applicable procedures of paragraph (i)(3)(i)(B) or (C) of this section shall be followed.

(ii) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(A) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf (i.e., the maximum total sulfur content of natural gas as defined in Sec. 60.331(u)), no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(B) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds 0.4 weight percent (4000 ppmw), then the minimum required sampling frequency shall be one sample at 12 month intervals.

(C) If any sample result exceeds 0.4 weight percent sulfur (4000 ppmw), but none exceeds 0.8 weight percent sulfur (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(C) of this section.

(D) If the sulfur content of any of the 720 hourly samples exceeds 0.8 weight percent (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(D) of this section.

(j) For each affected unit that elects to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with Sec. 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under Sec. 60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

(1) Nitrogen oxides.

(i) For turbines using water or steam to fuel ratio monitoring:

(A) An excess emission shall be any unit operating hour for which the average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with Sec. 60.332, as established during the performance test required in Sec. 60.8. Any unit operating hour in which no water or steam is injected into the turbine shall also be considered an excess emission.

(B) A period of monitor downtime shall be any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.

(C) Each report shall include the average steam or water to fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), gas turbine load, and (if applicable) the nitrogen content of the fuel during each excess emission. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in Sec. 60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of Sec. 60.335(b)(1).

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(ii) If the owner or operator elects to take an emission allowance for fuel bound nitrogen, then excess emissions and periods of monitor downtime are as described in paragraphs (j)(1)(ii)(A) and (B) of this section.

(A) An excess emission shall be the period of time during which the fuel-bound nitrogen (N) is greater than the value measured during the performance test required in Sec. 60.8 and used to determine the allowance. The excess emission begins on the date and hour of the sample which shows that N is greater than the performance test value, and ends with the date and hour of a subsequent sample which shows a fuel nitrogen content less than or equal to the performance test value.

(B) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour that a required sample is taken, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

(iii) For turbines using NO_x and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO_x concentration exceeds the applicable emission limit in Sec. 60.332(a)(1) or (2). For the purposes of this subpart, a "4-hour rolling average NO_x concentration" is the arithmetic average of the average NO_x concentration measured by the CEMS for a given hour (corrected to 15 percent O₂ and, if required under Sec. 60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_x concentrations immediately preceding that unit operating hour.

(B) A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NO_x concentration or diluent (or both).

(C) Each report shall include the ambient conditions (temperature, pressure, and humidity) at the time of the excess emission period and (if the owner or operator has claimed an emission allowance for fuel bound nitrogen) the nitrogen content of the fuel during the period of excess emissions. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in Sec. 60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of Sec. 60.335(b)(1).

(iv) For owners or operators that elect, under paragraph (f) of this section, to monitor combustion parameters or parameters that document proper operation of the NO_x emission controls:

(A) An excess emission shall be a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.

(B) A period of monitor downtime shall be a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

(2) Sulfur dioxide. If the owner or operator is required to monitor the sulfur content of the fuel under paragraph (h) of this section:

(i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur

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content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to paragraph (j)(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.

(iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

(3) *Ice fog.* Each period during which an exemption provided in § 60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

(4) *Emergency fuel.* Each period during which an exemption provided in § 60.332(k) is in effect shall be included in the report required in § 60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported.

(5) All reports required under Sec. 60.7(c) shall be postmarked by the 30th day following the end of each 6-month period.

Sec. 60.335 Test methods and procedures.

(a) The owner or operator shall conduct the performance tests required in Sec. 60.8, using either

(1) EPA Method 20,

(2) ASTM D6522-00 (incorporated by reference, see Sec. 60.17), or

(3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to this part, to determine NO_x and diluent concentration.

(4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(5) Notwithstanding paragraph (a)(4) of this section, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the following conditions are met:

(i) You may perform a stratification test for NO_x and diluent pursuant to

(A) [Reserved]

(B) The procedures specified in section 6.5.6.1(a) through (e) appendix A to part 75 of this chapter.

(ii) Once the stratification sampling is completed, the owner or operator may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within 10 percent of the mean normalized concentration for all traverse points, then you may use 3 points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The 3 points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or

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(B) If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within 5 percent of the mean normalized concentration for all traverse points, then you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

(6) Other acceptable alternative reference methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the applicable nitrogen oxides emission limitation in Sec. 60.332 and shall meet the performance test requirements of Sec. 60.8 as follows:

(1) For each run of the performance test, the mean nitrogen oxides emission concentration (NO_{xo}) corrected to 15 percent O₂ shall be corrected to ISO standard conditions using the following equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices:

$$NO_x = (NO_{x_o})(P_r/P_o)^{0.5} e^{19(H_o - 0.00633)} (288[\text{deg}]\text{K}/T_a)^{1.53}$$

Where:

NO_x = emission concentration of NO_x at 15 percent O₂ and ISO standard ambient conditions, ppm by volume, dry basis,

NO_{xo} = mean observed NO_x concentration, ppm by volume, dry basis, at 15 percent O₂,

P_r = reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, mm Hg,

P_o = observed combustor inlet absolute pressure at test, mm Hg,

H_o = observed humidity of ambient air, g H₂O/g air,

e = transcendental constant, 2.718, and

T_a = ambient temperature, [deg]K.

(2) The 3-run performance test required by Sec. 60.8 must be performed within 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the gas turbine, including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. If the turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel. Notwithstanding these requirements, performance testing is not required for any emergency fuel (as defined in Sec. 60.331).

(3) For a combined cycle turbine system with supplemental heat (duct burner), the owner or operator may elect to measure the turbine NO_x emissions after the duct burner rather than directly after the turbine. If the owner or operator elects to use this alternative sampling location, the applicable NO_x emission limit in Sec. 60.332 for the combustion turbine must still be met.

(4) If water or steam injection is used to control NO_x with no additional post-combustion NO_x control and the owner or operator chooses to monitor the steam or water to fuel ratio in accordance with Sec. 60.334(a), then that monitoring system must be operated concurrently with each EPA Method 20, ASTM D6522-00 (incorporated by reference, see Sec. 60.17), or EPA Method 7E run and shall be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable Sec. 60.332 NO_x emission limit.

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(5) If the owner operator elects to claim an emission allowance for fuel bound nitrogen as described in Sec. 60.332, then concurrently with each reference method run, a representative sample of the fuel used shall be collected and analyzed, following the applicable procedures described in Sec. 60.335(b)(9). These data shall be used to determine the maximum fuel nitrogen content for which the established water (or steam) to fuel ratio will be valid.

(6) If the owner or operator elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately (as described in paragraph (b)(7) of this section) or as part of the initial performance test of the affected unit.

(7) If the owner or operator elects to install and certify a NO_x CEMS under Sec. 60.334(e), then the initial performance test required under Sec. 60.8 may be done in the following alternative manner:

(i) Perform a minimum of 9 reference method runs, with a minimum time per run of 21 minutes, at a single load level, between 90 and 100 percent of peak (or the highest physically achievable) load.

(ii) Use the test data both to demonstrate compliance with the applicable NO_x emission limit under Sec. 60.332 and to provide the required reference method data for the RATA of the CEMS described under Sec. 60.334(b).

(iii) The requirement to test at three additional load levels is waived.

(8) If the owner or operator elects under Sec. 60.334(f) to monitor combustion parameters or parameters indicative of proper operation of NO_x emission controls, the appropriate parameters shall be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in Sec. 60.334(g).

(9) To determine the fuel bound nitrogen content of fuel being fired (if an emission allowance is claimed for fuel bound nitrogen), the owner or operator may use equipment and procedures meeting the requirements of:

(i) For liquid fuels, ASTM D2597-94 (Reapproved 1999), D6366-99, D4629-02, D5762-02 (all of which are incorporated by reference, see Sec. 60.17); or

(ii) For gaseous fuels, shall use analytical methods and procedures that are accurate to within 5 percent of the instrument range and are approved by the Administrator.

(10) If the owner or operator is required under Sec. 60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference, see Sec. 60.17); or

(ii) For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, see Sec. 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator.

(11) The fuel analyses required under paragraphs (b)(9) and (b)(10) of this section may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

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(1) Instead of using the equation in paragraph (b)(1) of this section, manufacturers may develop ambient condition correction factors to adjust the nitrogen oxides emission level measured by the performance test as provided in Sec. 60.8 to ISO standard day conditions.