UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
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61 FORSYTH STREET, SW
ATLANTA, GEORGIA 30303-8909

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Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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BUREAU OF
AIR REGULATION

SUBJ: EPA's Review of Proposed Title V Permits for Florida Power & Light

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the following proposed title V operating permits for Florida Power & Light (FP&L): Manatee Plant, Putnam Plant, Lauderdale Plant, Martin Plant, Port Everglades Plant, Riviera Plant, and Turkey Point Plant, which were consecutively posted on DEP's web site from October 31, 1997, to November 17, 1997. Based on the Environmental Protection Agency's (EPA's) review of these proposed permits and the supporting information for each plant, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of all seven permits on the basis that the permits do not fully meet the periodic monitoring requirements of § 70.6(a)(3)(i). In addition, EPA objects to some of the proposed permits because they contain deviations from applicable requirements and some of the permits do not ensure practical enforceability of certain permit terms.

As you know, 40 C.F.R. § 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permits be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and the enclosures to it provide a statement of EPA's reasons for its objection. Enclosures 1 through 7 contain a detailed

explanation of the objection issues specific to each permit and the changes necessary to make each permit consistent with the requirements of 40 C.F.R. Part 70. In some cases, the enclosure also contains general comments with regard to the individual permit.

With regard to the objection issue relating to periodic monitoring, EPA would like to emphasize that a permit that does not contain adequate periodic monitoring, does not meet the requirements of 40 C.F.R. Part 70. Florida rule 62-213.440(1)(b)1.b. states that each Part 70 permit shall specify the following requirements with respect to monitoring:

> "Where the applicable requirement does not specify a method for periodic testing or instrumental or noninstrumental monitoring, periodic monitoring sufficient to yield reliable data and demonstrate compliance with the permit. Such monitoring requirements shall assure use of recordkeeping terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement."

The cited State regulation is based on 40 C.F.R. § 70.6(a)(3)(i)(B), which requires each Part 70 permit to contain the following requirements with respect to monitoring: "Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. ..."

Part 70's periodic monitoring requirements implement, in part, Section 504(a) of the Act, which requires that Part 70 permits contain "conditions as are necessary to assure compliance with applicable requirements of [the] Act, including the requirements of the applicable implementation plan" and Section 504(c), which requires "monitoring, compliance certification, and reporting requirements to assure compliance with the permit terms and conditions." In addition, Section 114 of the Act requires "enhanced monitoring" for major stationary sources. The EPA's recently-issued compliance assurance monitoring (CAM) rule indicates that Part 70 periodic monitoring satisfies enhanced monitoring under the Act for emissions units not subject to Part 64's CAM requirements. See 62 Fed. Reg. 54900, 54904 (Oct. 22, 1997).

In determining whether a permit application has appropriate periodic monitoring to assure compliance with all permit terms and conditions and all applicable requirements, a permitting authority must first determine whether an applicable requirement

already requires periodic testing or instrumental or noninstrumental monitoring. See 40 C.F.R. § 70.6(a)(3)(i)(B); 62-213.440(1)(b)1.b, F.A.C. Whether an underlying applicable requirement contains periodic monitoring or testing must be judged according to the criteria defining and governing periodic monitoring: namely, whether it is sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. In order for each permit to include monitoring that is sufficient to assure compliance with all applicable requirements, an applicant or permitting authority may have to enhance or supplement monitoring or testing in an existing applicable requirement through periodic monitoring that yields reliable and representative compliance data.[1] Alternatively, the underlying applicable requirement may already contain monitoring or testing sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit, in which case the periodic monitoring requirement is satisfied and no additional monitoring is necessary.

We understand DEP's view of periodic monitoring to be that "additional monitoring requirements are to be imposed only when the applicable requirement does not specify or require any monitoring." [Letter from C.H. Fancy, Chief, Bureau of Air Regulation, Florida DEP to R. Douglas Neeley, Chief, Air and Radiation Technology Branch, Air, Pesticides and Toxics Management Division, U.S. EPA Region 4, (Nov. 6, 1997) (emphasis in original).] DEP has asserted that "[t]he 'adequacy' of such monitoring is not addressed nor defined in either Part 70 or Chapter 62-213, F.A.C." Id. We do not agree. As discussed above, periodic monitoring under Part 70 — which is identical in material respects to Florida's regulations — is defined by the criteria that govern the adequacy of periodic monitoring, whether that monitoring is contained in an applicable requirement or supplements an applicable requirement. All monitoring must be sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit.

One of our concerns is that DEP's view of periodic monitoring means that monitoring in an existing applicable requirement — no matter how infrequent and no matter how inadequate to the task of compliance assurance — may never be enhanced in order to assure compliance with an applicable

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[1] See, e.g., 62 Fed. Reg. at 54904 ("Part 70 currently requires all title V operating permits to include monitoring to assure compliance with the permit. This includes all existing monitoring requirements as well as additional monitoring (generally referred to as 'periodic monitoring') if current requirements fail to specify appropriate monitoring. ...[E]xisting monitoring when supplemented as necessary by periodic monitoring is sufficiently enhanced for emissions units not subject to part 64.")

requirement of the Clean Air Act. We do not believe that this gives the meaning due "enhanced monitoring" under Section 114 of the Act. If existing monitoring is inadequate to assure compliance and we accept DEP's view that the adequacy of such monitoring may not be addressed through supplemental periodic monitoring, then Title V permits would not meet the statutory and regulatory requirement to contain monitoring that is adequate to assure compliance with all applicable requirements. An applicable requirement which contains any monitoring that recurs on some cyclical basis — which presumably could be once every year, five years, ten years or more — does not mean such monitoring is "periodic" for purposes of Title V and the Clean Air Act.

Where EPA determines that permits do not contain periodic monitoring that will assure compliance with a permit's terms and conditions, EPA may object to those proposed permits and require that any final issued permits be reopened to address any deficiencies. EPA Region 4 will work with DEP to determine whether any of the State's final issued permits must be reopened to address issues relative to periodic monitoring.

We regret that we were unable to resolve these issues with your office prior to the expiration of the 45-day review period. However, we are fully confident that Florida DEP will act to respond to these concerns in a timely manner. If you have any questions or wish to discuss this further, please contact Mr. Douglas Neeley, Chief, Air & Radiation Technology Branch or Ms. Carla Pierce, Chief, Operating Source Section at (404) 562-9105. Should your staff need additional information they may contact Ms. Yolanda Adams, Title V Technical Expert at (404) 562-9116, Mr. David McNeal, Monitoring Expert, at (404) 562-9102, or Ms. Lynda Crum, Associate Regional Counsel, at (404) 562-9524.

Sincerely,

James D. Kutzman for

Winston A. Smith
Director
Air, Pesticides & Toxics
Management Division

Enclosures

cc: Mr. Adalberto Alfonso
Plant General Manager
FPL - Turkey Point Plant
P.O. Box 088801
North Palm Beach, FL 33408

Mr. John Stanton
Plant General Manager
FPL - Port Everglades and Lauderdale Plants
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. W.T. Bethea
Plant General Manager
FPL - Putnam Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. James A. Keener
Plant General Manager
FPL - Martin Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. John M. Lindsay
Plant General Manager
FPL - Riviera Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. J.M. Parent
Plant General Manager
FPL - Manatee Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Enclosure 1

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power & Light, Manatee Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The Manatee permit only requires an annual one hour Method 9 visible emissions reading. This does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. Since continuous opacity monitors (COMs) have been installed on the units in question, these monitors should be used to ensure compliance with the opacity standard. Requiring that the opacity monitors be used for conducting periodic monitoring imposes little or no additional burden on FP&L.

(2) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Manatee permit requires an annual emission test to verify compliance with the applicable three-hour particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for units 001 and 002. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.
c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable three-hour particulate matter standard.

In addition, the Manatee permit contains a provision regarding operating conditions during the annual testing for particulate matter and visible emissions which states 'that the tests shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting the maximum quantity of additives approved by the Department.' Information provided to EPA indicates that these additives are used to control both particulate matter and nitrogen oxide emissions and that the amount of additive is dependent upon the ash content of the fuel. No provision exists within the permit which requires the unit to continue operating under the same conditions which existed during the test. Condition A.27 should be modified to reflect that 'the tests shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting additives consistent with normal operating practices approved by the Department.'

(3) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(f) 1.a., requires all emissions units to install continuous monitoring systems for monitoring opacity. The only exemption appears to be for units that do not use emission control equipment. Since emissions from units 001 and 002 are controlled with multiple cyclones, it appears that Florida regulations would require the use of COMs to determine compliance with the opacity standard. This applicable requirement must be included in the permit, or clarification must be provided in the statement of basis as to why this requirement does not apply.

(4) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(a) requires fossil fuel steam generators to comply with a 20 percent opacity standard, with the exception that sources electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The Manatee permit requires compliance with a 40 percent opacity standard; however, it only requires an annual compliance test for particulate matter emissions. We understand that this variance from the SIP's quarterly testing requirement was granted by a State Order. However, this variance was never submitted by the State of Florida as a SIP revision, and therefore, was never approved into the SIP. Therefore, the Manatee permit must ensure compliance with the requirements of the SIP as stated in rule 62-296.405(1)(a).

(5) Practical Enforceability - Florida rule 62-296.405(1)(c)1.g. does not contain an averaging time that can serve as an enforceable component to determine compliance with the applicable SO_2 standard for units 001 and 002. In instances where the SIP regulations do not indicate an averaging time

for the standard, the permit must include one to determine compliance with the applicable requirement. Even though the source has installed and certified CEMs, we understand that they have opted to demonstrate compliance with the SO_2 limit via fuel sampling and analysis, as allowed by Florida rule 62-296.405(1)(e)3. Florida rule 62-296.405(1)(e)3. does not specify a sampling frequency, thereby giving DEP the flexibility to specify a frequency that would ensure compliance with the standard.

Florida rule 62-296.405(1)(f)1.b. states that "Those emission units not having an operating flue gas desulfurization device may monitor sulfur dioxide emissions by fuel sampling and analysis according to methods approved by EPA." The fuel sampling approach stated in the proposed permit would allow for a determination of compliance on a monthly basis only. As stated in Rule 62-213.440(1)(b)1.b., "...monitoring requirements shall assure use of recordkeeping terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement;" The fuel sampling analysis method stated in the proposed permit is not adequate to demonstrate compliance with the applicable SO_2 standard which we understand to be in place to ensure compliance with the National Ambient Air Quality Standards (NAAQS). As indicated in DEP's response to comments memorandum dated October 23, 1997, DEP has determined that the averaging period for this standard should be 3 hours. Accordingly, the best course of action would be to use the CEMs data to derive 3 hour averages. Properly conducted fuel sampling may be an adequate substitute for the Manatee plant since it is permitted to burn only oil and gas. However, EPA realizes that conducting fuel analysis based on a 3 hour average would be too burdensome for the source. Given the relative consistency of the oil and gas fuel sources, 24 hour averaging of the fuel data may be sufficiently representative of the source's compliance with the 3 hour emission limit. Therefore, EPA is willing to accept a 24 hour averaging time for the fuel sampling analysis to ensure compliance with the applicable standard. The Region has accepted a 24 hour averaging time, which is still protective of the NAAQS, in other title V permits where the averaging time is not specified in the regulations. Please, refer to the Turkey Point Plant permit, condition A.19., for an example of an acceptable sampling protocol.

Based on the above information, DEP must revise the Manatee permit to either require that the fuel analysis be conducted on a daily basis, rather than a monthly basis, or require the use of the CEMs to determine compliance with this standard. Requiring that the CEMs be used for conducting

periodic monitoring imposes little or no additional burden on FP&L. Please, refer to the Riviera and Turkey Point permits. Even though use of CEMs are not the compliance method pursuant to the SIP, the State has required the use of the CEMs to ensure compliance with the same SIP SO_2 standard in those permits.

(6) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

(7) Periodic Monitoring - It is unclear how the permittee will show compliance with the heat input limitations in condition A.1. of the permit. The permit must require that the facility maintain fuel usage records to demonstrate compliance with the applicable heat input limit. Since this recordkeeping will be used to determine compliance with an hourly heat input rate limitation, the permit should contain an hourly fuel usage recordkeeping requirement in order to ensure that the facility remains in compliance with the hourly heat input limit.

(8) Periodic Monitoring - Condition A.8 allows particulate matter emissions up to an average of 0.3 lbs. per million BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. In addition, Condition A.6 allows visible emissions up to 60 percent opacity during soot blowing and load changes. A load change is defined to occur when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. There does not, however, appear to be any conditions that require the source to record the time, date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

In addition to the above objections, our review has identified the following concern regarding the Manatee permit:

1. Section II, Facility-Wide Conditions

Condition 7. should be identified as "Not Federally Enforceable."

Enclosure 2

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power & Light, Putnam Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

(2) Periodic Monitoring - It is unclear how the permittee will show compliance with the heat input limitations in conditions A.1. and B.1. of the permit. The permit must require that the facility maintain fuel usage records to demonstrate compliance with the applicable heat input limit. Since this recordkeeping will be used to determine compliance with an hourly heat input rate limitation, the permit should contain an hourly fuel usage recordkeeping requirement in order to ensure that the facility remains in compliance with the hourly heat input limit.

In addition to the above objections, our review has identified the following concerns regarding the Putnam permit:

1. Subsection D - Permit condition D.4. needs to be renumbered. It seems that several portions of the boilerplate language that were not applicable were deleted without renumbering/editing the contents of the condition.

2. The NSPS Common Conditions (Section E) should contain language similar to Conditions A.1 and B.1 of Section II of the Martin Plant permit, i.e., "For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee." In addition, similar language should be added either to Condition A.1 or to a new Condition, which puts the reader on notice that the 40 CFR 60 term "owner and operator," means "permittee" in

this permit. In addition, the phrase "[t]o the extent allowed by law" in the Note above Condition E.1 should be deleted. It is ambiguous and not repeated in any of the other permits in this context.

Enclosure 3

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power & Light, Lauderdale Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standards. For the four combined-cycle turbines with heat recovery steam generators, condition A.10. specifies that visible emissions shall not exceed 10% opacity while burning natural gas, or 20% opacity while burning distillate oil. Condition A.19 specifies a requirement for annual opacity tests to be performed on each combustion turbine with the fuel(s) used for more than 400 hours in the preceding 12-month period. For the two banks of 12 combustion turbines, condition B.6. specifies a 20 percent opacity limit, and condition B.14. specifies that a visible emissions compliance test shall be conducted on each combustion turbine that operates more than 400 hours in a federal fiscal year. The permit specifies that at least one combustion turbine shall be tested per year, and at least one compliance test shall be conducted on all 24 combustion turbines every five years. This does not constitute adequate periodic monitoring to ensure compliance with the opacity standards when burning fuel oil.

We recommend that the source be required to conduct visible emissions readings on a daily basis for the combined-cycle turbines and for the banks of combustion turbines, when these units burn fuel oil. The State may propose alternative monitoring so long as it yields reliable data that ensure compliance with the opacity standard.

(2) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. Condition A.7 of the permit specifies a PM/PM10 emission limitation of 14.7 lb/hr for each combined-cycle combustion turbine fired with natural gas, and an emission limitation of 58 lb/hr for each combustion turbine fired with oil. Annual testing of PM using Method 5 or 17 is required in condition A.19 of the permit for combustion turbines with fuels used for more than 400 hours in the preceding 12-month period. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard, it must

provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard.

(3) Periodic Monitoring - It is unclear how the permittee will show compliance with the heat input limitations in conditions A.3, and B.1 of the permit. The permit must require that the facility maintain fuel usage records to demonstrate compliance with the applicable heat input limit. Since this recordkeeping will be used to determine compliance with an hourly heat input rate limitation, the permit should contain an hourly fuel usage recordkeeping requirement in order to ensure that the facility remains in compliance with the hourly heat input limit. As an example, please refer to condition B.25, which ensures compliance with condition B.2, the heat input limitation for each bank of gas turbines.

(4) Practical Enforceability - Condition A.13 limits the sulfur content of light distillate oil fired in the turbines to a maximum of 0.3 weight percent and to a 12-month average value of no more than 0.2 weight percent. In order to constitute a practically enforceable requirement, this condition must be revised to clearly specify the procedures for calculating the sulfur content of the oil on a 12-month rolling average basis. This clarification is necessary because the current permit language could be interpreted to mean that the 12-month average sulfur content is calculated either as of the average of the daily sulfur analyses or as a weighted average based upon the sulfur content of the oil and amount burned on a daily basis. Of these two approaches, the only one that we consider acceptable is to calculate the average sulfur content on a mass-weighted basis. The basis for this position is that if Florida Power and Light is allowed to merely average the daily sulfur content of the oil, the company could burn large quantities of higher sulfur oil on a few days and achieve compliance by burning smaller quantities of lower sulfur content on a large number of days. Since this method of complying would circumvent the of the permit's intent to limit the annual average sulfur content of the oil combusted, the permit must be revised to eliminate the ambiguity about the calculation approach that will used to verify compliance with the annual average sulfur content limit.

(5) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on

November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213.420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

In addition to the above objections, our review has identified the following concerns regarding the Lauderdale permit:

1. VOC Emission Limit - Page 4, Facility-wide Conditions for Volatile Organic Compounds (VOCs): The permit specifies a limit for total VOC emissions from all emissions units at this facility (excluding the combined-cycle units) of 99.92 tons per year. The basis for this limit needs to be explained.

   It is not clear how the throughput, record keeping, and reporting requirements for the fuel storage tanks (Section III.C., p. 24 & 25) and for solvent usage (Section III.D., p. 26) will ensure compliance with the total VOC emission limit of 99.92 tons per year. The permit (Conditions C.2. and D.2.) should specify that VOC emissions will be calculated at least monthly, rather than on an annual basis. Of note is that the models for estimating air emissions from organic liquid storage tanks are contained in Chapter 7 of AP-42, not in Section 4-3. The permit (Conditions C.3. and D.3.) should also require the actual throughput for each tank and the quantities of solvents used to be recorded on a monthly basis.

2. Fuel Monitoring Schedule - Permit Condition A.12 refers to a customized fuel monitoring schedule approved by EPA. We recommend that this schedule be included in this permit condition, rather than referencing it.

3. Permit Condition Language - Condition 9 in Section II does not appear to be complete. It seems as though the language, "No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity without taking reasonable precautions to prevent such emissions." should be added as the first sentence in the paragraph.

4. Permit Terms - EPA recommends that the monitoring and operations section of the permit contain language, such as "For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60

shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee." In addition, EPA recommends that similar language be added either to Condition A.1 or to a new condition, which puts the reader on notice that the 40 CFR 60 term "owner and operator," means "permittee" in this permit.

Enclosure 4

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power & Light, Martin Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Martin permit requires an annual emission test to verify compliance with the applicable particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for Units 1 and 2. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.
c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable particulate matter standard.

In addition, the permit application states that magnesium hydroxide and related compounds may be injected into each boiler. Information provided to EPA indicates that these injected compounds (additives) are used to control both particulate matter and nitrogen oxide emissions and that the amount of additive is dependent upon the ash content of the fuel. No provision exists within the permit which addresses the approval and use of additives. The units should be required to operate during compliance tests at an injection rate consistent with normal operations.

(2) Practical Enforceability - Condition B.28 limits the sulfur

content of light distillate oil fired in the turbines to a maximum of 0.5 weight percent and to a 12-month average value of no more than 0.3 weight percent. In order to constitute a practically enforceable requirement, this condition must be revised to clearly specify the procedures for calculating the sulfur content of the oil on a 12-month rolling average basis. This clarification is necessary because the current permit language could be interpreted to mean that the 12-month average sulfur content is calculated either as of the average of the daily sulfur analyses or as a weighted average based upon the sulfur content of the oil and amount burned on a daily basis. Of these two approaches, the only one that we consider acceptable is to calculate the average sulfur content on a mass-weighted basis. The basis for this position is that if Florida Power and Light is allowed to merely average the daily sulfur content of the oil, the company could burn large quantities of higher sulfur oil on a few days and achieve compliance by burning smaller quantities of lower sulfur content on a large number of days. Since this method of complying would circumvent the of the permit's intent to limit the annual average sulfur content of the oil combusted, the permit must be revised to eliminate the ambiguity about the calculation approach that will used to verify compliance with the annual average sulfur content limit.

(3) Deviation from Applicable Requirement - Conditions A.7, B.9 and C.6 incorrectly cite the New Source Performance Standard (NSPS) (40 CFR 60.11(a)) to read as follows:

> "Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard." (emphasis added)

This appears to be an oversight since the most recent version of the NSPS dated 2/24/97 was revised to remove the word "only" to clarify that credible evidence may be used in ascertaining and supporting enforcement actions. See 62 Fed. Reg. 8314, 8328 (Feb. 24, 1997).

The following language that should be substituted from the most recent revision to 40 CFR 60.11(a) is:

> "Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard."

(4) Periodic Monitoring - Condition A.6 allows particulate matter emissions up to an average of 0.3 lbs. per million

BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. There does not, however, appear to be any conditions that require the source to record the time,date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

(5) Periodic Monitoring - It is unclear how the permittee will show compliance with the heat input limitations in conditions A.2, and B.3 of the permit. The permit must require that the facility maintain fuel usage records to demonstrate compliance with the applicable heat input limit. Since this recordkeeping will be used to determine compliance with an hourly heat input rate limitation, the permit should contain an hourly fuel usage recordkeeping requirement in order to ensure that the facility remains in compliance with the hourly heat input limit.

(6) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 4 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

Enclosure 5

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power and Light, Port Everglades Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The Port Everglades permit only requires an annual one hour Method 9 visible emissions reading. This does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. Since continuous opacity monitors (COMs) have been installed on units 1 through 4, these monitors should be used to ensure compliance with the opacity standard for these units. Requiring that the opacity monitors be used for conducting periodic monitoring imposes little or no additional burden on FP&L. .Please note that while the permit indicates that units 1 through 4 have operational continuous opacity monitors, the "Permit Summary Tables" indicate that there are no "CMS."

The Region is concerned about the lack of periodic monitoring provisions for opacity for the 12 simple cycle turbines (unit #5) in the proposed Port Everglades permit. We question whether an annual visible emissions test alone will provide enough data for certifying compliance with the applicable opacity limit for an entire year, and we question how FP&L will be able to certify compliance with opacity limits, in good faith, in the absence of data to back up the certification. We recommend that the source be required to conduct visible emissions readings on a daily basis when these units burn fuel oil. The State may propose alternative monitoring so long as it yields reliable data that ensure compliance with the opacity standard.

(2) Periodic Monitoring - Conditions A.15 and B.15 of the proposed permit for Port Everglades Plant indicate that the source is required to maintain hourly fuel records of the amount of fuel fired, the ratio of fuel oil to natural gas if co-fired, the heating value, and sulfur content of each fuel fired. Conditions A.15 and B.15 also describe the methodology by which the sulfur content and heating value of the fuel will be determined. The analysis of the monthly composite of fuel is not adequate to ensure compliance with the applicable SO_2 standard which is based on a three-hour rolling average (see Conditions A.11, B.11). Since the fuel records required in Condition A.15 need to be "of sufficient detail" to identify the testing requirements of Condition A.14 (Operating Conditions During Testing - PM and

VE), and A.11 (sulfur dioxide monitoring operations to demonstrate compliance with the sulfur dioxide limit based on a 3-hour rolling average), a fuel record and sampling protocol similar to the one required in Condition A.19 of the proposed Title V permit for the Florida Power & Light, Turkey Point Fossil Plant, should be required in the proposed permit for the Port Everglades Plant. Condition A.19 of the Turkey Point proposed permit requires the source to take hourly fuel samples and analyze the daily composite on a daily basis.

(3) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Port Everglades Plant permit requires an annual emission test to verify compliance (Conditions A.4, A.10, B.4, B.10) with the applicable three-hour particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for Units 1 through 4. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.
c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable three-hour particulate matter standard.

In addition, the permitting notes under Section III, Subsection A and Subsection B of the proposed permit for Port Everglades indicate that units 1 through 4 may inject additives such as magnesium hydroxide and related compounds into each boiler. Information provided to EPA indicates that these injected additives are used to control particulate matter and nitrogen oxide emissions and that the amount of additive is dependent upon the ash content of the fuel. The proposed permit does not, however, address the approval and

use of these additives. These units should be required to operate during compliance tests using an injection rate consistent with normal operations. This could be corrected by adding to the particulate compliance language: "that the tests shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting approved additives consistent with normal operating practices approved by the department."

(4) Practical Enforceability - A note under Conditions A.14 and B.14 in the proposed permit for Port Everglades, references an "informal agreement" between the facility and Broward County to limit the visible emissions to less than 20% opacity . This condition does not appear to be enforceable and should be removed from the permit. If the source is actually required to maintain opacity below 20% rather than the 40% standard indicated in Condition A.4 and B.4 then an enforceable condition needs to be included in the permit that indicates the correct opacity standard (see comment (5) below).

(5) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(a) requires fossil fuel steam generators to comply with a 20 percent opacity standard, with the exception that sources electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The Port Everglades permit requires compliance with a 40 percent opacity standard; however, it only requires an annual compliance test for particulate matter emissions. We understand that this variance from the SIP's quarterly testing requirement requirements was granted by a State Order. However, this variance was never submitted by the State of Florida as a SIP revision, and therefore, was never approved into the SIP. Therefore, the Port Everglades permit must ensure compliance with the requirements of the SIP as stated in rule 62-296.405(1)(a).

(6) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(f) 1.a, requires all emissions units to install continuous monitoring systems for monitoring opacity. The only exemption appears to be for units that do not use emission control equipment. Since emissions from these units (units 1 through 4) are controlled with multiple cyclones, it appears that Florida regulations would require the use of COMs to determine compliance with the opacity standard. This applicable requirement must be included in the permit, or clarification must be provided as to why this requirement does not apply.

(7) Periodic Monitoring - Conditions A.7 and B.7 allow

particulate matter emissions up to an average of 0.3 lbs. per million BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. In addition, Condition A.5 allows visible emissions up to 60 percent opacity during soot blowing and load changes. A load change is defined to occur when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. There does not, however, appear to be any conditions that require the source to record the time,date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

(8) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

In addition to the above objections, our review has identified the following concern regarding the Port Everglades permit:

1. Conditions A.11 and A.13 indicate that the permittee shall demonstrate compliance with the sulfur dioxide limit using CEMs. Condition A.13 also appears to offer the source the opportunity to use EPA test methods 6, 6A, 6B, 6C for demonstrating compliance with the applicable SO2 standard. If the source is required to use CEMs as a method of demonstrating compliance, it is unclear why Condition A.13 indicates alternative test methods. The Region recommends that the language in A.13, which allows the above test methods for measuring sulfur dioxide emissions, be removed from Condition A.13 in order to avoid confusion.

   Condition A.13 also allows the source to obtain an alternate procedure under the provisions of Rule 62-297.620, F.A.C.. Rule 62-297.620 (Exceptions and Approval of Alternate Procedures and Requirements) does not allow the source to obtain an alternative to continuous monitoring requirements. Therefore, it appears that the language in Condition A.13

which suggests that the source has the option of obtaining an alternative procedure to CEMs for demonstrating compliance with the SO_2 limit should be removed to avoid confusion. Please, refer to the Turkey Point permit which contains requirements for CEMs in conditions A.9 and A.13, but does not include the confusing language mentioned above.

Enclosure 6

U.S. EPA Region 4 Objections
Proposed Part 70 Operating Permit
Florida Power & Light, Riviera Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The Riviera permit only requires an annual one hour Method 9 visible emissions reading. This does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. Since continuous opacity monitors (COMs) have been installed on the units in question, these monitors should be used to ensure compliance with the opacity standard. Requiring that the opacity monitors be used for conducting periodic monitoring imposes little or no additional burden on FP&L.

(2) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Riviera permit requires an annual emission test to verify compliance with the applicable three-hour particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for Units 1 and 2. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.
c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable three-hour particulate matter standard.

In addition, the Riviera permit states that magnesium oxide, magnesium hydroxide and related compounds may be injected into each boiler. Information provided to EPA indicates that these injected compounds (additives) are used to control both particulate matter and nitrogen oxide emissions and that the amount of additive is dependent upon the ash content of the fuel. No provision exists within the permit which addresses the approval and use of additives. The units should be required to operate during compliance tests at an injection rate consistent with normal operations. This could be corrected by adding to the particulate compliance language: "the tests shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting approved additives consistent with normal operating practices approved by the Department."

(3) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(f) 1.a, requires all emissions units to install continuous monitoring systems for monitoring opacity. The only exemption appears to be for units that do not use emission control equipment. Since emissions from these units are controlled with multiple cyclones, it appears that Florida regulations would require the use of COMs to determine compliance with the opacity standard. This applicable requirement must be included in the permit, or clarification must be provided in the statement of basis as to why this requirement does not apply.

(4) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(a) requires fossil fuel steam generators to comply with a 20 percent opacity standard, with the exception that sources electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The Riviera permit requires compliance with a 40 percent opacity standard; however, it only requires an annual compliance test for particulate matter emissions. We understand that this variance from the SIP's quarterly testing requirement was granted by a State Order. However, this variance was never submitted by the State of Florida as a SIP revision, and therefore, was never approved into the SIP. Therefore, the Manatee permit must ensure compliance with the requirements of the SIP as stated in rule 62-296.405(1)(a).

(5) Deviation from Applicable Requirement - Condition A.9 states that 'The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change, but shall not apply during malfunction provided best operational practices to minimize emissions are adhered to and the duration of excess emissions are minimized and does not exceed two hours in any 24-hour period.' These units do not have sulfur dioxide controls. Please provide a definition

of what constitutes a malfunction as used in this permit condition for the Riviera Plant. The SIP rules (62-296.405(1)(c) and 62-296.405)(1)(c)) do not provide for a relaxation of the SIP limit during a malfunction. This condition should be revised to be consistent with the applicable regulations.

(6) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

(7) Periodic Monitoring - Condition A.8 allows particulate matter emissions up to an average of 0.3 lbs. per million BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. In addition, Condition A.6 allows visible emissions up to 60 percent opacity during soot blowing and load changes. A load change is defined to occur when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. There does not, however, appear to be any conditions that require the source to record the time,date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

In addition to the above objections, our review has identified the following concerns regarding the Riviera permit:

1. Section II, Facility-Wide Conditions.

   Condition 7 should be identified as "Not Federally Enforceable."

2. Conditions A.15 and A.23 indicate that the permittee shall demonstrate compliance with the sulfur dioxide limit using CEMs. Condition A.23 also appears to offer the source the opportunity to use EPA test methods 6, 6A, 6B, 6C for demonstrating compliance with the applicable SO_2 standard. If the source is required to use CEMs as a method of

demonstrating compliance, it is unclear why Condition A.23 indicates alternative test methods. The Region recommends that the language in A.23, which allows the above test methods for measuring sulfur dioxide emissions, be removed from Condition A.23 in order to avoid confusion.

Condition A.23 also allows the source to obtain an alternate procedure under the provisions of Rule 62-297.620, F.A.C.. Rule 62-297.620 (Exceptions and Approval of Alternate Procedures and Requirements) does not allow the source to obtain an alternative to continuous monitoring requirements. Therefore, it appears that the language in Condition A.23 which suggests that the source has the option of obtaining an alternative procedure to CEMs for demonstrating compliance with the SO_2 limit should be removed to avoid confusion. Please, refer to the Turkey Point permit which contains requirements for CEMs in conditions A.9 and A.13, but does not include the confusing language mentioned above.

Enclosure 7

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power & Light, Turkey Point Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The Turkey Point permit only requires an annual one hour Method 9 visible emissions reading. This does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. Since continuous opacity monitors (COMs) have been installed on the units in question, these monitors should be used to ensure compliance with the opacity standard. Requiring that the opacity monitors be used for conducting periodic monitoring imposes little or no additional burden on FP&L.

(2) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Turkey Point permit requires an annual emission test to verify compliance with the applicable three-hour particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for Units 1 and 2. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.
c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable three-hour

particulate matter standard.

(3) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it in not related to activities that may be considered "insignificant" under the title V program.

(4) Deviation from Applicable Requirement -Florida rule 62-296.405(1)(a) requires fossil fuel steam generators to comply with a 20 percent opacity standard, with the exception that sources electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The Turkey Point permit requires compliance with a 40 percent opacity standard; however, it only requires an annual compliance test for particulate matter emissions. We understand that this variance from the SIP's quarterly testing requirement was granted by a State Order. However, this variance was never submitted by the State of Florida as a SIP revision, and therefore, was never approved into the SIP. Therefore, the Turkey Point permit must ensure compliance with the requirements of the SIP as stated in rule 62-296.405(1)(a).

(5) Periodic Monitoring - It is unclear how the permittee will show compliance with the heat input limitations in conditions A.1, and B.1 of the permit. The permit must require that the facility maintain fuel usage records to demonstrate compliance with the applicable heat input limit. Since this recordkeeping will be used to determine compliance with an hourly heat input rate limitation, the permit should contain an hourly fuel usage recordkeeping requirement in order to ensure that the facility remains in compliance with the hourly heat input limit.

(6) Periodic Monitoring - Condition A.8 allows particulate matter emissions up to an average of 0.3 lbs. per million BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. In addition, Condition A.6 allows visible emissions up to 60 percent opacity during soot blowing and load changes. A load change is defined to

occur when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. There does not, however, appear to be any conditions that require the source to record the time,date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

In addition to the above objections, our review has identified the following concerns regarding the Turkey Point permit:

1. Section III, condition A.3 allows the use of magnesium hydroxide fuel additives. However, in the permit application, FP&L stated their "right to use other additives if they are suitable." If the State's intent is to limit the use of additives to only magnesium hydroxide, it should clearly establish that in the permit. However, the State may want to address the use of other additives via alternative operating scenarios, or another type of procedure.

2. Section II, Facility-Wide Conditions.

   Condition 7 should be identified as "Not Federally Enforceable."

   Condition 8, as written does not appear to be complete. It seems as though the language, "No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity without taking reasonable precautions to prevent such emissions." should be added as the first sentence in the paragraph.

3. Condition B.6 states that Unit-003 is subject to a NO_x standard such that "emissions shall not exceed 4.75 lb per million Btu heat input. These limits shall apply at all times except during periods of startup, shutdown, or malfunction as provided by Rule 62-210.700, F.A.C." Condition B.8 requires infrequent testing, on the order of "Annual emission testing shall be conducted during each federal fiscal year (October 1 - September 30). In addition, testing is waived entirely during years in which units operate less than 400 hours." Because this requirement

entails infrequent sampling, we recommend that information justifying this frequency be added to the statement of basis. Such justification could include a demonstration that the unit is unlikely to exceed this limit.