



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

P.E. Certification Statement

Permittee:

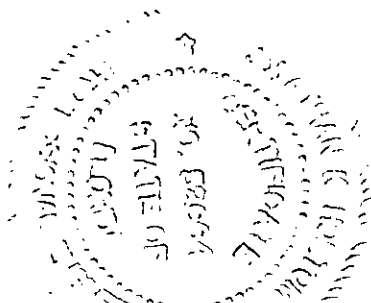
Seminole Electric Cooperative, Inc.
Seminole Power Plant

DRAFT Permit No.: 1070025-003-AV

Facility ID No.: 1070025

Project: Title V Air Operation Permit Revision for the operation of Seminole Electric Cooperative's Seminole Power Plant. The revision is to remove the ambient monitoring station that had been previously required by the Source's Power Plant Siting Certification. The Power Plant Siting Certification was revised on July 5, 2005 to remove this requirement. This facility is located east of U.S. Highway 17, approximately seven miles north of Palatka, Putnam County.

I HEREBY CERTIFY that the engineering features described in the above referenced application and related additional information submittals, if any, and subject to the proposed permit conditions, provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).



Jonathan K. Holtom
Jonathan K. Holtom, P.E.

Registration Number: 0052664

9/7/05
Date

Permitting Authority:

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114
Fax: 850/922-6979

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Department of Environmental Protection

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

Colleen M. Castille
Secretary

September 2, 2005

CERTIFIED MAIL - Return Receipt Requested

Mr. Michael P. Opalinski, Vice President of Technical Services
Seminole Electric Cooperative, Inc.
Seminole Power Plant
Post Office Box 272000
Tampa, Florida 33688

Re: DRAFT Title V Air Operation Permit Revision No.: 1070025-003-AV
Seminole Power Plant

Dear Mr. Opalinski:

One copy of the DRAFT Permit for the revision of the Title V Major Source Air Operation Permit for the Seminole Power Plant located East of U.S. Highway 17, approximately seven miles north of Palatka, Putnam County, is enclosed. The permitting authority's "INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION" are also included.

Only the conditions that have been changed as a result of this permitting project are included with this notice and are the only portions of the Title V permit that are open to Public Comment. When the project becomes Final, these changes shall be attached to permit number 1070025-002-AV and remain until the Title V permit is next reopened for a renewal or major revision. If you would prefer a complete copy of the revised permit now, an electronic version of the DRAFT Title V Air Operation Permit Revision has been posted on the Division of Air Resource Management's World Wide Web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

"<http://www.dep.state.fl.us/air/eproducts/ards/>"

The "PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jeff Koerner, P.E., at the above letterhead address. If you have any other questions, please contact Jonathan Holtom, P.E., at 850/921-9531.

Sincerely,

Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/jk/jh
Enclosures

"More Protection, Less Process"

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In the Matter of an
Application for a Title V Air Operation Permit by:

Seminole Electric Cooperative, Inc.
890 North U.S. Highway 17
Palatka, Florida 32177

DRAFT Permit Project No.: 1070025-003-AV
Seminole Power Plant
Title V Air Operation Permit Revision
Putnam County

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

Facility Location: The applicant requests a Title V air operation permit (Permit) to operate the Seminole Power Plant located East of U.S. Highway 17, approximately seven miles north of Palatka, Putnam County.

Project: On January 26, 2005, the applicant applied to the Permitting Authority for approval to remove an ambient monitoring station that has been maintained on-site. The Permit is a minor revision Permit for this facility that reflects the requested removal of the ambient monitoring station (as authorized by a revision to the Power Plant Site Certification, issued July 5, 2005), and the replacement of Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05).

This facility consists of two 714.6 megawatts, electric, coal fired steam electric generators; a coal handling and storage system; a limestone unloading, handling and storage system; a flue gas desulfurization (FGD) sludge stabilization system; and a rail car maintenance facility. Steam Electric Generators No. 2 and No. 1 began commercial operation in 1984 and 1985, respectively. These units are each equipped with an electrostatic precipitator (ESP) to control particulate matter, a wet limestone flue gas desulfurization (FGD) unit to control sulfur dioxide, and low NO_x burners and low excess-air firing to control nitrogen oxides. Each steam electric generator can fire coal, coal with a maximum of 30 percent petroleum coke (by weight), No. 2 fuel oil, and on-specification used oil. They are regulated under Acid Rain, Phase II and Phase I; NSPS - 40 CFR 60, Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); the Power Plant Siting Act (PPSA); and, Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated August 9, 1979.

The coal receiving, storage and transfer systems at the coal storage yard, which began commercial operation in 1985, are regulated under NSPS - 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; PSD; the PPSA; Rule 62-212.400(6), F.A.C., BACT Determination, dated June 15, 1979. The limestone handling and storage system particulate matter emissions are controlled and regulated under PSD; Rule 62-212.400(6), and F.A.C., BACT Determination, dated June 15, 1979. The rail car maintenance facility is regulated under the Power Plant Siting Act.

Also, included at this facility are miscellaneous unregulated/insignificant emissions units and/or activities.

Permitting Authority: The application for this Permit revision is subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The Department's Bureau of Air Regulation is the Permitting Authority responsible for making a Permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114).

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested

persons may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at:

Permitting Authority:

Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/921-9533

Affected District:

Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7577
Telephone: 904/804-3300
Fax: 904/448-4319

Notice of Intent to Issue An Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a PROPOSED Permit and subsequent FINAL Permit in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the Public Notice and provide proof of publication may result in the denial of the Permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of this 30-day period by the Permitting Authority at the above address, e-mail or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Title V Air Operation Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Title V Air Operation Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a

petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue title v Air Operation Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

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

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and the DRAFT Permit changes) and all copies were sent by certified mail before the close of business on 9/7/05 to the person(s) listed:

Mr. Michael P. Opalinski, Vice President of Technical Services, SECI - Seminole Power Plant

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the DRAFT Permit changes) were sent by INTERNET E-mail on the same date to the person(s) listed:

Mr. Thomas W. Davis, P.E., Ph.D., Environmental Consulting & Technology
Mr. Chris Kirts, NED
U.S. EPA, Region 4

Clerk Stamp

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

Patricia J. Sunday 9/7/05
(Clerk) (Date)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Michael P. Opalinski
 Vice President of Technical Services
 Seminole Electric Cooperative, Inc.
 Seminole Power Plant
 Post Office Box 272000
 Tampa, Florida 33688

2. Article Number

(Transfer from service label)

7005 1160 0004 3034 2956

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*☐ Agent☐ Addressee

B. Received by (Printed Name)

Monique Nelson

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7005 1160 0004 3034 2956

U.S. Postal Service™

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Mr. Michael P. Opalinski, Vice President of

Technical Services

Postage

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Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
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Sent To

Mr. Michael P. Opalinski

Street, Apt. No.,

or PO Box No.

Post Office Box 272000

City, State, ZIP+4

Tampa, Florida 33688

PS Form 3800, June 2002

See Reverse for Instructions

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

Permitting Authority
Department of Environmental Protection
Bureau of Air Regulation

DRAFT Title V Air Operation Permit No.: 1070025-003-AV
Seminole Electric Cooperative, Inc.
Seminole Power Plant
Putnam County

Applicant: The applicant for this project is Seminole Electric Cooperative, Inc., Seminole Power Plant, 890 U.S. Highway 17, Palatka, Florida 32177. The applicant's responsible official is: Mr. Michael P. Opalinski, Vice President of Technical Services, Seminole Electric Cooperative, Inc. - Post Office Box 272000, Tampa, Florida 33688.

Facility Location: The applicant operates the Seminole Power Plant, which is an electrical utility plant and located East of U.S. Highway 17, approximately seven miles north of Palatka, Putnam County.

Project: The applicant operates the existing power plant in accordance with Title V Air Operation Permit No. 1070025-002-AV, which was issued on January 1, 2005. The applicant requests a revision of the Title V permit to remove the requirement to maintain and operate an ambient monitoring station for SO₂ and PM. The ambient monitoring station was a requirement of Site Certification No. PA-78-10, which was removed from the Site Certification on 07/05/05. This revision process is also being used to replace the existing Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05). These changes, as outlined in the Draft Title V Permit Revision, are the only portions of the Title V permit that are open for review and subject to Public Comment.

Permitting Authority: Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Department's Bureau of Air Regulation is the Permitting Authority responsible for making a Permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is: 850/488-0114.

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

Permitting Authority:
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected District:
Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7577
Telephone: 904/804-3300
Fax: 904/448-4319

Notice of Intent to Issue An Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a PROPOSED Permit and subsequent FINAL Permit in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Note to Newspaper: DO NOT PRINT THIS FOOTER!
Page numbers are only included for administrative purposes.

Page 1 of 3

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices (<http://tlhora6.dep.state.fl.us/onw/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of intent. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C.

Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits

STATEMENT OF BASIS

Seminole Electric Cooperative, Inc.
Seminole Generating Station
Facility ID No.: 1070025
Putnam County

Title V Air Operation Permit Revision
DRAFT Permit No.: 1070025-003-AV

This Title V air operation permit revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 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.

This facility consists of two 714.6 megawatts, electric, coal fired steam electric generators; a coal handling and storage system; a limestone unloading, handling and storage system, and a flue gas desulfurization (FGD) sludge stabilization system.

The purpose of this Title V permit revision is to reflect the removal of an ambient monitoring station for sulfur dioxide and total suspended particulate matter that was authorized by a revision to the Power Plant Site Certification, issued July 5, 2005, and to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05).

The following changes are the only changes being made to permit No. 1070025-002-AV as a result of this permitting project:

1. To reflect the replacement of Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05), the following changes have been made:

(a) The reference to Appendix TV-4 under the Referenced Attachments section on the Placard page has been changed to Appendix TV-5.

(b) In **Section II. Facility-wide Conditions**, Condition Number 1. has been changed:

FROM:

1. APPENDIX TV-4, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: APPENDIX TV-4, 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.}

TO:

1. APPENDIX TV-5, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: APPENDIX TV-5, 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.}

(c) In **Section II. Facility-wide Conditions**, Condition Number 8. has been changed:

FROM:

8. Emissions of Unconfined Particulate Matter. Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements (see Condition 57. of APPENDIX TV-4, TITLE V CONDITIONS):

The following requirements are "not federally enforceable":

- a. Chemical or water application to unpaved roads and unpaved yard areas;
- b. Paving and maintenance of roads, parking areas and plant grounds;
- c. Landscaping or planting of vegetation;
- d. Confining abrasive blasting where possible; and,
- e. Other techniques as necessary.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by the applicant in the renewal Title V permit application received July 2, 2004.]

TO:

8. Emissions of Unconfined Particulate Matter. Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements (see Condition 57. of APPENDIX TV-5, TITLE V CONDITIONS):

The following requirements are "not federally enforceable":

- a. Chemical or water application to unpaved roads and unpaved yard areas;
- b. Paving and maintenance of roads, parking areas and plant grounds;
- c. Landscaping or planting of vegetation;
- d. Confining abrasive blasting where possible; and,
- e. Other techniques as necessary.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by the applicant in the renewal Title V permit application received July 2, 2004.]

(d) In **Section II. Facility-wide Conditions**, Condition Number 1. has been changed:

FROM:

10. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.
[Rules 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-4, TITLE V CONDITIONS.)}

TO:

10. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.
[Rules 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-5, TITLE V CONDITIONS.)}

(e) Appendix TV-4, Title V Conditions (version dated 02/12/02) has been replaced by Appendix TV-5, Title V Conditions (version dated 03/28/05).

2. To reflect the authorized removal of the ambient monitoring station and it' associated reporting requirements, Specific Conditions A.72. and A.73. have been changed:

FROM:

Ambient Monitoring.

A.72. Not Federally Enforceable Air Monitoring Program. The permittee shall operate an ambient monitoring device for sulfur dioxide in accordance with EPA reference methods in 40 CFR, Part 53 an ambient monitoring device for total suspended particulate as shown in Figure 1, previously submitted as a part of the Power Plant Site Certification. The monitoring device shall be specifically located at a location approved by the Department. The frequency of operation shall be every six days commencing as specified by the Department. The ambient monitoring program may be reviewed annually by the Department and the permittee.

[PA 78-10, Revised August 10, 1989]

A.73. Not Federally Enforceable Air Monitoring Program Reporting. Ambient air monitoring data shall be reported to the Department quarterly commencing on the date of certification by the last day of the month following the quarterly reporting period utilizing the SAROAD or other format approved by the Department in writing.

[PA 78-10, Revised August 10, 1989]

TO:

Ambient Monitoring.

A.72. Reserved.

[PA 78-10, Revised July 5, 2005]

A.73. Reserved.

[PA 78-10, Revised July 5, 2005]

The remainder of the Title V permit remains unchanged and is as described below:

Steam Electric Generator Nos. 1 and 2 are coal fired utility, dry bottom wall-fired boilers, each having a maximum generator rating of 714.6 megawatts, electric. The maximum heat input to each emissions unit is 7,172 million Btu per hour. Steam Electric Generator Nos. 1 and 2 are

each equipped with an electrostatic precipitator (ESP) to control particulate matter, a wet limestone flue gas desulfurization (FGD) unit to control sulfur dioxide, and low NO_x burners and low excess-air firing to control nitrogen oxides. The emissions units are regulated under Acid Rain, Phase II and Phase I; NSPS - 40 CFR 60, Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); and Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated August 9, 1979. Steam Electric Generator No. 2 began commercial operation in 1984 and Steam Electric Generator No. 1 began commercial operation in 1985. These units are subject to a PM emission limit of 0.03 pound per million Btu heat input, which was established through BACT. The applicant has presented historical PM test results which show the average results of the annual tests for the past eleven years to be 0.0151 pound per million Btu for Unit #1 and 0.0146 pound per million Btu for Unit #2. The Department has determined that the appropriate test frequency is annual, as justified by the low emission rate documented in previous emissions tests. Units 1 and 2 are subject to CAM for monitoring controlled emissions of particulate matter. Units 1 and 2 are not subject to CAM for controlled emissions of SO₂ because CEMS are used for continuous compliance. Units 1 and 2 are not subject to CAM for NO_x because there are no add-on control devices.

The coal receiving, storage and transfer systems at the coal storage yard support the operation of the two power boilers. Particulate matter emissions are controlled at the "as-received transfer tower", the "as-fired transfer tower", and the conveyors to the silos by fabric filter systems. Water sprays, full enclosures or partial enclosures are also utilized, where appropriate. The emissions unit is regulated under NSPS - 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation Plants, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated June 15, 1979. The coal storage yard began commercial operation in 1985.

The limestone handling and storage system consists of a limestone unloading facility where particulate matter emissions are controlled by a panel filter, a limestone handling and storage system which utilizes a partial enclosure to control particulate matter emissions. In the FGD sludge processing system particulate emissions, which originate from the transfer of quicklime and fly ash from both truck and rail delivery, are controlled by the use of bag house filters. Scrubbers are also utilized to control particulate emissions in the FGD sludge processing building. The emissions unit is regulated under Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated June 15, 1979.

For purposes of periodic monitoring for the pollutants SO₂, NO_x, and opacity, the permittee will utilize continuous emission monitors, which are otherwise required by the Acid Rain program and/or 40 CFR Part 60.

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

Based on the Title V permit renewal application received July 2, 2004, this facility is a major source of hazardous air pollutants (HAPs).

Seminole Electric Cooperative, Inc.
Seminole Generating Station
Facility ID No.: 1070025
Putnam County

Title V Air Operation Permit REVISION

DRAFT Permit Project No.: 1070025-003-AV
(1st Revision to Renewed Title V Permit No.: 1070025-002-AV)

Permitting Authority:
State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Permitting North Section
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114
Fax: 850/922-6979

Compliance Authority:
Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590
Telephone: 904/807-3300
Fax: 904/448-4319



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

Permittee:

Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33618

DRAFT Permit No.: 1070025-003-AV

Facility ID No.: 1070025

SIC Nos.: 49, 4911

Project: Title V Air Operation Permit REVISION

The purpose of this permit is to revise Title V Air Operation Permit, No. **1070025-002-AV**, for the operation of the Seminole Generating Station, to reflect the authorized removal of the ambient monitoring station and to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05). This facility is located east of U.S. Highway 17, approximately seven miles north of Palatka, Putnam County.

This Title V air operation permit REVISION is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 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-5, Title V Conditions (version dated 03/28/05)
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 EMISSION AND
MONITORING SYSTEM PERFORMANCE REPORT (40 CFR 60; July 1996)
Appendix 40 CFR 60 Subpart A - General Provisions (version dated 07/01/03)
Phase II Acid Rain Application/Compliance Plan received 06/08/04
Phase II NO_x Compliance Plan dated 06/29/04.
Attachment Seminole Electric Cooperative: Protocol for Startup and Shutdown
Appendix CAM
Seminole Electric Cooperative, Inc.: Support Systems Operation Manual Plant Practice Section

Effective Date: January 1, 2005

Renewal Application Due Date: July 5, 2009

1st Revision Effective date: (Day 55)

Expiration Date: December 31, 2009

Michael G. Cooke, Director
Division of Air Resource Management

MGC/jk/jh

The following conditions supersede the corresponding conditions of permit No. 1070225-002-AV. No other changes have been made as a result of this permitting project. The changed conditions listed below are the only portions of the Title V permit that are open to Public Comment as a result of this permitting action.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-5, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-5, 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.}

8. Emissions of Unconfined Particulate Matter. Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements (see Condition 57. of APPENDIX TV-5, TITLE V CONDITIONS):

The following requirements are "not federally enforceable":

- a. Chemical or water application to unpaved roads and unpaved yard areas;
- b. Paving and maintenance of roads, parking areas and plant grounds;
- c. Landscaping or planting of vegetation;
- d. Confining abrasive blasting where possible; and,
- e. Other techniques as necessary.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by the applicant in the renewal Title V permit application received July 2, 2004.]

10. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.

[Rules 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-5, TITLE V CONDITIONS.)}

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

Ambient Monitoring.

A.72. Reserved.

[PA 78-10, Revised July 5, 2005]

A.73. Reserved.

[PA 78-10, Revised July 5, 2005]

APPENDIX TV-5, TITLE V CONDITIONS (version dated 03/28/05)

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

{Permitting note: APPENDIX TV-5, 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.); 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 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-5, TITLE V CONDITIONS (version dated 03/28/05) (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)(1), 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 the 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.]

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.

- (2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- (3) As provided in Subsections 403.087(7) 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 F.S. 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 F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. 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;

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(1)(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.]

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. The owner or operator of any 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, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. 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 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 or modified facility or emissions unit prior to the beginning of construction or modification, 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., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit 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(10)(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(10)(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.

(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 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(7), 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.
- (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) and (5), 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,
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, F.A.C., or Rule 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;
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. Reports.

- (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 District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.
- [Rule 62-210.370(3), F.A.C.]

- 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. Forms 62-210.900(1),(3),(4) and (5), F.A.C., including instructions, are available from the Department as hard-copy documents or executable files on computer diskettes. Copies of forms (hard-copy or diskette) may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Notwithstanding the requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate, if an air permit application is submitted using the Department's electronic application form, only one copy of the diskette and signature pages is required to be submitted.

- (1) Application for Air Permit - Title V Source, Form and Instructions (Effective 02/11/1999).
 - (a) Acid Rain Part (Phase II), Form and Instructions (Effective 04/16/2001).
 - 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 and Non-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, Florida Statutes. 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 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 Chapters 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.]

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 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 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.]

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 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. 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. The statement of compliance status shall include all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C.

(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)]

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.]

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Subject:
UNIT COLD START-UP/SUPERHEAT BOIL OUT

Section:
EQUIPMENT OPERATION PROCEDURE

This procedure is to be followed for cold start-ups of the unit. If it is necessary to deviate from this procedure, OA-1 SHALL be followed.

CAUTION: U-2 has an ABB sliding pressure live steam pressure controller. This controller must have its set point adjusted prior to placing the unit on the line to avoid inadvertent trips from the live steam pressure controller coming into action.

- _____ 1. Verify all necessary clearances released, confined space logs have been signed off, and jumper/lifted lead log has been reviewed and cleared of any inappropriate jumpers/lifted leads.
- _____ 2. Verify from the condensate system checklist that the condensate system is lined up and ready for service with condensate polishers by-passed.
- _____ 3. Verify circulating water system is in service with two pumps in operation.
- _____ 4. Have condensate storage tank water quality checked by lab. Fill hotwell to normal level and drain to waste. If hotwell had not been drained, drain and refill to normal level. Restart condensate system.
 - _____ 4.1 Ensure there are adequate levels in the ammonia and carbonylhydrazide chemical addition tanks. If tanks are low, a normal charge of 7 bolts in the sight glass of the charge tank mixed with 1/2 tank of condensate in the chemical addition tank for ammonia, and 4 bolts in the sight glass of the charge tank mixed with 1/2 tank of condensate in the chemical addition tank for carbonylhydrazide should be added.
- _____ 5. The dewatering system should be ready to receive waste slurry from the FGD and to send return supernate to the supernate tank in the FGD area.
 - _____ 5.1 Start the service water booster pump using the selector switch. If the required water pressure at the battery limit of the SW booster pump is available, and the manual suction and discharge valves are in the "open" position, the pump will start.
 - _____ 5.2 Place the waste slurry-supernate return loop in service.

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UNIT COLD START-UP/SUPERHEAT BOIL OUT

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EQUIPMENT OPERATION PROCEDURE

- _____ 5.2.1 Contact EPF to have their return pump placed in service.
- _____ 5.2.2 Place the supernate pump selector switch in the "Start" position. If the low-level sensing switch (LSL 0702) is satisfied and the EPF return tank level is adequate, the pump will start.
- _____ 5.3 Reagent Slurry Loop Start-Up
- _____ 5.3.1 Place the reagent slurry transfer pump selector switch in the "Start" position. If the level of the reagent storage tank satisfies the low level condition, the pump will start.
- _____ 5.3.2 Have the Support Systems Operator verify good return flow of reagent back to the reagent storage tank.

NOTE: Step 6 below may be omitted if D.A. has not been drained.

- _____ 6. With polisher vessels by-passed, fill the D.A. to normal level with one condensate pump and the D.A. level control by-pass valve. Keep remaining condensate pumps in pull-to-lock. shut down the condensate pump (pull-to-lock) and drain the D.A. to waste through the hotwell. Drain hotwell and refill to normal level. Restart condensate system.
- _____ 7. With polisher vessels by-passed, fill D.A. to high level as in Step 5 while maintaining hotwell level. Begin the condensate loop flow through D.A. high level dump to hotwell. It may be necessary to bleed condensate to waste (hotwell drain) and make-up from the condensate storage tank to lower iron oxide reading to <2000 ppb. If condensate flow is stable, controls may be placed in automatic.
- _____ 8. HD270 and LCV625 bypass should be opened to ensure adequate flow through D.A. flow loop. Also ensure the D.A. belly drain is open to drain any sediment. This line-up is to remain this way until unit is on bypass.
- _____ 9. When condensate pump discharge iron oxide is less than 2000 ppb, specific conductivity is less than 20 mmho, the chloride is less than 1 mg/l, (verified by lab personnel) place one polisher vessel in service. Change to clean vessel as

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necessary.

- _____ 10. With adequate chemistry bypass polishers prior to filling boiler. Place one carbohydrazide pump in service and adjust feed rate with manual loader (1-HK-4039) until #3 F.W. heater discharge carbohydrazide residue is 40-100 ppb. Place one ammonia pump in service and adjust feed rate with manual loader (1-CCC-4038) until #3 F.W. heater discharge specific conductivity is 2.5 to 5.0 mmho or pH 8.5 – 9.3.
- _____ 11. If available, cross tie the auxiliary steam system in order to seal the turbine and pull vacuum on condenser. This will help remove dissolved oxygen from the condensate which helps prevent iron build-up in the preboiler piping and boiler. Ensure vacuum breakers have seal water.
 - _____ A. Place the gland steam function group "on".
 - _____ B. Place lube oil and jacking oil function group "on" lube oil 70-100°F.
 - _____ C. Establish seal oil.
 - _____ D. Check turbine oil and EHC fluid tank levels.
 - _____ E. Put main turbine on turbine gear.
 - _____ F. Check valving for exhaust hood sprays.
 - _____ G. Ensure all charts/recorders are in service.

NOTE: If cross tied, this will add steam to the unit that is starting up, thus causing the hotwell level to increase. If start-up is delayed for an abnormal period, untie the units when pressure is adequate.

- _____ 12. When condensate polisher effluent reading is down to 100 ppb iron oxide, the water quality is sufficient to be used in the boiler.
- _____ 13. A. Check start ALL auxiliary lube oil pumps, I.D., F.D., P.A., ball mills, etc.

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- _____ B. Check for any problems.
- _____ C. Leave either all "A": or all "B" pumps in service.
- _____ D. Place B.F.P.s on T.G. and open HMV-1301 bypass valve.
- _____ 14. Verify the "pre-fire" requirements are completed by the control room, unit and auxiliary operator checklists.
- _____ 15. When adequate vacuum is achieved, reset main turbine and L.P. bypass. (To locate any problems)
- _____ 16. Open bypass on polisher to allow more chemicals to boiler. Contact laboratory personnel prior to filling boiler. Have lab verify proper concentration of ammonia and carbonylhydrazide as boiler is filled. (pH 8.5 – 9.3, conductivity 2.5 – 5.0 umho carbonylhydrazide 40-100 ppg). Fill the boiler using the boiler fill line off of the condensate pump discharge header to 5 ports. Verify locally at drum and
compare
with control room indication. Drain drum level back down (3 ports) for firing and verify level locally at drum. Have lab check iron level, at water wall drains, should be (<2000 ppb).
- _____ 17. Start air preheaters, and open secondary air inlet and outlet and gas inlet and
outlet
dampers.
- _____ 18. Verify clear path for air flow from fans to stack utilizing the FGD system bypass.
- _____ 19. Place one ID fan in service and one FD fan in service maintaining furnace draft at – ½". Place in service ID fan in "AUTO."
- _____ 20. Place second ID fan in service and second FD fan in service maintaining furnace draft at – ½". Parallel in service ID fans and place the second ID fan in "AUTO."

NOTE: If problems are encountered in starting the second ID or FD, do not delay startup. Proceed with the startup sequence while attempting to start the second set of fans. One set of fans is adequate to initially fire boiler and

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synchronize generator. Normally, #1 or #2 ID is started with #1 FD and #3 or #4 ID is started with #2 FD. This is for even flow through precipitators.

_____ 21. Parallel FD fans and raise air flow to 2.2 million LB/hr. Verify the air flow MFT signal and air flow <30% alarm clear as air flow is increased.

_____ A. Parallel running amps on FD Fans using BOMAR and 6.9kv breaker indications. As air flow increases throughout the start-up, maintain balanced fan amps. If amps are balanced, and there is an indicated discrepancy of >5% with blade pitch positions, contact Mech. Maint. and/or I&C for proper operation or correction. Compare and verify blade pitch position locally with the operator.

This step shall be followed and maintained throughout the unit start-up, as well as when the unit is on line. When the FD Fans are in "auto", and a bias of >5% is needed to balance the amps between fans, this could be an indication of APH pluggage, or other air flow restrictions. This is especially important between outages when there is a possibility of a potential APH wash needed. Early detection of APH pluggage is important so that some corrective action can be taken.

_____ 22. Start tertiary air fans and a scanner fan. Place redundant fans in standby.

NOTE: Contact lab personnel when ready to light off ignitors.

_____ 23. Start one ignition oil pump.

_____ 24. Select "BYPASS" mode on turbomat prior to boiler purge.

_____ 25. Depress the purge start button on the Forney panel. If all permissives are met, the 5 minute purge will begin. Purge permissives are:

_____ A. Air heaters in service.

_____ B. FD & ID fans in service.

_____ C. All mills and feeders stopped.



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- _____ D. All burner shut-off dampers closed.
- _____ E. Ignitor trip valve closed.
- _____ F. No primary air fan funning.
- _____ G. No flame detected.
- _____ H. 80% burner air registers to light off position.
- _____ I. Both reheat and economizer pass dampers open.
- _____ J. Full air flow path established:
- _____ K. Tertiary air fans in service.
- _____ L. All precipitators tripped.
- _____ M. All ignition oil valves closed.
- _____ N. All P.A.S.O. dampers closed.
- _____ O. Furnace pressure in limits.
- _____ P. All auxiliary air dampers closed.
- _____ Q. All S.A.S.O. dampers closed.
- _____ R. No boiler trip cond. present.
- _____ S. Precipitator seal air fans running.
- _____ T. Primary air dampers closed.
- _____ U. Scanner cooling fan running.

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V. Air flow >25% <40%.

CAUTION: Station an operator on the lower burner decks to check for oil leaks before opening ignitor trip valve. The initial placing of ignitors in service will require an operator present to identify any oil leaks.

27. When purge is complete, open the ignitor trip valve. When oil pressure is stabilized, place ignitors in service associated with mills 5 and 6. This operation SHALL be observed locally so that visual observation of flames may occur. The local operator SHALL monitor ignitor fires and make adjustments as necessary to reduce smoke from oil guns and optimize opacity until 2 pulverizers are in service.
 - A. MFT and IFT relays reset when the ignitor trip valve opens.
 - B. Maintain drum level within limits and air flow above 25%.
28. Close R.H. damper to approximately 25%, since there is not flow yet in the R.H. section.
29. Open the continuous blowdown 100% and use the boiler fill line from the condensate discharge header to maintain drum level in limits. If proper firing rate is held and blowdown controlled, -5" in drum is enough water, due to swelling.
30. Line up dampers and auxiliary equipment and start the primary air fans. Do not load fans at this time. Load when placing ball mills in service.
31. Verify three air compressors in service. Start the air heater blowing sequence using steam as the blowing medium, if the aux steam is cross tied. If not, use compressed air.
32. Firing rate must be controlled so as not to exceed 200°F between top and bottom drum metal temperature and 1000°F gas temperature on thermoprobes. The pass dampers will allow some flexibility in controlling temperatures. Computer points for drum metal temps are: Unit 1 BT1007 through BT1016, AT⁵ BC1003 through BC1007, Unit 2 BT20076 through BT2016, AT⁵ BC2003 through BC2007.

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- _____ 33. Jog down #7 F.W. heater outlet valve to approximately 5% open, and open #7 heater extraction M.O.V. from cold reheat 100%. This is to help preheat feedwater and minimize L.P. bypass flow into the condenser (efficiency). If unable to jog down #7 R.W. heater, then jog down #8 F.W. heater outlet M.O.V. Jogging down is to assure S.H. sprays, when necessary. If #8 is jogged down, still have #7 in service.
- _____ 34. If units were not cross tied on auxiliary steam system, the open the auxiliary steam supply valve to allow the auxiliary steam line to warm up with the boiler and to prevent a drum level excursion if opened later.
- _____ 35. Open the pegging steam valve to the D.A.
- _____ 36. When 25 lbs. of drum pressure is attained, close the drum and superheater vents. Verify the "25 PSI drum pressure requirements" have been completed per the control room, unit and auxiliary operator boiler checklist. Add ignitors to increase firing rate up to the limit for T on steam drum, or 1000°F probe limit.
- _____ 37. At approximately 150 PSI drum pressure, the drum level will start to rise (swell). It may be necessary to utilize the mass blowdown to maintain drum level within limits. Firing rate can also be manipulated to control this.
- _____ 38. When 250 PSI drum pressure is attained, place the No. 3 boiler feed pump in service and close the condensate boiler fill valve. The mass blowdown should be opened to 50% at this time, and remain there, until turbine bypass operation for sufficient flow to control drum level. If adequate drum level control is attained, the No. 3 boiler feed pump may be placed on automatic. If a T.D.B.F.P. is used, operate with recirc. 100% open in manual until pump is working hard enough to keep turbine exhaust from overheating. Drum pressure might need to be higher if a T.D.B.F.P. is utilized.
- _____ 39. If boiler drum blowdown pH (1-XR-4042) is between 8.3 and 9.2, iron oxide is less than 200 ppb, and specific conductivity (1-CJR-4044) is between 2.5 and 3.5 mmho, continue increasing drum pressure as required. Lab personnel should provide hourly readings.

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- _____ 40. Condensate flow should be sufficient to place the DA level control valve on automatic as well as hotwell make-up valves.
- _____ 41. If boiler drum blowdown pH (1-XR-4042) is below 8.3, iron oxide is greater than 200 ppb, or specific conductivity (1-CJR-4041) is greater than 3.5 mmho due to ionic contamination, alternately open and close the boiler bottom drains for 30 seconds on each valve (not to exceed drum level limitations) between 400 PSI and 800 PSI drum pressure.

CAUTION: DO NOT BLOWDOWN USING BOILER BOTTOM DRAINS WHEN PRESSURE IS OVER 800 PSI.

- _____ 42. Keep continuous boiler drum blowdown valve 100% open until water quality permits reduced blowdown rate. Mass blowdown is to be closed when unit is stable on bypass, unless water quality/lab deems it necessary to do otherwise.
- _____ 43. If vacuum was not pulled earlier, place the turbine gland steam function group in the "ON" position. This will open the drain on the gland steam header and start the warm-up period. Gland steam function group can be placed in stop-manual, and open drain manually also.
- _____ 44. As soon as the temperature is adequate for the gland steam function group (superheat >90°F and aux. steam >446°F) the supply valve will open.
- _____ 45. Ensure vacuum breakers are closed and have seal water on them, then start two vacuum pumps to establish vacuum.
- _____ 46. When vacuum is established, reset the LP bypass system. Verify the LP stop valves open (7" to 5" Hg). Check that LP bypass spray water is valved in. Should not reset without adequate spray water. Also reset the main turbine and verify the HP and IP stop valves open.
- _____ 47. Initiate a pre-bypass checklist and rest H.P. bypass, if tripped.
- _____ 48. At 400 psi start pressurizing and warming the electromatic power relief valves

by slowly opening the bypass valves on both isolation valves. The relief valves must be warmed for at least 30 minutes prior to operating.

At 500 psi have the electromatics valved in. Then test them one at a time approximately 5 to 10 seconds. Be prepared for a sharp increase in drum level when this is done.

- _____ 49. P.A. fans will need to be loaded at this time. Have the first mill in service when boiler pressure reaches 500 psig. Verify there is no coal laying out in burners. Start one of the lower ball mills.
- _____ 50. Just prior to opening the Paso on the first mill, open the H.P. bypass 10% manually. Control HP bypass discharge temperature at 650°F. Open the Paso on the in-service mill and start the coal feeders. Establish and maintain normal mill level and temperature. Continue to monitor and control steam drum T. Fire mill lightly until 600 psi is achieved (M.S.). Ensure H.P. warm-up valves open 100%.

NOTE: Opening of HP bypass valves will cause drum level to go high if opened too much. Do not close the HP bypass valves while on manual control or a MFT will occur.

- _____ 51. Notify Support Systems operators to place electrostatic precipitators in service when coal fire is visually verified in the furnace.
- _____ 52. Increase firing rate (not to exceed limitations in step 31) and increase opening of HP bypass valves to increase steam flow while allowing pressure to slowly increase as well.
- _____ 53. When coal fires are established, it is necessary to utilize the superheat sprays to control main steam temperature at or below 750°F.
- _____ 54. When boiler pressure reaches 1200 PSI and HP bypass should be approximately 50% open (480,000 to 500,000 lb/hr).
- _____ 55. Set the HP bypass setpoint at 1200 PSI and place the HP bypass valves on automatic.

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- _____ 56. Place the reheat and superheat pass dampers on automatic with R.H. setpoint at 700°F (115 psi @ 700°F = 361.92° Sh).
- _____ 57. Verify the "10% steam flow" requirements have been completed per the control room, unit and auxiliary operators boiler checklists.
- _____ 58. Place the second bottom elevation coal mill in service with 4 burners in service after purging coal conduits. If lower mill is unavailable, mills 2 or 4 can be utilized.

NOTE: This may cause drum level to swell rapidly. Use method as noted in Step 49. Have the absorber liquid side on three (3) modules in service.

- _____ 59. Increase firing rate until thermal megawatts are approximately 130 as indicated on the L&N master panel.

NOTE: Steam flow should then be greater than 10% and the HP bypass approximately 90% open.

- _____ 60. Increase firing rate until:
 - _____ A. Thermal megawatts approx. 130 MW.
 - _____ B. Throttle pressure approx. 1200.
 - _____ C. Main steam temperature 750°, R.H. temperature @ 700°F.
 - _____ D. HP bypass open approx. 90% to 100%.
 - _____ E. All conditions under control.
 - _____ F. Boiler/manual control mode.
- _____ 61. All F.W. controls should/could be in auto at this time.
- _____ 62. When the O₂ is below 10%, the scrubber modules should be put into service by notifying the Support Systems Control Room Operator.

- _____ 63. Verify all turbine drains open, oil temperature 85 to 110°F, >40 PSI header pressure, and stator cooling system in service, and generator H₂ pressure at 65 lbs. minimum.
- _____ 64. Select "IDLE" mode on the turbomat panel. (Turbine should have been on turning gear at least 4 hours prior to rolling.) Main steam temperature may have to be increased to provide permissive to roll turbine.
- _____ 65. Roll the turbine up to 500 RPM and hold for approximately 20 minutes. Check the turbine/generator for rubbing, vibration, oil flow, etc.
- _____ 66. Roll the turbine up to 1200 RPM and hold for approximately 20 minutes checking the turbine/generator conditions as above. (Check that turning gear motor has stopped >800 RPM.) Hold at 1200 RPM until HP probe shows a decreasing trend. Begin procedure for starting next (3rd) mill (2 or 4). 3rd mill should be available for service just before synchronization.
- _____ 67. Roll the turbine up to 3600 RPM. The control system will roll the turbine up at a rate allowed by the HP and IP probes. 30/min. Check all turbine/generator supervisory instrumentation as well as local checks.

NOTE: Roll time will be approximately 2 hours from initial roll to rated speed. When 3600 RPMs is reached, notify dispatcher of intentions to synch. and tie.
- _____ 68. When the turbine reaches 3600 RPM, select "LOAD" mode on turbomat, close the generator field breaker. Observe that generator terminal voltage increases, and

is matched with grid voltage.

NOTE: If load mode is selected early, the synchronization mode times out (640 seconds) before the Unit can tie on in the auto mode. Load mode should be selected when ready to tie-on.
- _____ 69. Set the target load at 100 MWS and the load gradient at 25 MWS/MIN.

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- _____ 70. Remove one of the switches for the generator OCBs (either 8W30 or 8W40) from the pull-to-lock position to the green flag position (normal after trip position).
- _____ 71. Unlock the sync. switch for the corresponding breaker taken out of pull-to-lock in step #69. Turn the spring loaded sync. switch all the way to the "auto on" position and let it return to the "auto" position. The "auto" sync. circuit should automatically adjust the generator voltage to match the line voltage on the grid and the frequency. **THIS IS TO BE VERIFIED.** The selected OCB will not auto close in the "GREEN FLAG" position (normal after trip position). When frequency and voltage are matched, as the sync. scope is moving in the clockwise direction the selected OCB control switch is to be placed in the "RED FLAG" position only when the sync. scope is between the 10 o'clock and 12 o'clock position. If the OCB doesn't auto close between 10 o'clock and 12 o'clock it is to be placed back in the "GREEN FLAG" position until the sync. scope is moving clockwise and between 10 o'clock and 12 o'clock. Verify a breaker close signal is being sent by observing the synchronization red lamp illuminates in pulse fashion when the synchroscope pointer is between the 10 o'clock and 12 o'clock position. The OCB control switch should never be in the "RED FLAG" position unless these conditions exist or the OCB is close in. Upon synchronization, zero vars. (Do not totally depend on automatic mode!) If unable to sync. in auto, take the sync. switch for the corresponding breaker taken out of pull-to-lock in step 69, and turn the sync. switch to manual. Use the frequency controller to adjust cycles so that the sync. scope starts slowly turning in a clockwise direction. Re-verify that generator voltage and grid voltage are still matched. When the sync. scope indication is at 11 o'clock and approaching 12 o'clock, close the pre-selected OCB. Zero VARs.
- _____ 72. Verify unit load comes up to the target load set value that was set in step #68.
- _____ 73. Place F.W. heaters 1-6 and #8 in service. Place steam driven B.F.P. in service, if #3 B.F.P. is in service.
- _____ 74. Turn the selected sync. switch off. Unlock the other sync. switch and close the corresponding generator breaker.
- _____ 75. At this point the IP probe will probably be limiting. With this condition, most of

the steam will be by-passing the IP and LP turbines. The firing rate will be higher than normal at this low load. The HP bypass must remain in "AUTO" and in service during this time.

- _____ 76. If the bypass is closing to a point of closing off, it may be necessary to increase the firing rate. This is accomplished by manually raising the air flow and fuel flow.

When the IP probe is no longer limiting start picking up load using the target load set value on the turbotrol panel. Set the load gradient at 5 MWS/MIN. Load increases should be approximately 25 MW intervals.

- _____ 77. Close boiler and turbine drains. Downstream valves first, then all root valves.

NOTE: Do not select turbine follow mode if the HP bypass is still open.

- _____ 78. Continue increasing firing rate and load slowly, keeping H.P. bypass approximately 25% open for pressure control. Increase pressure as allowed by lab.

- _____ 79. Transfer station service when load is >200 mw.

- _____ 80. When unit is stable at 250 MW, increase the target load set value, slightly, which will cause the H.P. bypass to close slowly. (Note: The H.P. bypass setpoint will have to be increased to a higher setpoint than throttle pressure setpoint, to prevent H.P. bypass from opening unnecessarily.) Re-correct target load set value, or firing rate, to re-stabilize unit. Unit still in boiler manual/turbine base, TT42, @ 250 MW. Match throttle pressure control setpoint with actual pressure, and select turbine follow mode only. Boiler base should only be selected after feedwater temperature is constant.

- _____ 81. When unit is stabilized at 2200 PSI throttle pressure (HP bypass setpoint at 2425 PSI) raise unit load to 300 MWS while placing another mill in service to accommodate the needed firing rate.

NOTE: Throttle pressure kept down to 2200 to ensure the L.P. bypass will not come into service.

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- _____ 82. When unit is at 300 MWS it will be necessary to place the other boiler feed pump turbine in service. Once the second pump is in service the loading should be approximately equal and the second pump placed on automatic.

NOTE: The second pump should be brought into service slowly allowing the already in service pump to decrease automatically while maintaining drum level.

- _____ 83. At 300 MWS all essential equipment should be in service to allow unit load capability throughout the entire load range. Equipment that is not required at this time should be in a "ready for service" type of condition. Also, throttle pressure can be increased to 2400 PSI if chemistry allows.

- _____ 84. The generator hydrogen pressure should be at the 75 lb. maximum pressure.

- _____ 85. Notify the dispatcher the unit is available for system load requirements within the 300 to 650 MW range.

NOTE: Any known restrictions that would prevent the unit from attaining full load (650 MWS) capability should be reported to the dispatcher at this time, or earlier, and logged on the derate information form.

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1.0 PURPOSE

To provide an approved operating procedure for removing a unit from on-line status to off-line status for outage work.

2.0 SCOPE

This operating procedure will outline steps to be taken from full load operation to off-line/turning gear operation.

3.0 SKILL LEVEL

When performing this task, it will require no less than the proficiency of a Control Room Operator, Unit Operator and Auxiliary Operator.

4.0 RESPONSIBILITIES

It shall be the responsibility of the Control Room Operator to perform the following:

- 4.1** Ensure the Unit is maintained in a stable condition throughout all load drops to off-line status.
- 4.2** Ensure all equipment is removed from service and secured properly in a timely manner.
- 4.3** Ensure that all required permissive and logics are met as required when reducing load and removing Unit from the grid.
- 4.4** Ensure that the shutdown procedure is followed throughout its entirety. Should any deviation be required, authorization from the Shift Supervisor must be obtained first. Exception to this rule is (1) safety to personnel or equipment or (2) if stipulated in this procedure, authorizing deviation without prior approval.
- 4.5** Maintain an open communication with all departments involved at ALL times.

5.0 REMOVING THE UNIT FROM SERVICE

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- NOTE 1:** Assume Unit is at 650 MWs, 5 and 2/3 mills in service, 2400 psi throttle pressure, 1000 degrees main steam temperature, 4 ID fans in service and associated modules for full load requirements.
- NOTE 2:** Upon notice of Unit being removed from service, clean the boiler of slag with the sootblowing system. It will require approximately 5 hours to complete the cleaning process using all blowers.
- 5.1** Select DEB/LFC or DEB/TB mode at a 5 MW a minute ramp rate. Deviation to ramp rate is authorized to accommodate state load requirements. Deviation from Boiler/Turbine modes is also authorized if they are not available or stable.
- 5.1.1** Verify that the in-service ignition oil tank has a level greater than 15'.
- 5.2** Begin decreasing MWs (load) at the given ramp rate. As load is reduced, slide pressure to maintain turbine valve position at no less than 90% valve position. Large load drops may result in a valve position less than 90%. Continue sliding pressure after load drop until 90% or greater turbine valve position is achieved. This valve position is to maintain steam flow velocities to assist in cooling the turbine/boiler. This accelerated flow rate will aid in control of steam temperatures at lower loads.
- 5.3** Reduce the Main steam and Hot Reheat steam temperature set points to a degree not to exceed the minimum BBC requirements. BBC requires no less than 150 degrees of steam temperature above saturation pint being admitted to the turbines. (Reference Steam Tables)
- 5.4** Reducing thermal MWs for load reduction is done by removing fire power, i.e., mills from service. Dependent upon related outage repair requirements when removing a mill from service, stripping and/or emptying the silo may be required. If there is not any related outage work to be performed, the CRO will remove the mill from service by the normal accepted practice.
- 5.5** Repairs requiring the silo to be emptied will require at least twelve hours advanced notice. This will give adequate time for pre-planning to ensure that the silo is prepared properly allowing repairs to be performed during unit shut down.

NOTE: When and at what load to remove fire power is at the discretion of the Control Room Operator. Unit fire power configuration is dictated by the mills and burners available for use. Another determining factor is the need introduced by pre-planning as to which mill is removed from service first and in what desired order.

6.0 LOAD REDUCTION

- 6.1** Reduce load by reducing fire power from the upper mills first. Remove the upper mills, if able: first, Mill #1 and then Mill #3.
- 6.2** When dropping load, constant monitoring of the HP/IP probes is required. There is an expected deflection to occur to the probes. The probes are expected to respond by indicating 50% towards the negative direction on the probe chart. This is acceptable. However, sharp increases in position (spikes) or an elevated percentage above 65% will require the immediate attention of the Control Room Operator.
- 6.3** Monitor throttle pressure and drum pressures frequently. These pressures must remain stable. Unstable throttle or drum pressures will not be conducive of a controlled shutdown.
- 6.4** Monitor main steam temperature vigilantly throughout all load reductions and constant conditions. Main steam temperature becomes increasingly difficult to maintain at a steady rate as low load and low flow conditions become realized.
- 6.5** UNIT STATUS:
 - 6.5.1** LOAD AT 580 MWS.
 - 6.5.2** THROTTLE PRESSURE 2300 PSI APPROXIMATELY.
 - 6.5.3** FIVE MILLS IN SERVICE.
 - 6.5.4** MAIN STEAM TEMPERATURE 950 DEGREES AND APPROXIMATELY 300 DEGREES SUPERHEAT.

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6.5.5 FOUR ID FANS IN SERVICE.

6.5.6 FOUR MODULES IN SERVICE.

6.6 Remove one of the four ID Fans from service as soon as load conditions permit. This will allow Supports to remove one module from service as long as logics are met.

6.7 Have the Unit Operator verify that the hood sprays are lined up for service.

6.8 Place the Start Up Boiler Feed Pump in service. Do not initiate any increases to the pump output at this time, i.e., feed pump discharge being placed into the feedwater header. Placing the Start Up Boiler Feed Pump in service is only to ensure pump operation. Placing the pump in service at this time will supply ample time for check out and field repairs if any are needed.

6.9 UNIT STATUS:

6.9.1 450 MWS.

6.9.2, FOUR MILLS IN SERVICE.

6.9.3 THROTTLE PRESSURE AT 1800 PSI.

6.9.4 MAIN STEAM TEMPERATURE 900 DEGREES, SUPERHEAT STEAM 270 DEGREES.

6.9.5 THREE ID FANS IN SERVICE.

6.9.6 THREE MODULES IN SERVICE.

NOTE: To obtain 900 degrees main steam temperature, it will require the #7 FWH discharge valve to be throttled to 25%. This will produce sufficient spray flow to the sprays to control superheat temperature at the desired temperature. **CAUTION:** When 35% open on the #7

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FWH discharge valve has been obtained, reduce as needed, not to exceed the 25% mark. Closely monitor drum level chart. Should drum level become erratic at anytime, open the discharge valve to 50% and wait until load begins to drop below 450 MWs. Should temperature of 900 degrees still be a problem to obtain, blow the wall blowers as well as bull nose sootblowers. The economizer damper should already be 100% open at this time. If it is not, open the economizer to 100% now. Do not throttle the #7 FWH outlet valve below 5% at any time.

NOTE: If the Unit is being shut down for short term repairs to something other than boiler internals or turbine/generator, there is no need to reduce temperatures to the degree outlined in this procedure.

6.10 Check to ensure the auxiliary steam system is valved in and operational from the boiler source.

6.11 UNIT STATUS:

6.11.1 300 MWS.

6.11.2 THREE MILLS IN SERVICE.

6.11.3 THROTTLE PRESSURE 1400 PSI.

6.11.4 MAIN STEAM TEMPERATURE 800 DEGREES, SUPERHEAT APPROXIMATELY 212 DEGREES.

6.11.5 THREE ID FANS IN SERVICE.

6.11.6 INSTRUCT UNIT OPERATOR TO CONDUCT A THOROUGH INSPECTION OF THE BOILER FURNACE SECTION, ESPECIALLY THE BULL NOSE AND SUPERHEAT AREA, FOR A SLAGGING STATUS. REPORT THE STATUS TO THE CRO FOR DOCUMENTATION IN THE CRO LOG.

6.12 Test the HP bypass operation electronically and actually. Perform the electronic

test procedure through the test mode located at the HP bypass panel. Actual test will be opening the HP bypass slightly to ensure all components work properly.

- 6.13 Remove one of the Steam Driven Boiler Feed Pumps from service under 300 MWs. CRO discretion. Ensure H MV-1301 OPEN, and H MV-1301 bypass OPEN 100%.
- 6.14 If unit is coming off line and fast cool down is not required, modules will be removed from service as needed.
- 6.15 Unit status reaches 450 MWs or less and only three ID Fans in service or less, remove fourth module from service.
- 6.16 Unit status reaches 300 MWs or less with three ID Fans still in service, leave the third module in service to accommodate air flow needed for force cooling.

NOTE: Unit loads **BELOW 300 MWs** place the Unit Master Control in a manual mode to ensure stable unit operation.

NOTE: Swap station service at approximately 200 MWs.

7.0 TURBINE SOAKING

Should repairs necessitate reduction of metal temperatures, soak time must be at least two to three hours consecutively in duration to remove the latent heat. Steam flow of approximately 2.5 million lbs. per hour should equate out to ~275 to 300 MWs. Ensure that the throttle pressure versus main steam temperatures are such that 150 degrees superheat steam temperature above saturation is maintained at all times. (REFERENCE STEAM TABLES)

8.0 LOAD REDUCTION CONTINUED

- 8.1 Remove the fourth mill at approximately 190 MWs. This MW value is flexible and fire power requirements should dictate at what time the mill is removed from service. However, when this mill is removed from service the fifth mill should be prepared for removal.

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8.2 UNIT STATUS:

8.2.1 150 MWS.

8.2.2 TWO MILLS IN SERVICE.

8.2.3 THROTTLE PRESSURE 1000 PSI.

8.2.4 MAIN STEAM TEMPERATURE ~750 DEGREES AND
APPROXIMATELY 250 DEGREES SUPERHEAT.

8.2.5 THREE ID FANS IN SERVICE.

8.3 When the Unit is stable and at 150 MWs, request authorization from the dispatcher to remove the Unit from operation. When authorization is obtained, prepare the Unit for final load reduction. Place HP bypass in service at 1000 psi set point. With the HP bypass in service boiler energy from the boiler will be diverted through the HP bypass. This will reduce the impact to the boiler pressure and alleviate drum level excursions.

9.0 REMOVING UNIT FROM THE GRID

9.1 Reduce load by reducing valve position in the turbine manual mode. Be advised that when C valve closes, the probes will indicate a sharp change in position. C valve should be fully closed by 85% indication of the live steam valve position indication located on TT42. Actual valve position can be seen on the Bently Nevada panel.

9.2 When C valve indicates closed, Unit load should be such that one of the two remaining mills may be removed from service. Prepare the last mill for removal, i.e., cool the mill down.

9.3 Once load has been reduced to 50 MWs, place the turbine controls in the idle mode load gradient above 3 MWs a minute and the Unit will decrease rapidly to zero MWs. HP bypass.

9.4 UNIT STATUS:

Subject:

UNIT SHUT DOWN

Section:

EQUIPMENT OPERATING PROCEDURE

- 9.4.1 TURBINE/GENERATOR OFF LINE.
- 9.4.2 THROTTLE PRESSURE 1000 PSI.
- 9.4.3 ONE MILL IN SERVICE.
- 9.4.4 ONE TURBINE DRIVEN BOILER FEED PUMP IN SERVICE.
- 9.4.5 THREE ID FANS IN SERVICE.
- 9.5 With no Tests/PMs required, remove the last mill from service, purging all coal conduits. Once the last coal fire is out and coal conduits are purged, remove and purge out all ignitors.
- 9.6 When boiler comes off line and MFT relay activates, T/R sets trip automatically.
- 9.7 Check to ensure main turbine turning gear comes into operation at 600 RPMs and that it maintains 25 RPMs on the rotor.
- 9.8 Isolate both electromatic power relief valves at 500 psi by closing the isolation gate valves and the isolation valve bypass valves.
- 9.9 Continue to depressurize the boiler through the HP/LP bypass loop down to the desired pressure ~200 to 300 psi.
- 9.10 When boiler depressurization is complete, fully break condenser vacuum. Vacuum may require being broken earlier if turbine steam seals are lost.

NOTE: If the Main Turbine did not reach turning gear RPMs at "9.7" of this procedure, RPM deceleration will increase now that vacuum is broken. Monitor Turbine speed to ensure proper operation of the turning gear occurs.

Attachment "40 CFR 60, Subpart A"

General Provisions

40 CFR 60.1 Applicability.

- (a) Except as provided in 40 CFR 60 subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (CAA) as amended November 15, 1990 (42 U.S.C. 7661).
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.1(a), (b) and (c)]

40 CFR 60.2 Definitions.

- (a) *Administrator* means the Administrator of the Environmental Protection Agency or the Secretary or the Secretary's designee.
[Rule 62-204.800(7)(a), F.A.C.; and, 40 CFR 60.2]

40 CFR 60.7 Notification and record keeping.

- (a) The owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:
- (1) A notification of the date construction (or reconstruction as defined under 40 CFR 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
 - (2) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.
 - (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
 - (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
 - (5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

- (6) A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
- (7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5) of 40 CFR 60. This notification shall be postmarked not less than 30 days prior to the date of the performance test.
- (b) The owner or operator subject to the provisions of this part 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.
- (c) The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see 40 CFR 60.7(d) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). 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.
- (d) The summary report form shall contain the information and be in the format shown in Figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.
- (1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 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 Administrator.
 - (2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 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.

[See Attached Figure 1-Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance]

(e) The owner or operator subject to the provisions of this part 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 this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.

(f) If notification substantially similar to that in 40 CFR 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR 60.7(a).

(g) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.7(a), (b), (c), (d), (e), (f) and (g)]

40 CFR 60.8 Performance tests.

(a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in 40 CFR 60.8 shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.8(a), (b)(1), (4) & (5), (c), (e) and (f)]

40 CFR 60.10 State authority.

The provisions of 40 CFR 60 shall not be construed in any manner to preclude any State or political subdivision thereof from:

- (a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.
 - (b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.
- [Rule 62-204.800, F.A.C.; and, 40 CFR 60.10(a) and (b)].

40 CFR 60.11 Compliance with standards and maintenance requirements.

- (a) Compliance with standards in this part, other than opacity standards, shall be determined by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
- (c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) 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.
- (e)(1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in 40 CFR 60.11(e)(3), the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with 40 CFR 60.11(b), shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 40 CFR 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in 40 CFR 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of 40 CFR 60.7(e)(1) shall apply.

(4) The owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by 40 CFR 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and 40 CFR 60.8 performance test results.

(5) The owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.13(c), that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by 40 CFR 60.8, the opacity observation results and observer certification required by 40 CFR 60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by 40 CFR 60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with 40 CFR 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, the shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.

(f) Special provisions set forth under an applicable subpart of 40 CFR 60 shall supersede any conflicting provisions of 40 CFR 60.11.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part 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.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.11(a), (b), (c), (d), (e), (f) and (g)]

40 CFR 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.12]

40 CFR 60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B of 40 CFR 60 and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to 40 CFR 60, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under 40 CFR 60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he/she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40 CFR 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40 CFR 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under 40 CFR 60.8 and as described in 40 CFR 60.11(e)(5), shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in 40 CFR 60.13(c) at least 10 days before the performance test required under 40 CFR 60.8 is conducted.

(2) Except as provided in 40 CFR 60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

- (d)(1) Owners and operators of all continuous emission monitoring systems installed in accordance with the provisions of this part shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
- (2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.
- (e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:
- (1) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
- (2) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
- (f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of 40 CFR 60 shall be used.
- (g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.
- (h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorder during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

- (1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances with the effluent gases.
- (2) Alternative monitoring requirements when the affected facility is infrequently operated.
- (3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.
- (4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.
- (5) Alternative methods of converting pollutant concentration measurements to units of the standards.
- (6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.
- (7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.
- (8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.
- (9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities are released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy test specified in Performance Specification 2 of appendix B may be requested as follows:

- (1) An alternative to the reference method tests for determining relative accuracy is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the relative accuracy test in section 7 of Performance Specification 2 and substitute the procedures in section 10 if the results of a performance test conducted according to the requirements in 40 CFR 60.8 of this subpart or other tests performed following the criteria in 40 CFR 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the relative accuracy test and substitute the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the relative accuracy test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).
- (2) The waiver of a CEMS relative accuracy test will be reviewed and may be rescinded at such time following successful completion of the alternative RA procedure that the CEMS data indicate the source emissions approaching the level of the applicable standard. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., 40 CFR 60.45(g)(2) and 40 CFR 60.45(g)(3), 40 CFR 60.73(e), and 40 CFR 60.84(e)]. It is the

responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of relative accuracy testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

[Rule 62-204.800, F.A.C.; and, 40 CFR 60.13(a) thru (j)].

40 CFR 60.14 Modification.

- (a) 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.
- (b) Emission rate shall be expressed as kg/hr (lbs/hour) of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator 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 Administrator 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 Administrator'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 Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator 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 of 40 CFR 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator 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.
- (c) 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 this part any other facility within that source.
- (d) [Reserved]
- (e) The following shall not, by themselves, be considered modifications under this part:
 - (1) Maintenance, repair, and replacement which the Administrator 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 this part 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 Administrator determines to be less environmentally beneficial.

- (6) The relocation or change in ownership of an existing facility.
- (f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
- (g) 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 62-204.800, F.A.C.; and, 40 CFR 60.14(a) thru (g)].

40 CFR 60.15 Reconstruction.

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
- (b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:
 - (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and
 - (2) It is technologically and economically feasible to meet the applicable standards set forth in this part.
- (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.
- (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:
 - (1) Name and address of the owner or operator.
 - (2) The location of the existing facility.
 - (3) A brief description of the existing facility and the components which are to be replaced.
 - (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
 - (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.
 - (6) The estimated life of the existing facility after the replacements.
 - (7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
- (e) The Administrator will determine, within 30 days of the receipt of the notice required by 40 CFR 60.15(d) and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.
- (f) The Administrator's determination under 40 CFR 60.15(e) shall be based on:
 - (1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;
 - (2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;
 - (3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and
 - (4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.
- (g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.
[Rule 62-204.800, F.A.C.; and, 40 CFR 60.15(a) thru (g)].

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

STEP 1

Identify the source by plant name, State, and ORIS code

Plant Name: Seminole Generating Station

State: FL

ORIS Code: 1360

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	b	c	d
Unit ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	New Units Commence Operation Date	New Units Monitor Certification Deadline
001	Yes		
002	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

Plant Name (from Step 1) Seminole Generating Station

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

Plant Name (from Step 1) Seminole Generating Station
--

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.

(6) 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,

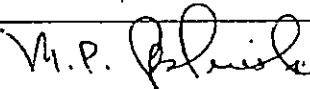
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

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	Michael P. Opalinski	
Signature		Date 6/8/04

Florida Department of Environmental Protection

Phase II NO_x Compliance Plan

For more information, see instructions and refer to 40 CFR 76.9

This submission is:

☐ New ☒ Revised

Page 1 of 3

STEP 1 Indicate plant name, state, and ORIS code from NADB, if applicable.	Seminole Generating Station Plant Name	FL State	000136 ORIS Code
STEP 2	Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.		

ID#	ID#	ID#	ID#	ID#	ID#
U01	U02				
Type	Type	Type	Type	Type	Type
DBW	DBW				

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

☒ ☒ ☐ ☐ ☐ ☐

(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)

☐ ☐ ☐ ☐ ☐ ☐

(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)

☒ ☒ ☐ ☐ ☐ ☐

(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for Phase II dry bottom wall-fired boilers)

☐ ☐ ☐ ☐ ☐ ☐

(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase II tangentially fired boilers)

☐ ☐ ☐ ☐ ☐ ☐

(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)

☐ ☐ ☐ ☐ ☐ ☐

(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)

☐ ☐ ☐ ☐ ☐ ☐

(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)

☐ ☐ ☐ ☐ ☐ ☐

(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)

☐ ☐ ☐ ☐ ☐ ☐

(j) NO_x Averaging Plan (include NO_x Averaging form)

☐ ☐ ☐ ☐ ☐ ☐

(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)

☐ ☐ ☐ ☐ ☐ ☐

Seminole Generating Station

Plant Name (from Step 1)

Page 2 of 3

STEP 2, cont'd.

ID#	ID#	ID#	ID#	ID#	ID#
U01	U02				
Type	Type	Type	Type	Type	Type
DBW	DBW				

(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO_x Averaging (check the NO_x Averaging Plan box and Include NO_x Averaging Form)

☐ ☐ ☐ ☐ ☐ ☐

(m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17 (a)(2)(i)(C), (a)(2)(iii)(B), or (b)(2)

☐ ☐ ☐ ☐ ☐ ☐

(n) AEL (Include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)

☐ ☐ ☐ ☐ ☐ ☐

(o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing

☐ ☐ ☐ ☐ ☐ ☐

(p) Repowering extension plan approved or under review

☐ ☐ ☐ ☐ ☐ ☐

STEP 3

Read the standard requirements and certification, enter the name of the designated representative, sign and date.

Standard Requirements

General. This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 76.8(e)(1)(i)). These requirements are listed in this source's Acid Rain Part of its Title V permit.

Special Provisions for Early Election Units

Nitrogen Oxides. A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO_x as provided under 40 CFR 76.8(a)(2) except as provided under 40 CFR 76.8(e)(3)(iii).

Liability. The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.

Termination. An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7.

Certification

STEP 3, cont'd.

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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	Michael P. Opalinski
Signature	<i>M. P. Opalinski</i>
Date	6/29/04

Friday, Barbara

To: 'tdavis@ectinc.com'; Kirts, Christopher
Cc: Holtom, Jonathan
Subject: DRAFT Title V Permit Revision No.: 1070025-003-AV - Seminole Electric Cooperative, Inc. -
Seminole Power Plant
Attachments: 1070025-003-AV-D (2).zip

Attached for your records is a zip file for the subject DRAFT Title V Permit Revision.

If I may be of further assistance, please feel free to contact me.

Barbara J. Friday
Planner II
Bureau of Air Regulation
(850)921-9524
Barbara.Friday@dep.state.fl.us

9/7/2005