



*Bruce Mitchell*

# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

September 30, 1998

CERTIFIED MAIL - Return Receipt Requested

Mr. W. Jeffrey Pardue, C.E.P.  
Director of Environmental Services  
Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

Re: PROPOSED Title V Permit No.: 1270020-001-AV  
Turner Power Plant

Dear Mr. Pardue:

One copy of the "PROPOSED PERMIT DETERMINATION" for the Turner Power Plant located at 201 DeBary Avenue, Deltona, Volusia County, is enclosed. This letter is only a courtesy to inform you that the DRAFT permit has become a PROPOSED permit.

An electronic version of this determination has been posted on the Division of Air Resources 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://www2.dep.state.fl.us/air>.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Mr. Bruce Mitchell at 850/921-9506.

Sincerely,

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/bm

Enclosures

copy furnished to:  
Mr. Len Kozlov, CD  
Mr. W. Jeffery Pardue, C.E.P., FPC  
Mr. Kennard F. Kosky, P.E., GAI  
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)  
Ms. Gracy R. Danois, USEPA, Region 4 (INTERNET E-mail Memorandum)

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

Printed on recycled paper.

## **STATEMENT OF BASIS**

Florida Power Corporation  
Turner Power Plant  
**Facility ID No.:** 1270020  
Volusia County

Initial Title V Air Operation Permit  
**PROPOSED Permit No.:** 1270020-001-AV

This Title V air operation permit 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 consist of four simple cycle combustion turbine peaking units (CTP), all of which are pre-NSPS sources. Each CT exhausts through a separate stack. Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

The DRAFT Title V permit was issued and contained three (3) existing steam generating emissions units, which were SG 2, SG 3, and SG 4. On January 1, 1998, they were permanently retired. All references made to these emissions units have been deleted from the text and tables. However, they are still referenced in the Acid Rain Part, which is Section IV of the permit.

The combustion turbine peaking units (CTP) may only fire new No. 2 fuel oil having a maximum sulfur content of 0.5 percent, by weight. CTP 1 and CTP 2 each have a maximum heat input of 286 MMBtu/hour at 59° F and each power a generator rated at 18.0 MW (megawatts of electricity); and, the maximum heat input was changed from 278 to 286 due to the heat input curve. CTP 3 and CTP 4 each have a maximum heat input of 930 MMBtu/hour at 59° F and each power a generator rated at 82.0 MW. Emissions are not controlled and each turbine exhausts through a separate stack. These emissions units are pre-NSPS and not subject to the Acid Rain Program. CTP 1 and CTP 2 began commercial service on October 9, 1970. CTP 3 and CTP 4 began commercial service on June 14, 1974. The emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required.

The heat input limitations have been placed in each permit to identify the capacity of each emissions unit for the purposes of confirming that emissions testing is conducted within 95 to 100 percent of the emissions unit's rated capacity (or to limit future operation to 105 percent of the test load), to establish appropriate emissions limits and to aid in determining future rule applicability. A note below the permitted capacity condition clarifies this. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required to demonstrate at what percentage of the rated capacity that the emissions unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of process variables for emissions tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.

Also included in the permit (appendices) are unregulated and insignificant emissions units and/or activities.

Based on the initial Title V permit application received June 14, 1996, this facility is a major source of hazardous air pollutants (HAPs).

## PROPOSED PERMIT DETERMINATION

**Florida Power Corporation  
Turner Power Plant  
PROPOSED Permit No.: 1270020-001-AV**

### **I. Public Notice.**

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" to Florida Power Corporation for the Turner Power Plant located at 201 DeBary Avenue, Deltona, Volusia County was clerked on June 25, 1997. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was published in The Orlando Sentinel on September 3, 1997. The DRAFT Title V Air Operation Permit was available for public inspection at the Department's Central District office in Orlando and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was received on August 13, 1997.

### **II. Public Comment(s).**

Comments were received and the DRAFT Title V Operation Permit was changed. The comments were not considered significant enough to reissue the DRAFT Title V Permit and require another Public Notice. Comments were received from one respondent during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.]

A. Letter from Mr. Scott Osbourn dated September 25, 1997, and received on September 26, 1997.

1. General Comments:

- a. The permit will be updated to reflect the most recent version of Appendix TV-1.
- b. FPC will be provided a copy of the Public Notice and proof of publication.
- c. All references to and Figure I, Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance Report, have been deleted.
- d. The reference to the Order Correcting Scrivener's Error, dated July 2, 1997, has been deleted because it is no longer pertinent.

2. Section I. Facility Information, Subsection A:

- a. The correct date the Title V permit application was received is June 14, 1996.

3. Section II. Facility-wide Conditions:

- a. Condition 2. The word "not" will be deleted from the second line of this condition.
- b. Condition 3. This condition will be changed to read as follows:
  3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C., shall be used to determine compliance with this condition.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
- c. Condition 6. The words "exempt" are replaced with "insignificant" and the appendix will become "Appendix I-1".
- d. Condition 7. Verbiage in the first line will be changed to read as the rule reads, which is "No person shall not store, pump" instead of "The permittee shall allow no person to store, pump.....". Also, a "{Permitting note:...}" has been added to state that "nothing has been deemed or ordered necessary by the Department to date".

4. Section III. Subsection A Conditions:

- a. Since steam boilers SG2, SG3 and SG4, were permanently retired on January 1, 1998, the original Subsection A has been deleted; and, the original "Subsection B" has been relabeled as "Subsection A". Also, any comments regarding this section ("A") are obsolete and will not be addressed.

5. Section III. Subsection B Conditions (now it is "**Subsection A**"):

- a. Condition B.7. (now A.7.). The Department will make any necessary permitting action once FPC determines the status of CTP 3 and CTP 4.

- b. Condition B.12. (now **A.12.**). This condition will be revised to read as follow:  
**A.12.** The fuel sulfur content, percent by weight, provided by the vendor or permittee for each delivery of liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90(95), both ASTM D4057-88 and ASTM D129-91, or the latest edition(s).  
[Rules 62-213.440 and 62-297.440, F.A.C.]

- c. Condition B.13. (now **A.13.**). As requested, this condition will be reworded to read as follows:  
**A.13. Operating Rate During Testing.**  
Testing of emissions shall be conducted with the emissions unit operating at capacity. Capacity is defined as 95 - 100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by this permit. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department's local office with the compliance test report.  
[Rules 62-297.310(2) & (2)(a), F.A.C.; and, requested by the applicant on September 25, 1997]

6. Section III. Acid Rain Part:

- a. Condition 1. Compliance with provisions in the DEP form is referenced so the form date is appropriate. The date the acid rain application was received is stated on the placard page of this permit. No change will be made.  
b. Condition 4. This condition will be moved to the facility wide section and conditions renumbered accordingly.

7. Table & Appendix:

- a. Table 1-1. As stated in response A.4.a. above, any reference to emissions units SG2, SG3 and SG4, will be deleted from the table.  
b. Table 1-2. See response A.7.a.  
c. Table 2-1. See response A.7.a.  
d. Appendix E-1. This appendix is now "Appendix I-1". The request to delete the references to the hazardous waste building, lube oil storage building, and portable unleaded gasoline tank is not acceptable since these emissions units are not on the EPA's trivial list.  
d. Appendix U-1. Surface Coating and Solvent Cleaning will be moved to Appendix I-1 and reference to the Helper Cooling Towers will be deleted. The Emergency Generator reference will be made plural.

**B. Letter from Mr. Scott H. Osbourn dated August 27, 1998.**

1. Based on the request, a permitting note will be added to condition A.1. as follows:  
{Permitting note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 95-100 percent of the emissions unit's rated capacity (or to limit future operation to 105 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}
2. Based on the request, a paragraph will be added to the Statement of Basis as follows:  
The heat input limitations have been placed in each permit to identify the capacity of each emissions unit for the purposes of confirming that emissions testing is conducted within 95 to 100 percent of the emissions unit's rated capacity (or to limit future operation to 105 percent of the test load), to establish appropriate emissions limits and to aid in determining future rule applicability. A note below the permitted capacity condition clarifies this. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required to demonstrate at what percentage of the rated capacity that the emissions unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of process variables for emissions tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.

**III. Conclusion.**

The permitting authority will issue the PROPOSED Permit No.: 1270020-001-AV, with any changes noted above.

Florida Power Corporation  
Turner Power Plant  
**Facility ID No.:** 1270020  
Volusia County

Initial Title V Air Operation Permit  
**PROPOSED Permit No.:** 1270020-001-AV

Permitting Authority:  
State of Florida  
Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation  
Title V Section

Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Telephone: 850/488-1344  
Fax: 850/922-6979

Initial Title V Air Operation Permit  
Florida Power Corporation - Turner Power Plant  
PROPOSED Permit No.: 1270020-001-AV

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# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

**Permittee:**

Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

**PROPOSED Permit No.:** 1270020-001-AV

**Facility ID No.:** 1270020

**SIC Nos.:** 49

**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the Turner Power Plant. This facility is located at 201 Debary Avenue, Deltona, Volusia; UTM Coordinates: Zone 17, 473.4 km East and 3193.3 km North; Latitude: 28° 51' 08" North and Longitude: 81° 16' 22" West.

STATEMENT OF BASIS: This initial Title V air operation permit 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-1, TITLE V CONDITIONS (version dated 12/02/97)  
OGC Order TFR-92-A-01 dated March 11, 1993

**Effective Date:** January 1, 1999

**Renewal Application Due Date:** July 5, 2003

**Expiration Date:** December 31, 2003

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Howard L. Rhodes, Director  
Division of Air Resources Management

HLR/sms/bm

**Section I. Facility Information.**

**Subsection A. Facility Description.**

This facility consist of four simple cycle combustion turbine peaking units (CTP), all of which are pre-NSPS emissions units. The three steam generators, Nos. SG 2, SG3 and SG4, were permanently retired on January 1, 1998. Each CT exhausts through a separate stack. Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial Title V permit application received June 14, 1996, this facility is a major source of hazardous air pollutants (HAPs).

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

<b>E.U. ID Nos.</b>	<b>Brief Description</b>
-002	Fossil Fuel Fired Steam Generator No. SG 2 (Permanently Retired 1/1/98)
-003 - -004	Fossil Fuel Fired Steam Generator No. SG 3 (Permanently Retired 1/1/98)
-005 - -006	Fossil Fuel Fired Steam Generator No. SG 4 (Permanently Retired 1/1/98)
-011	Combustion Turbine Peaking Unit (Pre-NSPS) No. CTP 1
-012	Combustion Turbine Peaking Unit (Pre-NSPS) No. CTP 2
-009	Combustion Turbine Peaking Unit (Pre-NSPS) No. CTP 3
-010	Combustion Turbine Peaking Unit (Pre-NSPS) No. CTP 4

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

**Subsection C. Relevant Documents.**

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

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with the permitting authority:

Phase II Acid Rain Application/Compliance Plan received December 14, 1995.

Initial Title V Permit Application received June 14, 1996.

DRAFT Title V permit clerked on August 25, 1997.

Mr. Scott Osbourn's letter received September 25, 1997.

Mr. W. Jeffrey Pardue's letter received July 9, 1998.

Mr. Scott H. Osbourn's letter dated August 27, 1998.



**Section II. Facility-wide Conditions.**

**The following conditions apply facility-wide:**

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.  
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C., shall be used to determine compliance with this condition.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and,
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.  
[Rule 62-213.440(1), F.A.C.]
6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.  
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]
7. General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions. No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.  
  
{Permitting note: Nothing has been deemed or ordered necessary by the Department to date.}  
  
[Rule 62-296.320(1)(a), F.A.C.]

8. **Not federally enforceable.** Reasonable precautions should be taken to prevent emissions of unconfined particulate matter at this facility. Steps presently taken at the facility to minimize particulate emissions are as follows:

- ◆ Maintenance of paved areas as needed,
- ◆ Regular mowing of grass and care of vegetation,
- ◆ Limiting access to plant property by unnecessary vehicles; and,
- ◆ Additional or alternative activities may be utilized to minimize unconfined particulate emissions.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by applicant in the initial Title V permit application received June 14, 1996.]

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

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

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

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2966

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

United States Environmental Protection Agency  
Region 4  
Air, Pesticides & Toxics Management Division  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 32303  
Telephone: 404/562-9099  
Fax: 404/562-9095

12. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within sixty (60) days after the end of the calendar year.

{See condition No. 52., Appendix TV-1, Title V Conditions}

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

**Section III. Emissions Unit(s) and Conditions.**

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

**E.U.**

<b><u>ID Nos.</u></b>	<b><u>Brief Description</u></b>
-011	Combustion Turbine Peaking Unit CTP 1
-012	Combustion Turbine Peaking Unit CTP 2
-009	Combustion Turbine Peaking Unit CTP 3
-010	Combustion Turbine Peaking Unit CTP 4

The above referenced combustion turbine peaking units (CTP) can only fire new No. 2 fuel oil having a maximum sulfur content of 0.5 percent, by weight. CTP 1 and CTP 2 each have a maximum heat input of 286 MMBtu/hour at 59° F and each power a generator rated at 18.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 930 MMBtu/hour at 59° F and each power a generator rated at 82.0 MW. Pollutant emissions are not controlled and each turbine exhausts through a separate stack. These emissions units are pre-NSPS and not subject to the Acid Rain Program. CTP 1 and CTP 2 began commercial service on October 9, 1970. CTP 3 and CTP 4 began commercial service on June 14, 1974.

{Permitting Note: The emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required.}

**The following specific conditions apply to the above referenced emissions units:**

**Essential Potential to Emit (PTE) Parameters**

**A.1. Permitted Capacity.** CTP 1 and CTP 2 each have a maximum heat input of 286 MMBtu/hour at 59° F and each power a generator rated at 18.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 930 MMBtu/hour at 59° F and each power a generator rated at 82.0 MW. At other ambient temperatures, the units shall be operated in accordance with established performance curves, which will be made available at the site during compliance testing.

{Permitting note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 95-100 percent of the emissions unit's rated capacity (or to limit future operation to 105 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AO 64-176745A]

**A.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition **A.13**.

**A.3. Methods of Operation - Fuels.** Only new No. 2 fuel oil shall be fired in these turbines.  
[Rules 62-4.160(2) and 62-213.440(1), F.A.C.; and, AO 64-176745A]

**A.4. Hours of Operation.** Each emissions unit may operate continuously, i.e., 8,760 hours/year/CT.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

{Permitting note: Table 1-3, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.5. Visible Emissions. Visible emissions from each turbine shall not be equal to or greater than 20 percent opacity.

[Rule 62-296.320(4)(b)1., F.A.C.; and, AO 64-176745.]

A.6. Sulfur Content. The sulfur content of the new No. 2 fuel oil shall not exceed 0.5 percent, by weight.

[Rule 62-213.440, F.A.C.; and AO 64-176745.]

**Excess Emissions**

A.7. Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

A.8. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

**Monitoring of Operations**

A.9. The permittee shall demonstrate compliance with the sulfur content limit with a fuel analysis provided by the vendor or the permittee for each liquid fuel delivery. See specific condition **A.12**.

[Rule 62-213.440, F.A.C.; and, AO 64-176745.]

**A.10. Determination of Process Variables**

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

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

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

### Test Methods and Procedures

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.11. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

A.12. The fuel sulfur content, percent by weight, provided by the vendor or permittee for each delivery of liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition.

[Rules 62-213.440 and 62-297.440, F.A.C.]

#### A.13. Operating Rate During Testing

Testing of emissions shall be conducted with the emissions unit operating at capacity. Capacity is defined as 95 - 100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by this permit. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department's local office with the compliance test report.

[Rules 62-297.310(2) & (2)(a), F.A.C.; and, requested by the applicant on September 25, 1997]

#### A.14. Applicable Test Procedures

##### (a) Required Sampling Time.

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

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

[Rule 62-297.310(4)(a)2.c., F.A.C.]

A.15. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

##### (a) General Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department

shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- a. Did not operate; or,
  - b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.
4. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
- a. Visible emissions, if there is an applicable standard;
8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

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

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

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

A.16. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning only liquid fuels for less than 400 hours per year.

[Rules 62-297.310(7)(a)4. and 8., F.A.C.]

### **Record keeping and Reporting Requirements**

A.17. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

### **Test Reports**

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

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

**Section IV. This section is the Acid Rain Program**

**Operated by: Florida Power Corporation**  
**ORIS code: 8049**

**Subsection A. This subsection addresses the Acid Rain Program, Phase II.**

The emissions units listed below are regulated under Acid Rain Program, Phase II.

**E.U. ID Nos. Description**

- 002 Fossil Fuel Fired Steam Generator - SG 2 (Permanently Retired 1/1/98)
- 003 & -004 Fossil Fuel Fired Steam Generator - SG 3 (Permanently Retired 1/1/98)
- 005 & -006 Fossil Fuel Fired Steam Generator - SG 4 (Permanently Retired 1/1/98)

**A.1.** The “Retired Unit Exemption” form submitted for this facility constitutes the Acid Rain Part application pursuant to 40 CFR 72.8 and is a part of this permit. The owners and operators of these acid rain units shall comply with the standard requirements and special provisions set forth in DEP Form No. 62-210.900(1)(a)3., dated July 1, 1995, and signed by the designated representative on July 3, 1998. These units are subject to the following: 40 CFR 72.1, which requires the units to have an Acid Rain Part as part of its Title V permit; 40 CFR 72.2, which provides associated definitions; 40 CFR 72.3, which provides measurements, abbreviations, and acronyms; 40 CFR 72.4, which provides the federal authority of the Administrator; 40 CFR 72.5, which provides the authority of the states; 40 CFR 72.6, which makes the boilers Phase II units; 40 CFR 72.10, which gives the public access to information about these units; and, 40 CFR 72.13, which incorporates certain ASTM methods into 40 CFR Part 72.

[Chapter 62-213, F.A.C. and Rule 62-214.340, F.A.C.]

**A.2.** Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit are as follows:

E.U. ID_Nos.	EPA ID	Year	2000	2001	2002	2003
-002	2	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73	542*	542*	542*	542*
-003 & -004	3	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73	712*	712*	712*	712*
-005 & -006	4	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR Part 73	603*	603*	603*	603*

\*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

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

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.440(3), F.A.C.

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

c. Allowances shall be accounted for under the Federal Acid Rain Program.

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

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

[Rules 62-213.413 and 62-214.370(4), F.A.C.]

A.5. Comments, notes, and justifications: None.



Florida Power Corporation  
Turner Power Plant

**PROPOSED Permit No.: 1270020-001-AV**  
**Facility ID No.: 1270020**

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

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

Brief Description of Emissions Units and/or Activities:

<b>Emissions Unit</b>	<b>Description</b>
-xxx	General Purpose Engines
-xxx	Fuel Storage Tanks
-xxx	Emergency Generators

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

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

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

1	Lube Oil System Vents
2	Lube Oil Reservoir Tank
3	Oil Water Separators
4	Hazardous Waste Building
5	Parts Washers/Degreasers
6	Waste Oil Storage Tanks
7	Lube Oil Storage Building
8	Portable Unleaded Gasoline Tank
9	No. 2 Diesel Fuel Tank
10	Surface Coating and Solvent Cleaning

**Table 1-1, Air Pollutant Emission Allowables and Terms**

E.U. ID Nos.		Brief Description							
-011		Combustion Turbine Peaking Unit CTP 1							
-012		Combustion Turbine Peaking Unit CTP 2							
			Allowable Emissions			Equivalent Emission <sup>1</sup>			
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs/hour	TPY	lb/hour	TPY	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions	New No. 2 F.O.	8760	< 20% Opacity					Rule 62-296.320(4)(b)1., F.A.C.	A.5
Sulfur Dioxide	New No. 2 F.O.	8760	max. 0.50% S by wt.			142.56 <sup>2</sup>	624.43 <sup>2</sup>	Rule 62-213..440, F.A.C.	A.6
-009		Combustion Turbine Peaking Unit CTP 3							
-010		Combustion Turbine Peaking Unit CTP 4							
			Allowable Emissions			Equivalent Emission <sup>1</sup>			
Pollutant Name	Fuel(s) *	Hours/Year *	Standards	lbs/hour	TPY	lb/hour	TPY	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions	New No. 2 F.O.	8760	< 20% Opacity					Rule 62-296.320(4)(b)1., F.A.C.	A.5
Sulfur Dioxide	New No. 2 F.O.	8760	max. 0.50% S by wt.			476.92 <sup>3</sup>	2088.92 <sup>3</sup>	Rule 62-213..440, F.A.C.	A.6

<sup>1</sup> The "Equivalent Emissions" listed are for informational purposes only.

<sup>2</sup> Emissions based on a maximum heat input of 286 MMBtu/hr. at 59°F, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

<sup>3</sup> Emissions based on a maximum heat input of 930 MMBtu/hr. at 59°F, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

Note: This table summarizes information for convenience purposes only and does not supersede any of the terms or conditions of this permit.

**Table 2-1, Compliance Testing Requirements**

E.U. ID Nos.		Brief Description					
-011:		CTP 1					
-012:		CTP 2					
-009:		CTP 3					
-010:		CTP 4					
Pollutant Name or parameter	Fuel(s)	EPA/Reference Method	Testing Time or Frequency	Frequency Base Date <sup>2</sup>	Min. Compl. Test Time	CMS	Permit Condition(s)
SO <sub>2</sub>	Oil	F.O. Analysis <sup>1</sup>	Per Delivery <sup>1</sup>		NA		A.12
VE	Oil	EPA Meth. 9	Annual <sup>3</sup>		1 Hour		A. 11,14,15 & 16

<sup>1</sup> Sulfur content of the fuel oil shall be provided by the supplier or permittee for every delivery.

<sup>2</sup> Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

<sup>3</sup> Test not required in years that fuel oil is fired less than 400 hours. If a combustion turbine is operated less than 400 hours per year, test is only required once every 5 years, during the year prior to renewal.

Note: This table summarizes information for convenience purposes only and does not supersede any of the terms or conditions of this permit.

## APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

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

{Permitting note: APPENDIX TV-1, 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, 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. Procedure to Obtain Permits: Application.**

(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 minor facility 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.

(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.

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

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.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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:

- (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 one hundred eighty (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(1), 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 permit holder's agent:

- (a) Submitted false or inaccurate information in 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.

[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.

(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.

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

10. For purposes of notification to the Department pursuant to 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.

[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(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

- (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 reasonable 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:
- (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; and,
    - 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 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.]

Chapter 62-103, 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 Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 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 Rule 61-103.155, F.A.C.

[Rule 62-103.155, 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 Part 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. 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 Chapters 62-210, 62-212 and 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.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation 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, Chapter 62-213, 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.

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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 owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned 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. **Public Notice and Comment.**

(1) **Public Notice of Proposed Agency Action.**

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., 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 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 62-103.150, F.A.C.

(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 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

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

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3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, 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 62-103.150, 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 62-103.150, 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 62-103.150, 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) 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 Rules 62-103.150 and 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,

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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.

[Rule 62-210.350, F.A.C.]

22. 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) Any other similar minor administrative change at the source; and,
- (d) A change requiring more frequent monitoring or reporting by the permittee.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, 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), hereby adopted and incorporated by reference, 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 17-210.360(1)(e).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy 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.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

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

23. 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.]

24. 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.]

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

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

- (a) Acid Rain Part (Phase II), Form and Instructions.
  - 1. Repowering Extension Plan, Form and Instructions.
  - 2. New Unit Exemption, Form and Instructions.
  - 3. Retired Unit Exemption, Form and Instructions.

(b) Reserved.

(5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.

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

Chapter 62-213, F.A.C.

26. 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 accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.  
[Rules 62-213.205 and 62-213.900(1), F.A.C.]
27. Annual Emissions 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.  
[Rule 62-213.205(1)(g), F.A.C.]
28. Annual Emissions Fee. 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.  
[Rule 62-213.205(1)(j), F.A.C.]
29. Annual Emissions Fee. DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.  
[Rule 62-213.205(4), F.A.C.]
30. Air Operation Permit Fees. After December 31, 1992, 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(5), F.A.C.]
31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.  
[Rule 62-213.400, F.A.C.]
32. No Title V source may operate except in compliance with Chapter 62-213, F.A.C.  
[Rule 62-213.400(1), 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 in each alternative method of operation:
- (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
  - (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;
    - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
    - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and,
    - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;
  - (3) A permitted source may implement operating changes 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;
  - (4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.  
[Rule 62-213.410, F.A.C.]

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34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to paragraph (a) of the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to paragraph (b) of the same definition, may implement such change prior to final issuance of a permit revision in accordance with Rule 62-213.412, F.A.C., 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 that 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 until all the requirements of Rule 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.

(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, 62-4.050(1) & (2), and 62-210.900, 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. 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

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under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, 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.

[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. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

39. 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.

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 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



APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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.

(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)]

40. 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)(m), 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:

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); and
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.]

41. Permit Duration. 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 (5) years.

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

42. 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.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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43. 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.]

44. 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.]

45. 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., any 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.]

46. 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.]

47. 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.]

48. 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.]

49. A 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.]

50. 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.]

51. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C.

[Rule 62-213.440(1)(d)6., F.A.C.]

52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(3), F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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53. 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 be deemed compliance with any applicable requirements in effect as of the date of permit issuance, 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.]

54. 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 Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

Chapter 62-256, F.A.C.

55. 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.

56. 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.

57. **Not federally enforceable until SIP approved.** 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.]

58. 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 emissions unit whatsoever, including, but not limited to, 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 emission.

3. Reasonable precautions may include, but shall not be limited to 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 emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-1.doc]

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of: ) Permit No. AO 64-185095  
)  
Florida Power Corporation ) TFR-92-A-01  
Turner Unit No. 4, )  
)  
Petitioner. )  
\_\_\_\_\_ )

RECEIVED

MAR 15 1993

Environmental Svcs  
Department

ORDER ON REQUEST  
FOR  
REDUCTION IN SEMIANNUAL  
PARTICULATE EMISSIONS COMPLIANCE TESTING

Pursuant to Rule 17-296.405(1)(a), Florida Administrative Code (F.A.C.), Florida Power Corporation, petitioned for approval to reduce the frequency of particulate emissions compliance testing from a semiannual cycle to an annual cycle for Petitioner's Turner Unit No. 4, operation permit number AO 64-185095, located in Volusia County.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On April 2, 1992, Petitioner requested a reduction in the frequency of particulate emission compliance testing for the fossil fuel-fired steam generator known as Turner Unit No. 4. [Exhibit 1]
2. Petitioner asked that the frequency of particulate emission compliance testing be reduced from the semiannual cycle required by the Notice of Revocation Order, OGC File No. 86-1579, to an annual cycle. [Exhibit 1]
3. The petition and supporting documentation indicate that Petitioner has conducted the required semiannual particulate emission compliance tests. [Exhibits 1 & 2]
4. Petitioner's submissions included the results of fourteen particulate emission tests that were performed while Turner Unit No. 4 was operating at steady state conditions and ten particulate emission tests that were performed while soot blowing operations were being conducted. [Exhibits 1 & 2]
5. The results of the particulate emission tests indicate

that Turner Unit No. 4 was in compliance with the applicable emission limiting standard for particulate matter from February 1990 through February 1992. [Exhibits 1 & 2]

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes, and Rule 17-296.405(1)(a), F.A.C..

2. Pursuant to Rule 17-296.405(1)(a), F.A.C., the Department may reduce the required frequency of particulate matter compliance testing from a semiannual cycle to an annual cycle based upon showing that the affected source has regularly complied with the mass emission limiting standard for particulate matter.

3. Pursuant to Rule 17-4.080, F.A.C., Petitioner may apply for changes to permit conditions and the Department may grant the request by requiring Petitioner to conform to new or additional requirements.

4. Pursuant to Rule 17-297.340(2), F.A.C., the Department may require the owner or operator of an air pollution source to conduct compliance testing whenever the Department has good reason to believe an applicable emission limiting standard is being violated.

5. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department may require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

#### ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that:

1. Petitioner's request for a reduction in the frequency of particulate matter compliance testing is granted;

2. During each federal fiscal year (October 1 - September 30), Petitioner shall conduct one steady-state particulate emission compliance test of Turner Unit No. 4 and one particulate emission compliance test of Turner Unit No. 4 while it is being operated under soot blowing conditions;

3. Visible emissions from Turner Unit No. 4 shall not exceed forty (40) percent opacity, except as allowed by Rule 17-210.700, F.A.C.;

4. The annual particulate compliance test frequency specified in this order shall supersede the semiannual particulate compliance testing frequency specified for Turner Unit No. 4 in operation permit AO 64-185095;

5. Pursuant to Rule 17-297.340(2), F.A.C., the Department reserves the right to require particulate matter compliance testing whenever the Department has good reason to believe the emission limiting standard for particulate is being violated; and,

6. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department reserves the right to require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

#### PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's actions or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C..

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070. F.A.C. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

#### RIGHT TO APPEAL

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

DONE AND ORDERED this 11 day of March, 1993 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

Virginia B. Wetherell  
VIRGINIA B. WETHERELL  
Secretary  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

(904) 488-4805



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been mailed, postage prepaid, to W. Jeffrey Pardue, Manager, Environmental Programs, Florida Power Corporation, P.O. Box 14042, St. Petersburg, Florida 33733, this 12<sup>th</sup> day of March, 1993.



E. G. ESTEVEZ  
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



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AUG 02 1998

BUREAU OF AIR REGULATION

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JUL 30 1998

Dept. of Environmental Protection  
Office of General Counsel

July 29, 1998

Ms. Kathy Carter, Clerk  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
*Draft Permit No. 1270020-001-AV*

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until August 1, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including October 1, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (727) 826-4258.

Sincerely,

I granted an extension  
up to 10/1/98 smg  
8/3

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Department  
Title V Responsible Official

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeffrey Brown, DEP OGC

Goes with sheet behind it.

DEP ROUTING AND TRANSMITTAL SLIP	
TO: (NAME, OFFICE, LOCATION)	
1. <u>Clair/Kancy</u>	3. _____
2. <u>Bruce</u>	4. _____
5. _____	5. _____
PLEASE PREPARE REPLY FOR:	COMMENTS:
<input type="checkbox"/> SECRETARY'S SIGNATURE	Re: KFC-Turner PROPOSED permit  I recommend signature. Please route the order to Howard.
<input type="checkbox"/> DIV/DIST DIR SIGNATURE	
<input type="checkbox"/> MY SIGNATURE	
<input type="checkbox"/> YOUR SIGNATURE	
<input type="checkbox"/> DUE DATE _____	
ACTION/DISPOSITION	10-5-98 @ 11:50am - RCD back from Scott/CHF. @ 11:51am - to Barbara for copying, mailing for
<input type="checkbox"/> DISCUSS WITH ME	
<input type="checkbox"/> COMMENTS/ADVISE	
<input type="checkbox"/> REVIEW AND RETURN	
<input type="checkbox"/> SET UP MEETING	
<input type="checkbox"/> FOR YOUR INFORMATION	
<input type="checkbox"/> HANDLE APPROPRIATELY	
<input type="checkbox"/> INITIAL AND FORWARD	
<input type="checkbox"/> SHARE WITH STAFF	
<input type="checkbox"/> FOR YOUR FILES	
FROM: <u>Scott Stephen</u>	DATE: <u>09/24/98</u> PHONE: _____

MEMORANDUM

TO: Scott M. Sheplak, P.E. *sm8*  
FROM: Bruce Mitchell *BM*  
DATE: September 29, 1998

Re: PROPOSED Permit No.: 1270020-001-AV  
Florida Power Corporation  
Turner Power Plant

**Permit Clock:** N/A

This PROPOSED permit is the result of changes made to the DRAFT permit from comments received during the Public Notice period and after the period was ended. The changes made were not significant such that another Public Notice is warranted.

The facility consists of four (4) combustion turbine peaking units that fire only No. 2 fuel oil (0.5% S content, by wt.). These emissions units are all pre-NSPS and are not subject to the Acid Rain Program. As of January 1, 1998, the facility retired three (3) steam generators, which were a part of the DRAFT permit; and, the text of these emissions units were remove from the permit Subsection, but were not removed from the Acid Rain Part.

Comments were not received from the Central District office.

The facility reported that each emissions unit was in compliance at the time of the application.

I recommend that this PROPOSED Title V permit be issued as attached.

SS/bm

**Florida  
Power  
CORPORATION**

**RECEIVED**

FEB 25 1999

BUREAU OF  
AIR REGULATION

# FAX Transmittal Sheet

FAX #: (727) 826-4216

DATE: 2/24/99

TO: Bruce Mitchell

COMPANY: DEP

FROM: Seaborn

(Phone: (727) 826-4258)

# OF PAGES 11

Please notify \_\_\_\_\_ at (727) 826-\_\_\_\_\_ for any problems concerning the receipt of this FAX.

**COMMENTS:**

As we discussed, attached is the

Crusoke River Dept cake info and the

Turner response letter.

Seab



Lawton Chiles  
Governor

**Permittee:**

Florida Power Corporation  
3201 34th Street South  
St. Petersburg, FL 33711

# Department of Environmental Protection

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

## RECEIVED

FEB 25 1999

BUREAU OF  
AIR REGULATION

Virginia B. Wetherall  
Secretary

**Permit No.** 0170004-003-AC

**Facility ID No.** 0170004

**SIC Nos.** 49, 4911

**Project:** Petroleum Coke and Coal Blending

This construction permit is to add the capability of blending petroleum coke with the coal burned in Units 1 and 2 of the Crystal River Plant. This facility is located Power Line Road, West of U.S. Hwy. 19, Crystal River, Citrus County; UTM Coordinates: Zone 17, 334.3 km East and 3204.5 km North; Latitude: 28° 57' 34" North and Longitude: 82° 42' 1" West.

**STATEMENT OF BASIS:** This Air Construction Permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above named permittee is hereby authorized to perform the work 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 SS-1, Stack Sampling Facilities (version dated 10/07/96)
- Table 297.310-1, Calibration Schedule (version dated 10/07/96)
- Alternate Sampling Procedure: ASP Number 97-B-01
- Order Granting Petition for Reduced Frequency of Particulate Testing, OGC Case No. 86-1576, Order dated December 12, 1986 (Emissions Unit 001)

**Effective Date:** January 8, 1999

**Expiration Date:** December 31, 1999

Howard L. Rhodes, Director  
Division of Air Resources  
Management



February 18, 1999

Mr. Scott Sheplak, P.E.  
Department of Environmental Protection  
Division of Air Resources Management  
2800 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

Dear Mr. Sheplak:

Re: EPA Objection to the Proposed Title V Permit  
Florida Power Corporation - Turner Power Plant  
Permit No. 1270020-001-AV

This letter is written in response to the letter from the U.S. Environmental Protection Agency (EPA), dated December 4, 1998, objecting to the issuance of the proposed Title V permit for Florida Power Corporation's (FPC) Turner Power Plant. The primary issue in EPA's objection letter was the perceived lack of periodic monitoring associated with the opacity standard for the four combustion turbine (CT) peaking units.

As an initial matter, FPC does not agree that this proposed Title V permit fails to fully meet the requirements of 40 CFR § 70.6(a)(3)(i). The imposition of requirements for more frequent testing will result in no incremental environmental benefit. In addition, current testing requirements for visible emissions are in compliance with the requirements of Chapter 62-297 F.A.C. It should be noted that Rule 62-297.310(7)(b), F.A.C. allows for additional compliance testing if the Department has good cause to believe that a standard is being violated. Nonetheless, FPC would like to resolve this matter as soon as possible.

The proposed Title V permit for the Turner facility currently imposes a twenty percent opacity limit and an annual visible emissions testing requirement on each of the four CTs (which are only allowed to burn No. 2 fuel oil). This proposed permit further clarifies that this annual testing is only required after the unit operates for 400 hours or more per year (Conditions A. 15 and A. 16). Attached to this letter are the results of the compliance tests for these emission units since 1992, as well as the hours of operation. These data show that the maximum opacity measured on any of these four CTs since 1992 was six percent (6%), about 25 percent of the applicable standard. Further, because these four CTs are peaking units, only one CT has operated for more than 400 hours in a year since 1992 (Unit 4 in 1998).

One Power Plaza • 283 - 13<sup>th</sup> Avenue South • St. Petersburg, Florida 33701-5511  
P.O. Box 14042 • St. Petersburg, Florida 33733-4042 • (727) 820-6161  
A Florida Progress Company

Mr. Sheplak  
February 18, 1999  
Page 2

There are several relevant criteria in EPA's guidance for determining whether periodic monitoring meets the requirements of 40 CFR 70.6. One of these criteria is "the likelihood of violating the applicable requirement" (i.e., the less likely it is that the permit will be violated, the less periodic monitoring is needed). FPC's historical data indicates that it is very unlikely that the Turner CTs would ever violate their opacity standard. In fact, this is true of all of FPC's CTs, not only at Turner, but system-wide. Other relevant criteria include: whether add-on controls are necessary for the unit to meet the emission limit; the variability of emissions from the unit over time; and the kind of monitoring found on similar emission units. In this case, there are no add-on controls and, therefore, no possibility of control malfunction that would have a resultant affect on opacity. In addition, past test results show that there has been little variability in opacity over time.

Finally, regarding the kind of monitoring found on similar emission units, please find attached a periodic monitoring "decision tree" for opacity that was obtained from the State of Tennessee. The decision tree has two criteria that should be noted: 1) if the combustion source is fired by natural gas or no. 2 fuel oil, no opacity readings are required and 2) if the highest 6-minute average is less than or equal to 50 percent of the applicable standard, a VE is only conducted prior to permit expiration.

Accordingly, FPC requests that the requirements that are the basis of EPA's objection remain unchanged from the language contained in the current Proposed Title V permit.

FPC suggests that the following language be added to the Statement of Basis:

The Department has determined that the appropriate VE testing frequency for the four combustion turbines is a VE test upon exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). This frequency is justified by the low historical operational use of fuel oil for these units and the previous VE tests which documented compliance while firing fuel oil. The maximum hours of operation on fuel oil for any single combustion turbine at the Turner facility were 208 hours in 1992, 124 hours in 1993, 161 hours in 1994, 203 hours in 1995, 190 hours in 1996, 126 hours in 1997, and 573 in 1998. Moreover, no Method 9 tests since 1992 on these four units have resulted in an opacity measurement greater than 6%, about 25% of the applicable standard.

FPC understands that this matter needs to be resolved prior to March 4, 1999 (90 days after the date of EPA's objection letter). Accordingly, FPC will contact DEP within the next week to discuss FPC's requested resolution.

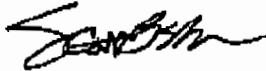
Mr. Sheplak  
February 18, 1999



Mr. Sheplak  
February 18, 1999  
Page 3

If you have any questions or comments regarding this information in the meantime, please contact me at (727) 826-4258.

Sincerely,



Scott H. Osbourn  
Senior Environmental Engineer

Attachments

cc: Clair Fancy, DEP  
Gracy Danois, EPA Region IV  
Robert Manning, HGS&S  
Ken Kosky, Golder Associates

*[Faint handwritten notes]*

*[Faint handwritten notes]*

Handwritten notes at the top left of the page.

# ATTACHMENT 1

## VE Test Results and Hours of Operation

Handwritten notes in the middle left section of the page.

Handwritten notes at the bottom left of the page.

### Turner Plant CT Units P1 through P4

#### VE Test Results

##### January 16, 1992

P1 0%  
 P2 0%  
 P3 0%  
 P4 0%

##### January 13, 1997

P1 0%  
 P2 0%  
 P3 5%  
 P4 6%

##### January 18, 1999

P4 6%

#### Operating Hours

##### 1998

P1 337  
 P2 351  
 P3 292  
 P4 573

##### 1997

P1 122  
 P2 69  
 P3 107  
 P4 126

1996

P1 29  
P2 26  
P3 159  
P4 190

1995

P1 27  
P2 37  
P3 166  
P4 203

1994

P1 14  
P2 17  
P3 137  
P4 161

1993

P1 93  
P2 86  
P3 124  
P4 72

1992

P1 88  
P2 106  
P3 208  
P4 186

*Handwritten notes:*  
1. 1/28/99  
2. 1/29/99

## ATTACHMENT 2

*Handwritten notes:*  
1. 1/28/99  
2. 1/29/99

### Visible Emissions Decision Tree

*Handwritten notes:*  
1. 1/28/99  
2. 1/29/99

STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION



FAX TRANSMITTAL MEMO

TO:

Robert Manning

FAX NUMBER:

850-224-8551

FROM:

Greg Forte

TN APC

FAX NUMBER:

615-532-0614

SUBJECT:

Opacity Matrix

DATE:

Jan. 6, 1999

NUMBER OF PAGES INCLUDING THIS ONE: 2

IF YOU DO NOT RECEIVE THIS ENTIRE DOCUMENT OR HAVE ANY QUESTIONS,  
CALL:

G. Forte

TELEPHONE NO.

615-532-0548

MESSAGE:

You may be able to find an electronic  
version at the TN web site:

Decision Tree PM for Opacity for Sources Utilizing EPA Method 9

Notes:

PM = Periodic Monitoring required by 1200-3-8-.02(1)(e)(1)(B)

This Decision Tree outlines the criteria by which major sources can meet the periodic monitoring and testing requirements of Title V for demonstrating compliance with the visible emissions standards in paragraph 1200-3-8-.01. It is not intended to determine compliance requirements for EPA's Compliance Assurance Monitoring (CAM) Rule (formerly referred to as Enhanced Monitoring - Proposed 40 CFR 64).

Examine each emission source using this Decision Tree to determine PM required.

Use of continuous emission monitoring systems eliminates the need to do any additional periodic monitoring.

Visible Emission Evaluations (VEEs) are to be conducted utilizing EPA Method 9. The observer must be properly certified to conduct valid evaluations.

Typical Pollutants

Particulates, VOC, CO, SO<sub>2</sub>, NO<sub>x</sub>, HCl, HF, HBr, Ammonia, and Methane

Initial observation to be repeated within 90 days of startup of a modified source if a new construction permit is issued for modification of the source.

A VEE conducted by TDAPC personnel after the Title V permit is issued will also constitute an initial reading.

Reader Error

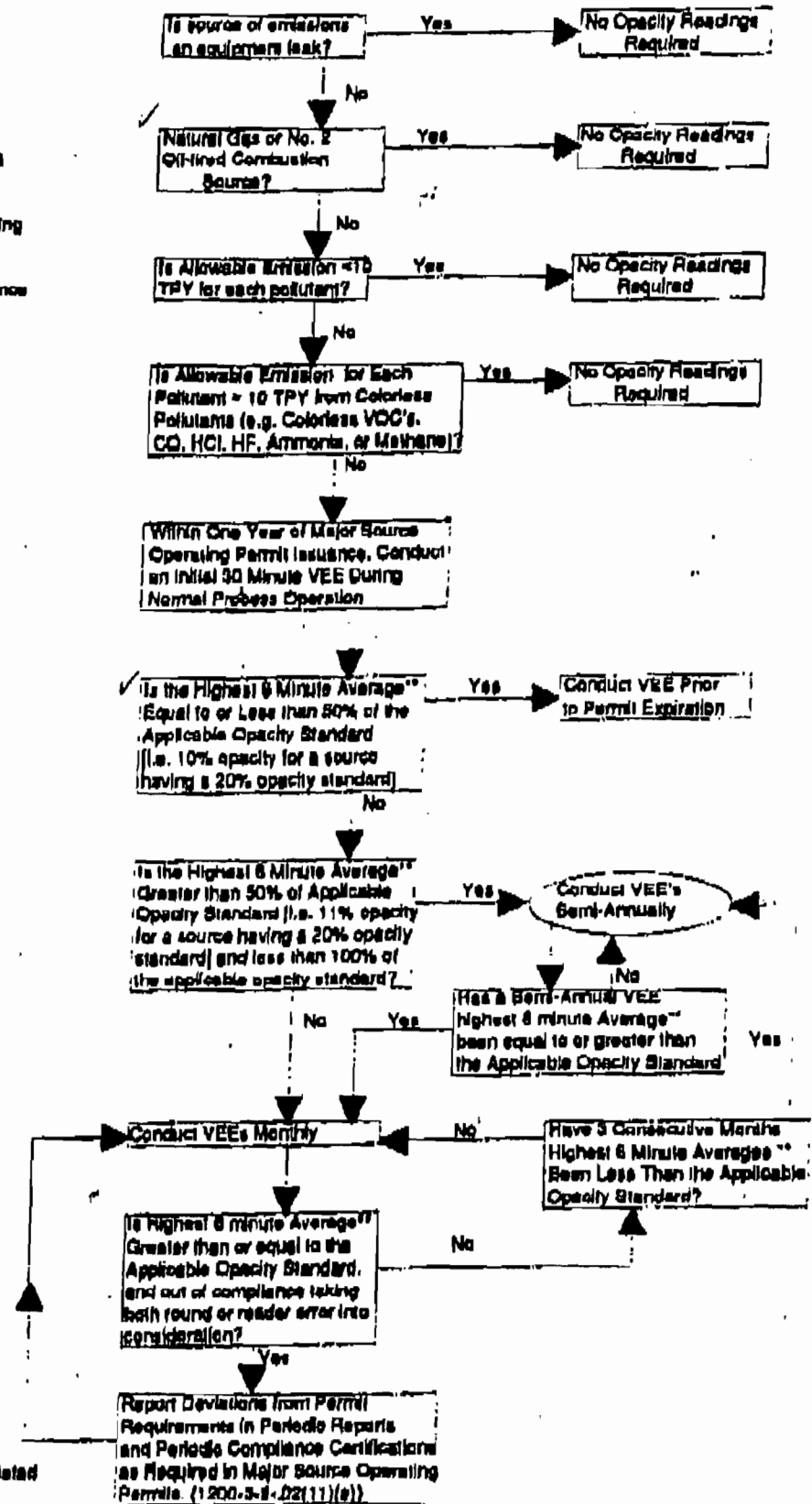
EPA Method 9, Non-NSPS or NESHAPS stipulated opacity standards: The TDAPC guidance is to declare non-compliance when the highest six-minute average\*\* exceeds the standard plus 6.6% opacity (e.g. 26.6% for a 20% standard).

EPA Method 9, NSPS or NESHAPS

Stipulated Opacity Standards: EPA guidance is to allow only engineering round. No allowance for reader error is given.

\*Not Applicable to Asbestos Manufacturing Subject to 40 CFR 61.142

\*\*Or second highest six minute average, if the source has an exemption period stipulated in either the Regulations or in the permit.



DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION) 3. \_\_\_\_\_  
 1. Clair 4. \_\_\_\_\_  
 2. \_\_\_\_\_ 5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:  
 \_\_\_\_\_ SECRETARY'S SIGNATURE  
 \_\_\_\_\_ DIV/DIST DIR SIGNATURE  
 \_\_\_\_\_ MY SIGNATURE  
 YOUR SIGNATURE  
 \_\_\_\_\_ DUE DATE \_\_\_\_\_

ACTION/DISPOSITION  
 \_\_\_\_\_ DISCUSS WITH ME  
 \_\_\_\_\_ COMMENTS/ADVISE  
 \_\_\_\_\_ REVIEW AND RETURN  
 \_\_\_\_\_ SET UP MEETING  
 \_\_\_\_\_ FOR YOUR INFORMATION  
 \_\_\_\_\_ HANDLE APPROPRIATELY  
 \_\_\_\_\_ INITIAL AND FORWARD  
 \_\_\_\_\_ SHARE WITH STAFF  
 \_\_\_\_\_ FOR YOUR FILES

COMMENTS:  
 For your review and signature. The deadline for resolution is March 4 for the objections.  
 Thanks,  
 Ben

Re: FPC's Turner Power Plant

3-1-99  
 Clair,  
 Gracy called me and said that the letter satisfied the objection.  
 Thanks,  
 Ben

FROM: Ben DATE: 2-26-99 PHONE: \_\_\_\_\_



March 1, 1999

2-26-99  
p.m.  
To Charlotte/clair  
for approval/signature.  
JSM

Mr. Winston A. Smith, Director  
Air, Pesticides and Toxics Management Division  
United States Environmental Protection Agency  
Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8909

Re: Proposed Changes to the PROPOSED Title V Permit for the Florida Power Corporation Turner Power Plant to Satisfy EPA Objections  
Title V Permit No.: 1270020-001-AV

Dear Mr. Smith:

This letter is to document changes that the Department proposes to satisfy EPA Region 4's objections to Florida's PROPOSED Title V Permit for the Florida Power Corporation Turner Power Plant. The objection was detailed in a letter from EPA Region 4 dated December 8, 1998, in which EPA indicated the primary basis for the objection was that the permit does not meet the periodic monitoring requirements of 40 CFR 70.6(a)(3)(i). Also, the objection letter requested a change in the EPA Region 4 address and to correct the Acid Rain ORIS code identification number.

The change proposed in this letter results primarily from a February 18, 1999 letter sent to Mr. Scott M. Sheplak from Mr. Scott Osbourn with Florida Power Corporation and a phone discussion with Ms. Gracy R. Danois of your staff. The letter provided the highest individual unit's historical annual hours of operation and the visible emissions test results while firing fuel oil since 1992 in order to help us respond to and resolve the objection; and, the phone conversation enabled us to identify the changes that could be made to the Statement of Basis and the permit that would allow Florida to issue the FINAL Title V Permit for this plant.

Please review the following proposed changes to the Statement of Basis and the referenced permit. If you concur with our changes, we will issue the FINAL Permit with these changes. The following items and changes are presented in the same order as listed in the December 8, 1998 letter cited above.

- I. EPA Objection Issue
1. Periodic Monitoring.

We will add the following proposed paragraph to the Statement of Basis to show that the highest individual emissions unit's historical annual hours of operation and the visible emissions test results while firing fuel oil provide justification for retaining the existing appropriate visible emissions testing frequency, which is required when an individual emissions unit exceeds 400 hours per federal fiscal year of operation while firing fuel oil, and to consider this approach as satisfying periodic monitoring.

Mr. Winston A. Smith  
Response Letter to EPA Region 4 Objection Letter on a PROPOSED Title V Permit  
Florida Power Corporation: Turner Power Plant  
Title V Permit No.: 1270020-001-AV  
Page 2 of 2

The Department has determined that the appropriate visible emissions (VE) testing frequency for the four combustion turbines is a VE test upon exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). This frequency is justified by the low historical operational use of fuel oil for these units and the previous VE tests which documented compliance while firing fuel oil. The maximum hours of operation on fuel oil for any single combustion turbine at the Turner facility were 208 hours in 1992, 124 hours in 1993, 161 hours in 1994, 203 hours in 1995, 190 hours in 1996, 126 hours in 1997, and 573 in 1998. Moreover, no Method 9 tests since 1992 on these four units have resulted in an opacity measurement greater than 6%, about 25% of the applicable standard.

II. General Comments

1. Section II, Facility-wide Condition No. 11.:

We will replace "Operating Source Section" with "Air & EPCRA Enforcement Branch, Air Compliance Section".

2. Section IV.

We will change the Acid Rain ORIS Code from "8049" to "629".

All parties involved have been expeditiously seeking resolution of these issues. We feel that EPA's concerns have been adequately addressed and we look forward to issuing the FINAL Title V permit. Please advise as soon as possible if you concur with the specific changes detailed above. Please call me at 850/921-9503 if you have any questions. You may also contact Mr. Scott M. Sheplak, P.E., at 850/921-9532, if you need any additional information.

Sincerely,

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

Attachment

CF/bm

cc: Howard L. Rhodes  
Scott M. Sheplak  
Bruce Mitchell  
Pat Comer, Esq.  
Gracy R. Danois, EPA  
Scott Osbourn, FPC  
Robert Manning, Esq., HGSS

P 265 657 757

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

**Mr. W. Jeffrey Pardue, C.E.P.**  
Director of Environmental Services  
Florida Power Corporation  
3201 34 Street South  
Saint Petersburg, FL 33711

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Special Delivery Fee	
Restricted Delivery Fee	
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PS Form 3800 April 1995

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<b>SENDER:</b> ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to:  Mr. W. Jeffrey Pardue, C.E.P. Director of Environmental Services Florida Power Corporation 3201 34 Street South Saint Petersburg, FL 33711	4a. Article Number P 265 657 757	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name)  6. Signature: (Addressee or Agent) X <i>[Signature]</i>	7. Date of Delivery JAN 13 1999	
8. Addressee's Address (Only if requested and fee is paid)		

Thank you for using Return Receipt Service.

Bruce



# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

January 8, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, C.E.P.  
Director of Environmental Services  
Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

Re: EPA Objection to PROPOSED Title V Permit No. 1270020-002-AV  
Facility Name: Turner Power Plant

Dear Mr. Pardue:

On December 8, 1998, the Department received a timely written objection from the United States Environmental Protection Agency to the referenced proposed permit. A copy of EPA's objection is attached.

In accordance with Section 403.0872(8), Florida Statutes (F.S.), the Department must not issue a final permit until the objection is resolved or withdrawn. Pursuant to Section 403.0872(8), F.S., the applicant may file a written reply to the objection within 45 days after the date on which the Department serves the applicant with a copy of the objection. The written reply must include any supporting materials that the applicant desires to include in the record relevant to the issues raised by the objection. The written reply must be considered by the Department in issuing a final permit to resolve the objection of EPA. Please submit any written comments you wish to have considered concerning the objection to Mr. Scott M. Sheplak, P.E., at the above letterhead address.

Pursuant to 40 CFR 70.8(c)(4), the Department will have to resolve the objection by issuing a permit that satisfies EPA within 90 days of the objection, or EPA will assume authority for the permit.

If you should have any other questions, please contact Mr. Scott M. Sheplak, P.E., at 850/921-9532.

Sincerely,

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/bm

Enclosure

cc: Len Kozlov, CD w/enclosure  
Pat Comer, OGC w/enclosure  
Douglas Neeley, USEPA w/o enclosure  
Carla Pierce, USEPA w/o enclosure

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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484-Scott  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

DEC 04 1998

claim  
Howard  
12/7

4APT-ARB

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

DEC 01 1998  
DIVISION OF AIR  
RESOURCES MANAGEMENT

RECEIVED

DEC 08 1998

BUREAU OF  
AIR REGULATION

SUBJ: EPA's Review of Proposed Title V Permit  
Florida Power Corporation  
Turner Power Plant  
Permit No. 1270020-001-AV

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Turner Power Plant, which was posted on DEP's web site on October 21, 1998. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i).

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

advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issue and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Ms. Carla E. Pierce, Chief, Operating Source Section at (404) 562-9099. Should your staff need additional information they may contact Ms. Gracy R. Danois, Florida Title V Contact, at (404) 562-9119, or Ms. Lynda Crum, Associate Regional Counsel, at (404) 562-9524.

Sincerely,



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

Enclosure

cc: Mr. W. Jeffrey Pardue, Director  
Environmental Services Dept.  
Florida Power Corporation

## Enclosure

U.S. EPA Region 4 Objection  
Proposed Part 70 Operating Permit  
Florida Power Corporation  
Turner Power Plant  
Permit no. 1270020-001-AV

### I. EPA Objection Issue

Periodic Monitoring: The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The permit for FPC-Turner only requires an annual one hour Method 9 visible emissions reading. In most cases, this does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. The permit must require the source to conduct visible emissions observations on a daily basis when burning fuel oil, or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional visible emissions testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a short-term test performed once a year.

### II. General Comments

1. Section II, condition 11: Replace "Operating Source Section" with "Air & EPCRA Enforcement Branch, Air Compliance Section."
2. Section IV: The ORIS code indicated on the phase II part is not consistent with the table of affected sources prepared by the Acid Rain Division (Section 10, "Phase II Permit Writers Guide"). The ORIS code indicated in the guide is 629. The code identified in the permit appears to be the one for the Intercessions City Plant (as per the Phase II permit application). Please correct this or notify us if our records are incorrect.

Gracy Danois  
January 13, 1999  
Page 2 of 2

1-21-99  
~4:00  
relayed to Scott Osbourne  
Bo

**Item 2:** This condition is offered for addition under the Monitoring of Operations section for the Sulfuric Acid Plant:

in  
six minutes duration,

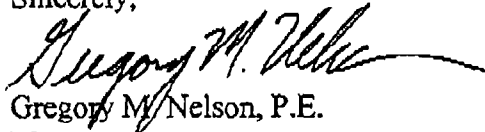
*The owner or operator shall observe and record a quantified visible emission observation for the sulfuric acid plant stack on a daily basis, for the purposes of periodic monitoring.*

↳ when burning fuel oil.

Tampa Electric is suggesting the use of this quantified visible emission observation in lieu of the use of Method 22 for the daily visible emission observation. This change is offered to alleviate concerns over the inadequacy of Method 22 to quantify visible emissions.

If you have any questions or concerns about the response to the objections please contact Patrick Shell or me at (813)641-5210.

Sincerely,



Gregory M. Nelson, P.E.  
Manager  
Environmental Planning

c: Scott Sheplak, FDEP  
Edward Svec, FDEP



Date: 10/21/98 9:27:00 AM  
From: Danois.Gracy  
Subject: Receipt of Permit Applications  
To: fancy\_c  
To: mitchell\_b  
To: sheplak\_s  
CC: Pierce.Carla

10/22 Scott ~~2/8~~  
Bruce  
-----  
That's OK,  
Clay

We received the title V permit applications for FPC-Turner and FPC-DeBary plants. EPA's 45-day review began on October 20, 1998.

Gracy

Typed  
as you  
requested!  
Paul  
H

Date: 11/18/1998 2:47:00 PM  
From: Danois.Gracy  
Subject: Comments on FPC Turner and DeBary

EPA's comments are attached.

Date: 10/21/1998 9:27:00 AM  
From: Danois.Gracy  
Subject: Receipt of Permit Applications  
To: fancy\_c  
To: mitchell\_b  
To: sheplak\_s  
CC: Pierce.Carla

We received the title V permit applications for FPC-Turner and FPC-DeBary plants. EPA's 45-day review began on October 20, 1998.

Gracy

Date: 11/19/1998 9:32:28 AM  
From: Scott Sheplak TAL  
Subject: FWD: Comments on FPC Turner and DeBary  
To: scotthosbourn@fpc.com@in  
CC: Bruce Mitchell TAL  
CC: Lennon Anderson TAL  
CC: Clair Fancy TAL

Scott,

Attached are USEPA comments on the subject Title V permits. Please call us after you have reviewed the comments. USEPA indicated that they will file the objections (vetoes) if the significant comments are not resolved. Day 45, the deadline for us to resolve, is 12/5/98. The permits were posted for USEPA review on 10/21/98.

Date: 10/21/1998 4:46:29 PM  
From: Mary Fillingim TAL  
Subject: Updated Permit Posting #1270020  
To: See Below

There is a Proposed Permit posted on Florida's website.

1270020001AV  
FPC-TURNER PLANT

Proposed

If you have any questions, please feel free to contact me.

Thanks, Mary

To: adams yolanda  
To: pierce carla  
To: Barbara Boutwell TAL  
To: Scott Sheplak TAL  
To: Terry Knowles TAL  
To: danois gracy  
To: Elizabeth Walker TAL  
CC: Bruce Mitchell TAL

## **ELECTRONIC TRANSMISSION**

**Date:** November 18, 1998  
**To:** Scott Sheplak, FDEP - Tallahassee  
**From:** Gracy R. Danois, EPA Region 4  
**Subject:** Initial Comments on Proposed Title V Permit  
Florida Power Corporation - Turner Plant  
Permit no. 1270020-001-AV

Below are initial comments from EPA Region 4 on the above referenced source. Our comments are divided into two categories: 1) Significant Comments and 2) General Comments. Significant comments are defined as those comments that would trigger an objection under 40 CFR Part 70. Given that EPA has several significant comments on this proposed permit, we would like to attempt resolution of all issues in order to avoid a formal objection on this permit. If resolution of our significant comments is not achieved, EPA Region 4 will issue an objection to the proposed permit pursuant to 40 CFR 70.8(c) on or before day-45 of the review period. For purposes of this permit review, day-45 is defined as **December 2, 1998**.

Another option available to you is withdrawal of the proposed permit from EPA review. If you choose to utilize this option, you must submit to EPA a written request that the permit be withdrawn including a statement that a proposed permit will be resubmitted for EPA review at a later date. Your written request to withdraw the proposed permit must be submitted to our office by no later than **December 2, 1998**.

### 1) Significant Comments

- a. The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The permit for FPC-Turner only requires an annual one hour Method 9 visible emissions reading. In most cases, this does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. We recommend that the source be required to conduct visible emissions observations on a daily basis when burning fuel oil, or that a technical demonstration is included in the statement of basis explaining why the State has chosen not to require any additional visible emissions testing.

### 2) General Comments

- a. Section II, condition 11: Replace "Operating Source Section" with "Air & EPCRA Enforcement Branch, Air Compliance Section."
- b. The ORIS code indicated on the phase II part is not consistent with the table of affected sources prepared by the Acid Rain Division (Section 10, "Phase II Permit Writers Guide"). The ORIS code indicated in the guide is 629. The code identified in the permit appears to be the one for the Intercessions City Plant (as per the Phase II permit application). Please correct this or notify us if our records are incorrect.

Bruce  
E-mail sent 11-19-98

**ELECTRONIC TRANSMISSION**

**Date:** November 18, 1998  
**To:** Scott Sheplak, FDEP - Tallahassee  
**From:** Gracy R. Danois, EPA Region 4  
**Subject:** Initial Comments on Proposed Title V Permit  
Florida Power Corporation - Turner Plant  
Permit no. 1270020-001-AV

Below are initial comments from EPA Region 4 on the above referenced source. Our comments are divided into two categories: 1) Significant Comments and 2) General Comments. Significant comments are defined as those comments that would trigger an objection under 40 CFR Part 70. Given that EPA has several significant comments on this proposed permit, we would like to attempt resolution of all issues in order to avoid a formal objection on this permit. If resolution of our significant comments is not achieved, EPA Region 4 will issue an objection to the proposed permit pursuant to 40 CFR 70.8(c) on or before day-45 of the review period. For purposes of this permit review, day-45 is defined as **December 2, 1998**.

Another option available to you is withdrawal of the proposed permit from EPA review. If you choose to utilize this option, you must submit to EPA a written request that the permit be withdrawn including a statement that a proposed permit will be resubmitted for EPA review at a later date. Your written request to withdraw the proposed permit must be submitted to our office by no later than **December 2, 1998**.

1) Significant Comments

- a. The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The permit for FPC-Turner only requires an annual one hour Method 9 visible emissions reading. In most cases, this does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. We recommend that the source be required to conduct visible emissions observations on a daily basis when burning fuel oil, or that a technical demonstration is included in the statement of basis explaining why the State has chosen not to require any additional visible emissions testing.

2) General Comments

- a. Section II, condition 11: Replace "Operating Source Section" with "Air & EPCRA Enforcement Branch, Air Compliance Section."
- b. The ORIS code indicated on the phase II part is not consistent with the table of affected sources prepared by the Acid Rain Division (Section 10, "Phase II Permit Writers Guide"). The ORIS code indicated in the guide is 629. The code identified in the permit appears to be the one for the Intercessions City Plant (as per the Phase II permit application). Please correct this or notify us if our records are incorrect.

Date: 10/08/1998 2:53:07 PM  
From: Mary Fillingim TAL  
Subject: New Posting #1270020  
To: See Below

There is a new posting on Florida's website.

1270020001AV  
FPC-TURNER PLANT

Proposed

The notification letter is encoded and attached. If you have any questions, please feel free to contact me.

Thanks,  
Mary



**Florida's PROPOSED Permit Electronic Notification Cover Memorandum**

**TO:** Gracy R. Danois, U.S. EPA Region 4  
**CC:** Carla E. Pierce, U.S. EPA Region 4  
**THRU:** Scott M. Sheplak, P.E., Bureau of Air Regulation  
**FROM:** Bruce Mitchell, Permit Engineer  
**DATE:** 10/08/98  
**RE:** U.S. EPA Region 4 PROPOSED Title V Operation Permit Review

The following PROPOSED Title V operation permit(s) and associated documents have been posted on the DEP World Wide Web Internet site for your review. Please provide any comments via Internet E-mail, within fifty five (55) days of receiving this notice, to Scott M. Sheplak, at "Sheplak\_S@dep.state.fl.us".

<u>Applicant Name</u>	<u>County</u>	<u>Method of Transmittal</u>	<u>Electronic File Name(s)</u>
FPC: Turner Power Plant	Volusia	INTERNET	1270020p.zip

This zipped file contains the following electronic files:

- 1270020.sob
- 1270020p.pd
- 1270020p.doc
- 12700201.002
- 12700202.002
- 1270020g.002
- 1270020u.002
- 1270020h.002

*message sent to  
Mary D  
attached memo  
D 10:21  
10/8/98  
BM*

Date: 10/08/1998 10:15:06 AM  
From: Bruce Mitchell TAL  
Subject: Posting of PROPOSED T-5 permit: FPC: Turner Power Plant: 1270020-001-AV.  
To: Mary Fillingim TAL  
CC: Scott Sheplak TAL

10/8/98

Dear Mary,

I've attached the memo for the above project for posting to EPA, which identifies the appropriate files to be included. The files are located at v:bruce\permits\1270020. Many thanks for your assistance. More to come!

Bruce

## Florida's Proposed Permit Electronic Notification Cover Memorandum

**TO:** Gracy R. Danois, U.S. EPA Region 4  
**CC:** Carla E. Pierce, U.S. EPA Region 4  
**THRU:** Scott M. Sheplak, P.E., Bureau of Air Regulation  
**FROM:** Bruce Mitchell, Permit Engineer  
**DATE:** 10/08/98  
**RE:** U.S. EPA Region 4 Proposed Title V Operation Permit Review

The following PROPOSED Title V operation permit(s) and associated documents have been posted on the DEP World Wide Web Internet site for your review. Please provide any comments via Internet E-mail, within fifty five (55) days of receiving this notice, to Scott M. Sheplak, at "Sheplak\_S@dep.state.fl.us".

Applicant Name	County	Method of Transmittal	Electronic File Name(s)
FPC: Turner Power Plant	Volusia	INTERNET	1270020p.zip

This zipped file contains the following electronic files:

1270020.sob  
1270020p.pd  
1270020p.doc  
12700201.002  
12700202.002  
1270020g.002  
1270020u.002  
1270020h.002



Florida  
Department of  
Environmental Protection

Lawton Chiles  
Governor

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

Virginia Wetherell  
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 9/28/98  
TO: Scott Osbourn  
PHONE: \_\_\_\_\_

FAX: 727/866-4926

FROM: Bruce Mitchell  
Division of Air Resources Management

PHONE: 850/921-9506  
FAX: 850.922.6979

RE: FPC: Turner [Title II "PROPOSED" permit]

CC: \_\_\_\_\_

Total number of pages including cover sheet: 21

Message

For your review. "21 pages + cover."

No 2  
727/866-4926  
Fax # 727/826-4216

If there are any problems with this fax transmittal, please call the above phone number.

"Protect, Conserve, and Manage Florida's Environmental and Natural Resources"

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Florida  
Department of  
Environmental Protection

Lawton Chiles  
Governor

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

Virginia Wetherell  
Secretary

15 pages

F A X T R A N S M I T T A L S H E E T

DATE: 9-11-98

TO: Scott Osbourn

PHONE: \_\_\_\_\_

FAX: 727/866-4926

FROM: Bruce Mitchell

PHONE: 850/921-9506

Division of Air Resources Management

FAX: 850.922.6979

RE: EPC: Turner [Title V "PROPOSED" permit]

CC: \_\_\_\_\_

Total number of pages including cover sheet: 16

**Message**

For your review. "15 pages + cover."

If there are any problems with this fax transmittal, please call the above phone number.

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Florida  
Department of  
Environmental Protection

Lawton Chiles  
Governor

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

Virginia Wetherell  
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 9-11-98

TO: Scott Osbourn

PHONE: \_\_\_\_\_

FAX: 727/826-4216

FROM: Bruce Mitchell

PHONE: 850/921-9506

Division of Air Resources Management

FAX: 850.922.6979

RE: PROPOSED Title V Permit: FPC: Turner Plant  
1270020-001-AV

CC: \_\_\_\_\_

Total number of pages including cover sheet: 16

**Message**

For your review.

If there are any problems with this fax transmittal, please call the above phone number.

*"Protect, Conserve, and Manage Florida's Environmental and Natural Resources"*

*Printed on recycled paper*

Check Message

Sep 11 '98 14:48

D.O. 7 Check condition of remote Fax. 617278664926



Florida Department of Environmental Protection

Lawton Chiles Governor

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

Virginia Wetherell Secretary

15 pages

FAX TRANSMITTAL SHEET

DATE: 9-11-98

TO: Scott Osbourn

PHONE:

FAX: 727/866-4926

FROM: Renee Mitchell

PHONE: 850/921-9506

Division of Air Resources Management

FAX: 850.922.6979

RE: EPC: Turner [Title V "PROPOSED" permit]

CC:

Total number of pages including cover sheet: 16

Message

For your review "15 pages + cover"

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 13-May-1999 09:06am

**From:** Yi Zhu TAL  
ZHU\_Y

**Dept:** Air Resources Management

**Tel No:** 850/921-9558

**To:** Bruce Mitchell TAL ( MITCHELL\_B )  
**CC:** Scott Sheplak TAL ( SHEPLAK\_S )  
**CC:** Clair Fancy TAL ( FANCY\_C )

*5-13-99  
Events updated  
RM*

**Subject:** Re: EARS upload check for: FPC Turner Plant: 1270020-001-AV.

We finished reviewing and updating the inventory data for this facility.  
Please update the event status. Thank you.

\*4/22/99

\*

\*Dear Yi,

\*

\*I have completed the EARS data edits and the data is ready for your  
evaluation.

\* The file can be found in EARS under 1270020-DEP - DEP. If there are any  
\*questions, please give me a call/GIC/holler! Many thanks for your help.

\*

\*Sincerely,

\*

\*Bruce



# INTEROFFICE MEMORANDUM

**Date:** 22-Apr-1999 12:33pm  
**From:** Bruce Mitchell TAL  
MITCHELL\_B  
**Dept:** Air Resources Management  
**Tel No:** 850/488-1344

**To:** Yi Zhu TAL ( ZHU\_Y )  
**CC:** Scott Sheplak TAL ( SHEPLAK\_S )  
**CC:** Clair Fancy TAL ( FANCY\_C )

**Subject:** EARS upload check for: FPC Turner Plant: 1270020-001-AV.

4/22/99

Dear Yi,

I have completed the EARS data edits and the data is ready for your evaluation.

The file can be found in EARS under 1270020-DEP - DEP. If there are any questions, please give me a call/GIC/holler! Many thanks for your help.

Sincerely,

Bruce

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 11-May-1999 01:16pm

**From:** Mary Fillingim TAL  
FILLINGIM\_M

**Dept:** Air Resources Management

**Tel No:** 850/488-0114

**To:** See Below

**Subject:** New Posting #1270020

There is a new posting on Florida's website.

1270020001AV  
FPC-TURNER PLANT

Final

The notification letter is encoded and attached. If you have any questions, feel free to contact me.

Thanks, Mary

**Distribution:**

<b>To:</b> Barbara Boutwell TAL	( BOUTWELL_B )
<b>To:</b> Scott Sheplak TAL	( SHEPLAK_S )
<b>To:</b> danois gracy	( danois.gracy@epa.gov@in )
<b>To:</b> Elizabeth Walker TAL	( WALKER_E )
<b>To:</b> huey.joel@epa.gov@in	
<b>To:</b> BARTLETT.ELIZABETH@EPA.GOV@IN	
<b>CC:</b> Bruce Mitchell TAL	( MITCHELL_B )

15-11-99  
hand deliv'd to Mary  
BM

**Florida's FINAL Permit Electronic Notification Cover Memorandum**

**TO:** Gracy Danois, U.S. EPA Region 4  
**CC:** Carla E. Pierce, U.S. EPA Region 4  
**THRU:** Scott M. Sheplak, P.E., Tallahassee Title V Section  
**FROM:** Bruce Mitchell, Permit Engineer  
**DATE:** 05/11/99  
**RE:** U.S. EPA Region 4 FINAL Title V Operation Permit Review

The following FINAL Title V operation permit(s) and associated documents have been posted on the DEP World Wide Web Internet site for your review. Please provide any comments via Internet E-mail to Scott M. Sheplak, P.E., at "Sheplak\_S@dep.state.fl.us".

<u>Applicant Name</u>	<u>County</u>	<u>Method of Transmittal</u>	<u>Electronic File Name(s)</u>
FPC: Turner Facility	Volusia	INTERNET	1270020f.zip

This zipped file contains the following electronic files:

1270020.sob  
1270020f.doc  
12700202.002  
12700202.002  
1270020u.002  
1270020h.002  
1270020g.002

v:/Bruce/permits/1270020.fednotF.doc

5-4-99

@ 10:06

Spencer West Brown -  
will deny the request.





April 30, 1999

RECEIVED

MAY 03 1999

BUREAU OF  
AIR REGULATION

Ms. Kathy Carter  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000

Re: Florida Power Corporation, Suwannee River Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air  
Operation Permit*  
Draft Permit No. 1210003-001-AV

Dear Ms. Carter:

On October 26, 1998, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues need to be resolved. Accordingly, FPC requests an enlargement of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including June 1, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

If you should have any questions, please contact Scott Osbourn at (727) 826-4258, or Robert Manning at Hopping Green Sams & Smith, P.A. at (850) 222-7500.

Sincerely,

A handwritten signature in cursive script that reads "Robert Manning".

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeff Brown, DEP OGC

115215.1

# INTEROFFICE MEMORANDUM

**Date:** 22-Apr-1999 12:33pm  
**From:** Bruce Mitchell TAL  
MITCHELL\_B  
**Dept:** Air Resources Management  
**Tel No:** 850/488-1344

**To:** Yi Zhu TAL ( ZHU\_Y )  
**CC:** Scott Sheplak TAL ( SHEPLAK\_S )  
**CC:** Clair Fancy TAL ( FANCY\_C )

**Subject:** EARS upload check for: FPC Turner Plant: 1270020-001-AV.

4/22/99

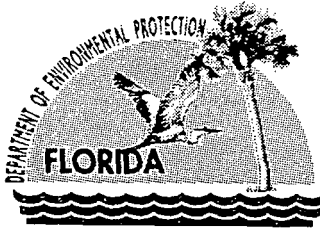
Dear Yi,

I have completed the EARS data edits and the data is ready for your evaluation.  
The file can be found in EARS under 1270020-DEP - DEP. If there are any  
questions, please give me a call/GIC/holler! Many thanks for your help.

Sincerely,

Bruce

Bruce Mitchell



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF FINAL PERMIT

In the Matter of an  
Application for Permit by:

Mr. W. Jeffrey Pardue, C.E.P.  
Director of Environmental Services  
Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

FINAL Permit No.: 1270020-001-AV  
Turner Power Plant

Enclosed is FINAL Permit Number 1270020-001-AV for the operation of the Turner Power Plant located at 201 DeBary Avenue, Deltona, Volusia County, issued pursuant to Chapter 403, Florida Statutes (F.S.).

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

Executed in Tallahassee, Florida.

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on

4/5/99 to the person(s) listed or as otherwise noted:

Mr. Len Kozlov, CD

Mr. W. Jeffery Pardue, C.E.P., FPC

Mr. Kennard F. Kosky, P.E., GAI

Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)

Ms. Gracy R. Danois, USEPA, Region 4 (INTERNET E-mail Memorandum)

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.

(Clerk)

4/5/99  
(Date)

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

1. Scott Gmd 3/22 3. Howard

2. Chair 4. \_\_\_\_\_

5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:

\_\_\_\_ SECRETARY'S SIGNATURE

~~DIV/~~ DIR SIGNATURE

\_\_\_\_ MY SIGNATURE

\_\_\_\_ YOUR SIGNATURE

\_\_\_\_ DUE DATE \_\_\_\_\_

ACTION/DISPOSITION

\_\_\_\_ DISCUSS WITH ME

\_\_\_\_ COMMENTS/ADVISE

\_\_\_\_ REVIEW AND RETURN

\_\_\_\_ SET UP MEETING

\_\_\_\_ FOR YOUR INFORMATION

\_\_\_\_ HANDLE APPROPRIATELY

\_\_\_\_ INITIAL AND FORWARD

\_\_\_\_ SHARE WITH STAFF

\_\_\_\_ FOR YOUR FILES

COMMENTS:

FPC: Turner Power Plant  
FINAL Title V permit  
for signature.

*Plumb,*

P.S. The Order Extending  
Permit Expiration Date(s)  
was signed October 7, 1998.

FINAL #34

FROM: Bunn DATE: 3/19/99 PHONE: \_\_\_\_\_



BEST AVAILABLE COPY

*Bruce Mitchell* Scott  
*clain*  
*for*  
*Howard*  
*3/15*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

MAR 10 1999

RECEIVED

RECEIVED

4APT-ARB

MAR 10 1999

MAR 10 1999

BUREAU OF AIR REGULATION  
DIVISION OF AIR RESOURCES MANAGEMENT

Mr. Howard L. Rhodes, Director  
Division of Air Resources Management  
Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 30365

SUBJ: Proposed Title V Permit for FPC - Turner Power Plant

Dear Mr. Rhodes:

The purpose of this letter is to acknowledge the receipt of the State of Florida's proposed changes to the Florida Power Corporation - Turner Power Plant proposed title V permit which was the subject of a U.S. Environmental Protection Agency (EPA) title V objection on December 4, 1998. EPA Region 4 has completed its review of the proposed changes to the permit and believes that the State has adequately addressed each of the issues enumerated in the objection. Therefore, EPA considers the objection to be resolved. Once the State's proposed changes are incorporated into the permit, the State may proceed with permit issuance.

We commend your staff for facilitating the resolution of the permit issues. If you have any questions about this letter, please contact Ms. Carla E. Pierce, Chief, Operating Source Section at (404)562-9099.

Sincerely,

*Winston A. Smith*

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

Bruce Mitchell

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. W. Jeffrey Pardue, C.E.P.  
Director of Environmental Services  
Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

ORDER EXTENDING PERMIT EXPIRATION DATE

Florida Power Corporation: Turner Power Plant, **Facility ID No.:** 1270020

Section 403.0872(2)(b), Florida Statutes (F.S.), specifies that any facility which submits to the Department of Environmental Protection (Department) a timely and complete application for a Title V permit "is entitled to operate in compliance with its existing air permit pending the conclusion of proceedings associated with its application."

Section 403.0872(6), F.S., provides that a proposed Title V permit which is not objected to by the United States Environmental Protection Agency (EPA) "must become final no later than fifty-five (55) days after the date on which the proposed permit was mailed" to the EPA.

Pursuant to the Federal Acid Rain Program as defined in Rule 62-210.200, Florida Administrative Code (F.A.C.), all Acid Rain permitting must become effective on January 1 of a given year.

This facility which will be permitted pursuant to Section 403.0872, F.S., (Title V permit) will be required to have a permit effective date subsequent to the final processing date of the facility's Title V permit.

To prevent misunderstanding and to assure that the above identified facility continues to comply with existing permit terms and conditions until its Title V permit becomes effective, it is necessary to extend the expiration date(s) of its existing valid permit(s) until the effective date of its Title V permit. Therefore, under the authority granted to the Department by Section 403.061(8), F.S., **IT IS ORDERED:**

1. The expiration date(s) of the existing valid permit(s) under which the above identified facility is currently operating is (are) hereby extended until the effective date of its permit issued pursuant to Section 403.0872, F.S., (Title V permit);

2. The facility shall comply with all terms and conditions of its existing valid permit(s) until the effective date of its Title V permit;

3. The facility will continue to comply with the requirements of Chapter 62-214, F.A.C., and the Federal Acid Rain Program, as defined in Rule 62-210.200, F.A.C., pending final issuance of its Title V permit.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this Order. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this Order, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in

this proceeding and participate as a party to it. Any subsequent intervention 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 indicate;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;

(f) A demand for relief.

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 Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this Order.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner;

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

(c) Each rule or portion of a rule from which a variance or waiver is requested;

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

(e) The type of action requested;

(f) The specific facts that would justify a variance or waiver for the petitioner;

(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and

(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the

Administrator of EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

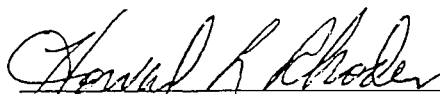
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this <sup>1<sup>st</sup></sup> day of <sup>October</sup>, 1998 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director  
Division of Air Resources Management  
Twin Towers Office Building  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
850/488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order and all copies were sent by certified mail before the close of business on 10/7/98 to the person(s) listed:

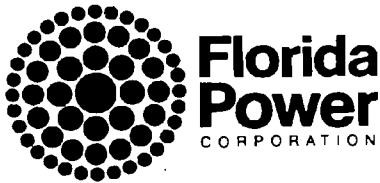
Mr. W. Jeffrey Pardue, C.E.P.

Mr. Len Kozlov, CD

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.

Barbara J. Boutwell 10/7/98  
(Clerk) (Date)



August 27, 1998

Mr. Clair Fancy, P.E.  
Chief, Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Rd.  
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

Re: Periodic Monitoring in Title V Permits: Heat Input Limits

As you know, a meeting was held between the EPA, the Department and utility representatives at the Florida Electric Power Coordinating Group (FCG) offices on July 14, 1998. The purpose of the meeting was to discuss the periodic monitoring requirements of 40 CFR 70.6(a)(3)(i) as applied to Title V permits. The meeting presented an opportunity for all parties to represent their views, and it was clear that there remains considerable disagreement as to the proper application of the periodic monitoring guidance.

In addition to the July 14, 1998 meeting, FPC has also reviewed DEP's March 10, 1998 letter to EPA (Re: Proposed Changes to FPL Proposed Title V Permits to Satisfy EPA Objections). FPC has still not formalized its position on periodic monitoring, including all of the issues raised in the March 10, 1998 letter. However, the resolution outlined in the March 10th letter regarding heat input limitations appears to be reasonable and one that FPC is willing to accept. This resolution required adding a note to the "permitted capacity" condition for each Title V permit, and an explanation that regular record keeping is not required for heat input. Specifically, the Department stated that they would add the following language to the statement of basis:

The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emissions limits and to aid in determining future rule applicability. A note below the permitted capacity condition clarifies this. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of process variables for emissions tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop

8/31 Scott Slapak  
pls handle. If  
this is a problem, pls  
advise. Clair  
Bayboro  
Crystal River  
DeBary  
Turner  
Bartow  
Suwannee  
Uoff  
Tiger Bay

Mr. Fancy  
August 27, 1998  
Page 2

measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.

Also, the Department added the following language to each permit condition titled Permitted Capacity:

{Permitting note: The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability.}

Accordingly, FPC requests that this language regarding heat input be added to all of FPC's Title V permits currently being processed by the Department. FPC intends to notify the Department as soon as possible after formalizing its position on the remainder of periodic monitoring issues. If you should have any questions concerning the above, please do not hesitate to contact me at (727) 826-4258.

Sincerely,



Scott H. Osbourn  
Senior Environmental Engineer

cc: Robert Manning, HGS&S

Tom / Bruce

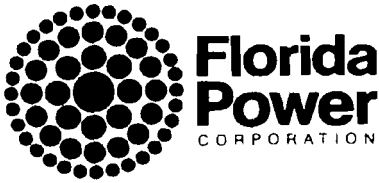
similar processing  
as Avon Park

BRUCE -

THIS NEEDS TO  
BE INCORPORATED  
INTO THE TURNER  
SITE & PLAN.

Tom





RECEIVED

JUL 09 1998

BUREAU OF  
AIR REGULATION

July 6, 1998

Mr. Scott Sheplak, P.E.  
Administrator, Title V Section  
Florida Department of Environmental Protection  
2600 Blair Stone Rd.  
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Title V Permit; Turner Power Plant  
Facility ID No. 1270020

This letter serves to provide notification to the Department that Florida Power Corporation (FPC) has officially retired the three steam units at the above-referenced facility. These are Units 2, 3 and 4 and they are identified as fossil fuel-fired steam generators SG 2, SG 3, and SG 4 in the draft Title V permit for the facility. Specifically, FPC desires that the air permit for these units not remain active and, consequently, that these units not be addressed in the Title V permit for this facility. The four combustion turbine units at the Turner facility will continue to be operated.

As requested by the Department, the current active air operating permit (original) for the three steam units is enclosed. Further, these units are affected units under Phase 2 of the federal Acid Rain Program. As such, FPC has submitted notification to the U.S. EPA under 40 CFR 72.8 regarding the units' retired status (copy attached).

Please contact Mr. Scott Osbourn at (813) 826-4258 if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Jeffrey Pardue", is written over a circular scribble.

W. Jeffrey Pardue, C.E.P.  
Director

Enclosures

cc: Clair Fancy, DEP  
David McNeal, EPA Region IV  
Ken Kosky, Golder Associates  
Robert Manning, HGS&S

# Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8

This submission is:  New  Revised

## STEP 1

Identify the unit that is or will be retired by plant name, State, ORIS code and boiler ID# from NADB

G. E. Turner Plant Name	FL State	000629 ORIS Code	2 Boiler ID#
----------------------------	-------------	---------------------	-----------------

## STEP 2

Check one box to indicate the deadline for this application.

- This petition is being submitted on or before the deadline for submitting an Acid Rain part application for Phase II.
- The unit has a Phase II Acid Rain part. This petition is being submitted on or before the deadline for reapplying for the Acid Rain part.

## STEP 3

Read the certification and enter the actual or expected date of retirement of the unit.

I certify that this unit is or will be permanently retired on the date specified in this petition and will not emit any sulfur dioxide or nitrogen oxides after such date. The date for the permanent retirement of this unit is or will be:

1/1/98  
mm/dd/yy

## STEP 4

Indicate that the required information is attached.

- A description of any actions that have been or will be taken and that provide the basis for the certification in Step 3.

## STEP 5

Read the special provisions and the certifications, and sign and date.

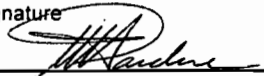
### Special Provisions

- (1) A unit exempted under 40 CFR 72.8 and Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date it is exempted.
- (2) The owners and operators of a unit exempted under 40 CFR 72.8 and Rule 62-214.340(2), F.A.C., shall comply with monitoring requirements in accordance with part 75 and will be allocated allowances in accordance with 40 CFR part 73.
- (3) A unit exempted under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits an Acid Rain part application for the unit not less than 24 months prior to the later of January 1, 2000, or the date the unit is to resume operation. On the earlier of the date the written exemption expires or the date an Acid Rain part application is submitted or is required to be submitted under this paragraph (3), the unit shall no longer be exempted and shall be subject to all requirements of 40 CFR part 72.

### 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 W. Jeffrey Pardue, C.E.P.	
Signature 	Date 7/3/98

# Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8

This submission is:  New  Revised

## STEP 1

Identify the unit that is or will be retired by plant name, State, ORIS code and boiler ID# from NADB

G. E. Turner Plant Name	FL State	000629 ORIS Code	3 Boiler ID#
----------------------------	-------------	---------------------	-----------------

## STEP 2

Check one box to indicate the deadline for this application.

- This petition is being submitted on or before the deadline for submitting an Acid Rain part application for Phase II.
- The unit has a Phase II Acid Rain part. This petition is being submitted on or before the deadline for reapplying for the Acid Rain part.

## STEP 3

Read the certification and enter the actual or expected date of retirement of the unit.

I certify that this unit is or will be permanently retired on the date specified in this petition and will not emit any sulfur dioxide or nitrogen oxides after such date. The date for the permanent retirement of this unit is or will be:

1/1/98  
mm/dd/yy

## STEP 4

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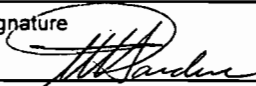
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and information, including the possibility of fine or imprisonment.

Name	
W. Jeffrey Pardue, C.E.P.	
Signature	Date
	7/3/98

# Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8

This submission is:  New  Revised

## STEP 1

Identify the unit that is or will be retired by plant name, State, ORIS code and boiler ID# from NADB

G. E. Turner Plant Name	FL State	000629 ORIS Code	4 Boiler ID#
----------------------------	-------------	---------------------	-----------------

## STEP 2

Check one box to indicate the deadline for this application.

- This petition is being submitted on or before the deadline for submitting an Acid Rain part application for Phase II.
- The unit has a Phase II Acid Rain part. This petition is being submitted on or before the deadline for reapplying for the Acid Rain part.

## STEP 3

Read the certification and enter the actual or expected date of retirement of the unit.

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### 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		W. Jeffrey Pardue, C.E.P.
Signature		Date
		7/3/98



# Florida Department of Environmental Regulation

Central District • 3319 Maguire Boulevard, Suite 232 • Orlando, Florida 32803-3767 • 407-894-7555

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Alex Alexander, Deputy Assistant Secretary

## NOTICE OF PERMIT

Florida Power Corporation  
Post Office Box 14042  
St. Petersburg, Florida 33733

Attention: Patsy Y. Baynard,  
Director, Environmental and  
Licensing Affairs



Volusia County - AP  
Turner Power Plant Units 2, 3, and 4

Dear Ms. Baynard:

Enclosed is Permit Number A064-185095, dated 12-26-53, to change the permit conditions, issued pursuant to Section 403.087, Florida Statutes.

Persons whose substantial interest are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing), unless the right to petition has been waived. The petition must conform to the requirements of Chapters 17-103 F.A.C., and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee 32399-2400, within fourteen (14) days of receipt of this notice. Failure to file a petition within that time constitutes a waiver of any right such person has to an administrative determination pursuant to Section 120.57, Florida Statutes.

The petition shall contain the following information; (a) the name, address and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action or proposed action.

This Order (Permit) is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraph. Upon the timely filing of a petition this Permit will not be effective until further Order of the Department.





# Florida Department of Environmental Regulation

Central District • 3319 Maguire Boulevard, Suite 232 • Orlando, Florida 32803-3767 • 407-894-7555

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Alex Alexander, Deputy Assistant Secretary

Permittee:  
Florida Power Corporation  
Post Office Box 14042  
St. Petersburg, Florida 33733

Attention: Patsy Y. Baynard  
Director, Environmental and  
Licensing Affairs

I.D. Number:  
Permit/Certification  
Number: A064-185095  
Date of Issue:  
Expiration Date: 09/25/95  
County: Volusia  
Latitude/Longitude:  
28°52'14"N/81°16'03"W  
UTM: 17-473.39 KmE; 3193.0 KmN  
Project: Turner Power Plant  
Units 2, 3, and 4

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

The permittee can operate Turner Power Plant Units No. 2, 3, and 4 which are fossil fuel steam generators fired by Natural Gas, No. 6 Fuel Oil, or on - specification used oil.

These sources are located at DeBary Drive in Enterprise, Volusia County, Florida.

General Conditions are attached to be distributed to the permittee only.

**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(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.*
4. *This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.*
5. *This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by 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:*
  - (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.*

**GENERAL CONDITIONS:**

9. *In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.*
10. *The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.*
11. *This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, 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.*
13. *This permit also constitutes:*
  - ( ) *Determination of Best Available Control Technology (BACT)*
  - ( ) *Determination of Prevention of Significant Deterioration (PSD)*
  - ( ) *Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)*
  - ( ) *Compliance with New Source Performance Standards*
14. *The permittee shall comply with the following:*
  - (a) *Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.*
  - (b) *The permittee shall 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 three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.*
  - (c) *Records of monitoring information shall include:*
    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.*

PERMITTEE:  
Florida Power Corporation  
  
Attention: P.Y. Baynard, Director  
Environmental and Licensing Affairs

I.D. Number:  
Permit/Certification Number:  
AO64-185095  
Date of Issue:  
Expiration Date: 09/25/95

**GENERAL CONDITIONS:**

16. No objectionable odors will be allowed, as per Rule 17-2.620(2), F.A.C.
17. All unconfined emissions of particulate matter generated at this site shall be adequately controlled (Rule 17-2.610(3), F.A.C.). Area must be watered down should unconfined emissions occur.
18. This permit does not preclude compliance with any applicable local permitting requirements and regulations.

**SPECIFIC CONDITIONS:**

OPERATING CONDITIONS

1. Each source is permitted to operate 8760 hours/year.
2. Each source will be fired with Natural Gas, No. 6 Fuel Oil, or on - specification used oil.
3. The permitted Heat input rates are as follows:
  - a) Unit No. 2 - Oil - 360 MMBTU/hour  
Natural Gas - 380 MMBTU/hour
  - b) Unit No. 3 - Oil - 820 MMBTU/hour  
Natural Gas - 840 MMBTU/hour
  - c) Unit No. 4 - Oil - 820 MMBTU/hour  
Natural Gas - 840 MMBTU/hour

PERMITTEE:  
 Florida Power Corporation  
 Attention: P.Y. Baynard, Director  
 Environmental and Licensing Affairs

I.D. Number:  
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 AO64-185095  
 Date of Issue:  
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**SOURCE EMISSION LIMITING STANDARDS AND  
 COMPLIANCE TESTING REQUIREMENTS**

4.

Pollutant	Emission Standards [1]	Testing Frequency [2]			Test Method [3]
		Annual	Semi-Annual	Monthly	
Particulate Matter					
- Steady-State	0.1 lb/MMBtu	Units 2,3	Unit 4	-	EPA Method 5 or 17*
- Sootblowing	0.3 lb/MMBtu; Max. 3 hrs.	Units 2,3,4	-	-	EPA Method 5 or 17*
Sulfur Dioxide	2.75 lb/MMBtu	-	-	Units 2,3,4	Fuel Analysis
Visible Emissions					
- Steady-State	20% Opacity 40% Opacity	Unit 2 Units 3,4	- -	- -	DER Method 9
- Sootblowing	60% Opacity for up to 3 hrs in 24 hrs, with up to 4 six - min. periods of up to 100% if unit has an operational opacity CEM	Units 2,3,4	-	-	DER Method 9
- Load Changing	60% Opacity for up to 3 hrs in 24 hrs, with up to 4 six - min. periods of up to 100% if unit has an operational opacity CEM	-	-	-	-

\* EPA Method 17 may be used only if the stack temperature is less than 375°

PERMITTEE:  
Florida Power Corporation  
  
Attention: P.Y. Baynard, Director  
Environmental and Licensing Affairs

I.D. Number:  
Permit/Certification Number:  
AO64-185095  
Date of Issue:  
Expiration Date: 09/25/95

- [1] F.A.C. 17-2.600(5) and F.A.C. 17-2.250(3)
- [2] F.A.C. 17-2.700(2)
- [3] F.A.C. 17-2.700(1)(d)

- a) Turner unit No. 2 shall test particulates (steady-state) and visible emissions annually with a 20% opacity limit, except for one two - minute period per hour during which opacity shall not exceed 40 percent. The required annual testing shall be conducted at yearly intervals and within 30 days after the unit is returned to service.
  - b) Turner Unit No. 3 will conduct a compliance test for steady state particulate emission annually from the date of March 19, 1990.
  - c) Turner Unit No. 4 will conduct two compliance tests for steady-state particulate emissions in each calendar year. One compliance test shall be conducted nominally during February for the first six months of the calendar year and the second compliance test shall be conducted nominally during August for the second six months of the calendar year and at least sixty (60) days after the first test was conducted.
  - d) Turner Units No. 3 and 4 will not exceed visible emissions of forty (40) percent opacity, except as provided in Florida Administrative Code Rule 17-2.250 F.A.C.
5. Testing of emissions should be conducted using No. 6 fuel oil and with the source operating within 90 to 100% of its rated capacity. Testing may be conducted at less than 90% of rated capacity; however, operation is then limited to the tested capacity with this limitation, operation at higher capacities is allowed for a cumulative total of no more than fifteen days for purposes of additional compliance testing to regain rated capacity in the permit, with prior notification to the department.
6. This office (Florida Department of Environmental Regulation, Air Permitting, Orlando) shall be notified at least fifteen (15) days in advance of the compliance tests so that we can witness them (Rule 17-2.700(2)(a)5, F.A.C.).
7. The required test report shall be filed with the department as soon as practical but no later than 45 days after the last sampling run of each test is completed (Rule 17-2.700(7)(a),(b) and (c), F.A.C.).
8. The stack sampling facility must comply with Rule 17-2.700(4) Florida Administrative Code before the next stack test.

PERMITTEE:  
Florida Power Corporation  
Attention: P.Y. Baynard, Director  
Environmental and Licensing Affairs

I.D. Number:  
Permit/Certification Number:  
AO64-185095  
Date of Issue:  
Expiration Date: 09/25/95

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

Excess emissions resulting from malfunction shall be permitted providing

- (1) best operational practices to minimize emissions are adhered to and  
(2) the duration of excess emissions is minimized but in no case exceeds two hours in any 24-hour period unless specifically authorized by the department for longer duration.

#### REPORTS

10. Each calendar year on or before March 1, submit for each source, an Annual Operations Report DER Form 17-1.202(6) for the preceding calendar year in accordance with Rule 17-4.14, F.A.C.
11. Submit for this source quarterly reports showing the types of fuels used in the operation of this source. Also state the sulfur content of each fuel on a monthly basis.

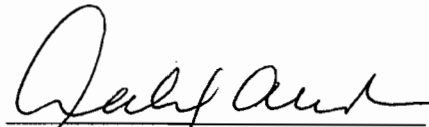
#### EXPIRATION DATE

12. An operation permit renewal must be submitted at least 60 days prior to the expiration date of this permit (Rule 17-4.09, F.A.C.).

ISSUED

12-26-50

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



A. Alexander  
Deputy Assistant Secretary  
3319 Maguire Boulevard  
Suite 232  
Orlando, Florida 32803



RECEIVED

MAY 29 1998

BUREAU OF AIR REGULATION

May 27, 1998

RECEIVED

MAY 29 1998

BUREAU OF AIR REGULATION

Ms. Kathy Carter, Clerk  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
Draft Permit No. 1270020-001-AV

mtt  
July 1

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until ~~June 1~~, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including August 1, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Department  
Title V Responsible Official

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeffrey Brown, DEP OGC





April 28, 1998

Ms. Kathy Carter, Clerk  
 Office of General Counsel  
 Florida Department of Environmental Protection  
 Room 638  
 3900 Commonwealth Blvd.  
 Tallahassee, FL 32399-3000

**RECEIVED**

MAY 01 1998

BUREAU OF  
 AIR REGULATION

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
 REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
*Draft Permit No. 1270020-001-AV*

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until April 30, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including July 1, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (813) 866-5158.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Pardue", written over a circular scribble.

W. Jeffrey Pardue, C.E.P.  
 Director, Environmental Services Department  
 Title V Responsible Official

A handwritten signature in black ink, appearing to read "Robert Manning", written in a cursive style.

Robert A. Manning, Esq.  
 Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
 Jeffrey Brown, DEP OGC

Charles Legan



March 24, 1998

Ms. Kathy Carter, Clerk  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
*Draft Permit No. 1270020-001-AV*

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until March 31, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including April 30, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (813) 866-5158.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Jeffrey Pardue", written over a horizontal line.

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Department  
Title V Responsible Official

A handwritten signature in black ink, appearing to read "Robert A. Manning", written in a cursive style.

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeffrey Brown, DEP OGC

Charles Logan



February 26, 1998

Ms. Kathy Carter, Clerk  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
*Draft Permit No. 1270020-001-AV*

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until February 27, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including March 31, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Department  
Title V Responsible Official

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeffrey Brown, DEP OGC

Barbara  
Boutwell

The Orlando Sentinel

Published Daily  
\$32.24

State of Florida }  
COUNTY OF ORANGE }



Before the undersigned authority personally appeared Donna A. Shaver, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at DELAND in VOLUSIA County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF I in the matter of Turner Power Plant in the VOLUSIA Court, was published in said newspaper in the issue; of 11/23/97.

Affiant further says that the said Orlando Sentinel is a newspaper published at DELAND in said VOLUSIA County, Florida, and that the said newspaper has heretofore been continuously published in said VOLUSIA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in DELAND in said VOLUSIA County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Donna A. Shaver

The foregoing instrument was acknowledged before me this 26th day of November, 19 97 by Donna A. Shaver who is personally known to me and who did take an oath.


(SEAL) JULIA NICHOLS  
My Comm Exp. 9/23/2001  
Bonded By Service Ins  
No. 683016  
[ ] Personally Known [ ] Other I.D.

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Title V DRAFT Permit No. 1270020-001-AV  
Turner Power Plant  
Volusia County  
The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Florida Power Corporation for the Turner Power Plant located at 201 Debarry Avenue, Deltona Volusia County. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South St. Petersburg, Florida 33711.  
The permitting authority will issue the Title V PROPOSED Permit and subsequent Title V FINAL Permit in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.  
The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. The permitting authority will issue the Title V PROPOSED Permit and subsequent Title V FINAL Permit in accordance with the conditions of the enclosed Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.  
The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the permitting authority's office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.  
The permitting authority will issue the permit with the attached conditions unless a timely petition is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S. will not be available for this proposed action.  
A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information...

for a period of one year next proceeding copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Donna A. Shaver*

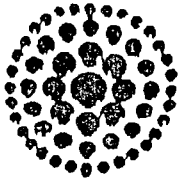
The foregoing instrument was acknowledged before me this 26th day of November, 19 97 by Donna A. Shaver who is personally known to me and who did take an oath.

(SEAL)  JULIA NICHOLS  
My Comm Exp. 9/23/2001  
Bonded By Service Ins.  
No. 683016  
[ ] Personally Known [ ] Other I.D.

**BEST AVAILABLE COPY**

THIS NOTICE, written comments should be provided to the permitting authority's office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S. will not be available for this proposed action. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2500 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice.

Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes. The Petition shall contain the following information:  
(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;  
(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;  
(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;  
(d) A statement of the material facts disputed by Petitioner, if any;  
(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;  
(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and  
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C. The application is available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Permitting Authority, Florida Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Telephone: 407/894/7555. FAX: 407/897-5963. The complete project file includes the Draft Permit, the application and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address or call 850/488-1344, for additional information. VOL1835760 NOV 23 1997



Florida  
Power  
CORPORATION

RECEIVED

SEP 26 1997

BUREAU OF  
AIR REGULATION

*Scott  
Charles  
10/9*

RECEIVED

SEP 25 1997

Dept. of Environmental Protection  
Office of General Counsel

September 25, 1997

Mr. Scott M. Sheplak, P.E.  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RE: Florida Power Corporation, Turner Power Plant  
DRAFT Title V Permit No. 1270020-001-AV

Dear Mr. Sheplak:

On behalf of Florida Power Corporation (FPC), attached are comments regarding the DRAFT Title V permit for the Turner Power Plant as identified above. FPC appreciates the Department's efforts in processing this permit and understands the need to resolve these issues in as timely a manner as possible. In this regard, DEP agreed to grant FPC's Request for Extension of Time to file a Petition for Administrative Hearing until October 10, 1997. If we are unable to reach a resolution of these comments by this time, we would appreciate the opportunity to file a second Request for Extension of Time. Accordingly, please contact me at (813) 866-5158 as soon as you have had a chance to review these comments to set up either a telephone or in-person conference. Thank you again for your consideration of our comments.

Sincerely,

Scott Osbourn,  
Environmental Specialist

cc: W. Jeffrey Pardue, FPC  
Clair Fancy, P.E., DEP  
Charles Logan, DEP  
Ken Kosky, P.E., Golder  
Robert Manning, HGSS

*cc: Bruce Mitchell*

**FLORIDA POWER CORPORATION  
COMMENTS ON DRAFT TITLE V PERMIT  
TURNER POWER PLANT**

**General Comments**

1. FPC understands that Appendix TV-1, Title V Conditions, is being revised. FPC request that its Title V permit reflect the most up-to-date version of this Appendix.

2. FPC understands that DEP will publish the Intent to Issue Title V Air Operation Permit. Because the applicant is ultimately responsible for the publication of the Intent to Issue, FPC requests that DEP provide a copy of the Notice intended to be published, as well as proof of publication.

**Intent to Issue Title V Air Operation Permit**

1. The description states that the FPC's Title V application for the Turner Power Plant was received on "June 13, 1996." The correct submittal date is June 14, 1997.

**Referenced attachments made part of this permit:**

1. Following document ASP Number 97-B-01, a reference should also be made to the Order Correcting Scrivener's Error, dated July 2, 1997.

2. The reference to Figure 1 - Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance Report should be deleted because there are no CEMs at this plant and the units are not subject to 40 CFR Part 60.

**Section II., Facility-wide Conditions.**

1. Condition 2. The word "not" was apparently inadvertently added, and should be deleted from, the second line of this Condition.

2. Condition 3. For clarity and to make this Condition specific to FPC's Turner Power Plant, FPC requests that Condition 2. be edited as follows:

**Except as otherwise provided in this permit ~~for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit,~~ no person shall cause . . . .**

Also, for clarification and because the reference to Chapter 62-297 in the last sentence of Condition 2. appears to be misplaced, FPC requests Condition 2. be edited as follows: **"For purposes of this Condition, EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C."**

3. Condition 6. In the context of this permit, how does DEP intend to respond to EPA's comments regarding the need to change the phrase "exempt" to "insignificant"?

4. Condition 7. For clarity, FPC requests that the first sentence of this Condition be edited as follows: "**The permittee shall not allow ~~no person to store, pump, . . .~~**" Also, because this condition is not included in Florida's SIP (based on our research), and to be consistent with other permits issued by DEP, this condition should be marked as "Not Federally Enforceable."

### Section III. Subsection A.

1. In the first line of the description, the reference to the Florida Administrative Code appears to be misplaced, and therefore FPC requests that this sentence be revised as follows: "~~Pursuant to Rule 62-210.300(2)(a)3.d., F.A.C.,~~ SG 2, SG 3, and SG 4 were placed on "Long Term . . . ."

2. Condition A.1. Under paragraph (a), FPC requests the correction of an apparent typographical error as follows: ". . . new No. 6 or lighter grades of fuel oils, and . . . ."

Also, the second sentence of paragraph (a), as well as all of paragraphs (b) and (c) of Condition A.1. apparently are intended to prevent annual lead emissions associated with used oil from exceeding the PSD applicability threshold for that pollutant. These new provisions should be deleted; because there is no regulatory authority for their inclusion. The rule citation and AO referenced by DEP as authority do not provide justification for placing conditions on the utilization of used oil. FPC's existing permit, and prior DEP interpretations, did not place such conditions on FPC's utilization of used oil. The co-firing of used oil does not trigger PSD applicability because the units were capable of accommodating used oil prior to January 6, 1975.

3. Condition A.8. For clarification, this Condition should be revised as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured in accordance with Condition A.19. ~~by-applicable-compliance-methods.~~

4. Condition A.11. The rule citation for this Condition is incorrect and should be deleted.

5. Condition A.21. The ASTM methods should be updated as follows to reflect the current methods: ". . . ASTM D4292-90 (1995), or both . . . ."

6. Condition A.25. For clarity, the first clause in paragraph (a)2. of this Condition ("When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method") should be deleted because the permit specifies the required compliance method.



7. Condition A.27. This Condition should be revised because there is no need for an annual testing requirement for units that are on stand-by. At a minimum, clarification should be provided that an annual test is not required for sulfur dioxide (which is based on fuel sampling analysis) if the unit operates less than a certain time period per year. Conditions A.28. and A.29 currently provide such an exemption for the testing requirements for visible emissions and particulate matter. The same clarification should be provided for Condition A.31.

8. Condition A.33. There is no direct authority for the inclusion of the provisions contained in this Condition. Neither FPC's existing operating permit nor the rule citations provided by DEP as authority include such conditions. In fact, certain draft provisions contained in Condition A.33. directly conflict with FPC's existing permit conditions and prior DEP interpretations that this facility was capable of accommodating this fuel prior to January 6, 1975, and therefore is exempt from PSD applicability for such activities. Therefore, FPC requests that this Condition be deleted.

### **Section III. Subsection B.**

1. Condition B.7. CTP's 1 and 2 are existing units and therefore the excess emissions provisions under Rule 62-210.700(2) and (3), F.A.C. are applicable. FPC is still in the process of researching whether CTP's 3 and 4 meet the criteria for "existing units."

2. Condition B.13. FPC requests that this condition be revised in accordance with DEP guidance titled DARM-EM-05, dated November 22, 1995, and thereby allow the capacity to be determined based on heat input/temperature curves.

3. Condition B.21. The ASTM methods should be updated as follows to reflect the current methods: ". . . ASTM D4292-90 (1995), or both . . . ."

### **Section IV. Acid Rain Part**

1. Condition 1. The reference to the Acid Rain application form should be to the form submitted by FPC for the Turner Plant, rather than generically to DEP's form.

2. Condition 4. Because this Condition applies to all requirements at the site, this Condition should be moved to the "facility-wide" section of the permit.

### **Table 1-1, Air Pollutant Allowables and Terms**

1. In accordance with the comments above, the reference in footnote 1 to the limit on used oil utilization should be deleted.

### **Tables 1-2, Summary of Air Pollutant Standards and Terms**

1. In accordance with the comments above, this Table should be deleted.

**Table 2-1, Compliance Testing Requirements**

1. The EPA test method for PM on SG 2, 3, and 4 should be revised to include methods 17, 5B, or 5F.

**Appendix E-1. list of Exempt Emissions Units and/or Activities**

1. The word "citrosolv" is misspelled. The following units/activities should be deleted from the this list because the emissions, if any, are trivial: the hazardous waste building, the lube oil storage building, and portable unleaded gasoline tank.

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

1. The surface coating and solvent cleaning activities should be moved to Appendix E-1. Also, the reference to helper cooling towers should be deleted because this site does not contain them. The reference to "emergency generator" should be made plural.

*Charles Logan*

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER CORPORATION,  
Petitioner,

vs.

OGC CASE NO. 97-1541

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,  
Respondent.

\_\_\_\_\_ /

ORDER GRANTING REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION FOR HEARING

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, Florida Power Corporation, to grant an extension of time to file a petition for an administrative hearing on Application No. 1270020-001-AV. See Exhibit 1.

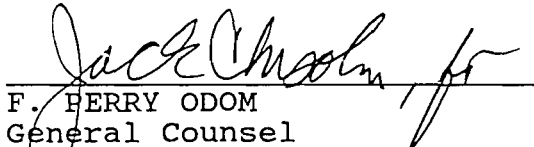
Respondent, State of Florida Department of Environmental Protection, has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until December 24, 1997, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Mail Station 35, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 10<sup>th</sup> day of December, 1997, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
F. HERRY ODOM  
General Counsel

Douglas Building, MS #35  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
Telephone: (904) 488-9314

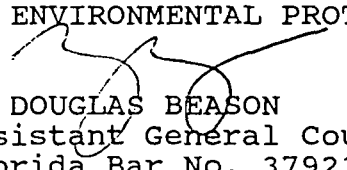
CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed  
to:

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Dept.  
Florida Power Corporation  
3201 Thirty-fourth Street South  
St. Petersburg, FL 33733

on this 3<sup>rd</sup> day of December, 1997.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
W. DOUGLAS BEASON  
Assistant General Counsel  
Florida Bar No. 379239

Mail Station 35  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
Telephone: (904) 488-9730



RECEIVED

NOV 6 1997

Dept. of Environmental Protection  
Office of General Counsel

November 5, 1997

Ms. Kathy Carter, Clerk  
Office of General Counsel  
Florida Department of Environmental Protection  
Room 638  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Turner Plant  
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,  
*Draft Permit No. 1270020-001-AV*

On August 27, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until November 7, 1997. Mr. Scott Osbourn of my staff has had discussions with Mr. Charles Logan of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including November 24, 1997.

If you should have any questions, please contact Mr. Scott Osbourn at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.  
Director, Environmental Services Department  
Title V Responsible Official

Robert A. Manning, Esq.  
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP  
Jeffrey Brown, DEP OGC

k:\user.sosbourn\1997\ogc\bry.doc

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

3. \_\_\_\_\_

1. Charles Logan

4. \_\_\_\_\_

2. \_\_\_\_\_

5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:

- SECRETARY'S SIGNATURE
- DIV/DIST DIR SIGNATURE
- MY SIGNATURE
- YOUR SIGNATURE
- DUE DATE \_\_\_\_\_

COMMENTS:

*94 I!*

ACTION/DISPOSITION

- DISCUSS WITH ME
- COMMENTS/ADVISE
- REVIEW AND RETURN
- SET UP MEETING
- FOR YOUR INFORMATION
- HANDLE APPROPRIATELY
- INITIAL AND FORWARD
- SHARE WITH STAFF
- FOR YOUR FILES

FROM: \_\_\_\_\_

*Barb*

DATE: \_\_\_\_\_

*1/22/97*


PHONE: \_\_\_\_\_

Memorandum

Florida Department of  
Environmental Protection

---

TO: Len Kozlov, CD

FROM: Bruce Mitchell 

DATE: January 22, 1997

SUBJECT: Completeness Review of an Application Package for a Title V Operation Permit  
Florida Power Corporation, G.E. Turner: 1270020-001-AV

The Title V operating permit application package for the referenced facility is being processed in Tallahassee. The application was previously forwarded to your office for your files and future reference. Please have someone review the package for completeness and respond in writing by February 21, 1997, if you have any comments. Otherwise, no response is required. If there are any questions, please call the project engineer, Charles Logan, at 904/488-1344 or SC:278-1344. It is very important to verify the compliance statement regarding the facility. Since we do not have a readily effective means of determining compliance at the time the application was submitted, please advise if you know of any emissions unit(s) that were not in compliance at that time and provide supporting information. Also, do not write on the documents.

If there are any questions regarding this request, please call me or Scott Sheplak at the above number(s).

RBM/bm

cc: Alan Zahm

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

1. Charles Logan 3. \_\_\_\_\_  
2. \_\_\_\_\_ 4. \_\_\_\_\_  
5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:

- SECRETARY'S SIGNATURE
- DIV/DIST DIR SIGNATURE
- MY SIGNATURE
- YOUR SIGNATURE
- DUE DATE \_\_\_\_\_

ACTION/DISPOSITION

- DISCUSS WITH ME
- COMMENTS/ADVISE
- REVIEW AND RETURN
- SET UP MEETING
- FOR YOUR INFORMATION
- HANDLE APPROPRIATELY
- INITIAL AND FORWARD
- SHARE WITH STAFF
- FOR YOUR FILES

COMMENTS:

Your Copy!  
Remember to  
E-mail Elizabeth  
for posting on  
Internet &  
attach 5-0-B.



FROM: \_\_\_\_\_

*Barb*

DATE: 8/25/97

PHONE: \_\_\_\_\_





# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

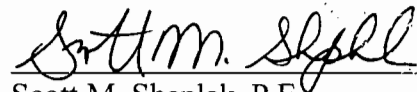
## P.E. Certification Statement

**Permittee:**  
Florida Power Corporation  
Turner Plant

**DRAFT Permit No.:** 1270020-001-AV  
**Facility ID No.:** 1270020

**Project type:** Initial Title V Air Operation Permit

*I HEREBY CERTIFY that the engineering features described in the above referenced application 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).*

 08/22/97  
Scott M. Sheplak, P.E.                      date  
Registration Number: 0048866

Permitting Authority:  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-1344  
Fax: 850/922-6979



# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

August 22, 1997

Mr. W. Jeffrey Pardue, C.E.P.  
Director of Environmental Services  
Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

Re: DRAFT Title V Permit No.: 1270020-001-AV  
Turner Power Plant

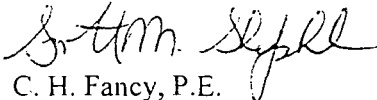
Dear Mr. Pardue:

One copy of the DRAFT Title V Air Operation Permit for the Turner Power Plant located at 201 DeBary Avenue, Deltona, Volusia County is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" is also included.

The Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0872, Florida Statutes.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Charles S. Logan at 850/488-1344.

Sincerely,

*for*   
C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/1

Enclosures

cc: Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)  
Ms. Yolanda Adams, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

In the Matter of an  
Application for Permit by:

Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

DRAFT Permit No.: 1270020-001-AV  
Turner Power Plant  
Volusia County

### INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit (copy of DRAFT Permit enclosed) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power Corporation, applied on June 13, 1996, to the permitting authority for a Title V air operation permit for the Turner Power Plant located at 201 DeBary Avenue, Deltona, Volusia County.

The permitting authority has permitting jurisdiction 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. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source 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.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." However, the Department will publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as soon as possible. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0872, F.S.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the enclosed Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition 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 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state

rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

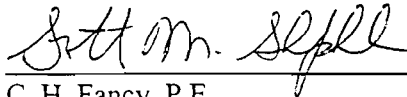
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) 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 issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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 410 M. Street, SW, Washington, D.C. 20460.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**

*for*   
C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the DRAFT permit) and all copies were sent by certified mail before the close of business on 8/25/97 to the person(s) listed:

Mr. W. Jeffrey Pardue, C.E.P., Florida Power Corporation

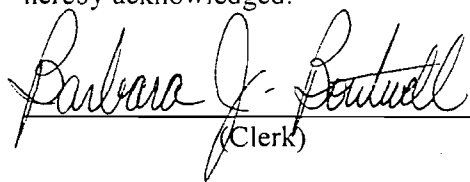
In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the DRAFT permit) were sent by U.S. mail on the same date to the person(s) listed:

Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.

Mr. Len Kozlov, CD

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.

 8/25/97  
(Clerk) (Date)

Florida Power Corporation  
Turner Power Plant  
**Facility ID No.:** 1270020  
Volusia County

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 1270020-001-AV

Permitting Authority:

State of Florida  
Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation  
Title V Section

Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Telephone: 850/488-1344  
Fax: 850/922-6979

August 22, 1997

Initial Title V Air Operation Permit  
 Florida Power Corporation - Turner Power Plant  
 DRAFT Permit No.: 1270020-001-AV

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# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

**Permittee:**

Florida Power Corporation  
3201 34th Street South  
St. Petersburg, Florida 33711

**DRAFT Permit No.:** 1270020-001-AV

**Facility ID No.:** 1270020

**SIC Nos.:** 49

**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the Turner Power Plant. This facility is located at 201 Debarry Avenue, Deltona, Volusia; UTM Coordinates: Zone 17, 473.4 km East and 3193.3 km North; Latitude: 28° 51' 08" North and Longitude: 81° 16' 22" West.

STATEMENT OF BASIS: This Title V air operation permit 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 E-1, List of Exempt Emissions Units and/or Activities

APPENDIX TV-1, TITLE V CONDITIONS (version dated 08/11/97)

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

FIGURE 1 - SUMMARY REPORT-GASEOUS AND OPACITY EXCESS

EMISSION AND MONITORING SYSTEM PERFORMANCE REPORT (40 CFR 60, July 1996)

OGC Order TFR-92-A-01 dated March 11, 1993.

ASP Number 97-B-01

Phase II Acid Rain Application/Compliance Plan received December 14, 1995.

**Effective Date:** January 1, 1998

**Renewal Application Due Date:** July 5, 2002

**Expiration Date:** December 31, 2002

---

Howard L. Rhodes, Director  
Division of Air Resources  
Management

HLR/sms/initials

## **Section I. Facility Information.**

### **Subsection A. Facility Description.**

This facility consist of four simple cycle combustion turbine peaking units (CTP) and three fossil fuel fired steam generators (SG), all of which are pre-NSPS sources. The SG's are on long-term reserve shutdown. Each CT exhausts through a separate stack. SG 2 exhausts through one stack and both SG 3 and 4 exhaust through two stacks. Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities.

Based on the initial Title V permit application received June 14, 1996, this facility is a major source of hazardous air pollutants (HAPs).

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

<b>E.U. ID No.</b>	<b>Brief Description</b>
-001	3 - Fossil Fuel Fired Steam Generators - SG 2, SG 3, & SG 4
-002	4 - Combustion Turbine Peaking Units (Pre-NSPS) - CTP 1, CTP 2, CTP 3, & CTP 4

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

### **Subsection C. Relevant Documents.**

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

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 14, 1996.

## **Section II. Facility-wide Conditions.**

### **The following conditions apply facility-wide:**

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.  
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not federally enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.** No person shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. **General Particulate Emission Limiting Standards. General Visible Emissions Standard.** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rule 62-296.320(4)(b)1. & 4., F.A.C.]
4. **Prevention of Accidental Releases (Section 112(r) of CAA).** If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. **Unregulated Emissions Units and/or Activities.** Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.  
[Rule 62-213.440(1), F.A.C.]
6. **Exempt Emissions Units and/or Activities.** Appendix E-1, List of Exempt Emissions Units and/or Activities, is a part of this permit.  
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]
7. **General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload

or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

[Rule 62-296.320(1)(a), F.A.C.]

**8. Not federally enforceable.** Reasonable precautions should be taken to prevent emissions of unconfined particulate matter at this facility. Steps presently taken at the facility to minimize particulate emissions are as follows:

- ◆ Maintenance of paved areas as needed,
- ◆ Regular mowing of grass and care of vegetation,
- ◆ Limiting access to plant property by unnecessary vehicles, and
- ◆ Additional or alternative activities may be utilized to minimize unconfined particulate emissions.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by applicant in the initial Title V permit application received June 14, 1996.]

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

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

**10.** The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Central District office:

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2966

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

United States Environmental Protection Agency  
Region 4  
Air, Pesticides & Toxics Management Division  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 32303  
Telephone: 404/562-9099  
Fax: 404/562-9095

**Section III. Emissions Unit(s) and Conditions.**

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

<b>E.U. ID No.</b>	<b>Brief Description</b>
-001	Fossil Fuel Fired Steam Generator - SG 2
-001	Fossil Fuel Fired Steam Generator - SG 3
-001	Fossil Fuel Fired Steam Generator - SG 4

Pursuant to Rule 62-210.300(2)(a)3.d., F.A.C., SG 2, SG 3, and SG 4 were placed on “Long Term Reserve Shutdown” on August 22, 1987, January 19, 1994, and January 21, 1994, respectively. While firing natural gas, the permitted heat input rates for SG 2, SG 3, and SG 4 are 380, 840, and 840 MMBtu/ hour, respectively. While firing fuel oil, the permitted heat input rates for SG 2, SG 3, and SG 4 are 360, 820, and 820 MMBtu/ hour, respectively. The emissions units are fired on natural gas, new No. 6 or lighter grades of fuel oil, and on-specification used oil, as permitted herein. SG 2, SG 3, and SG 4 power turbines which drive generators with name plate ratings of 120, 70, and 70 megawatts, respectively. These units are regulated under the Acid Rain Program, Phase II.

SG 2 exhausts through a single stack and both SG 3 and SG 4 each exhaust through two stacks. Emissions from these units are uncontrolled.

{Permitting note(s): The emissions units are regulated under Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. SG 2 began commercial operation on February 2, 1948; SG 3 began commercial operation on November 12, 1955; and, SG 4 began commercial operation on May 17, 1959.}

**The following specific conditions apply to the emissions units listed above:**

**Essential Potential to Emit (PTE) Parameters**

**A.1. Methods of Operation. Fuel(s).**

- (a) The only fuels allowed to be burned are natural gas, new No. 6 or lighter grades of fuel oils, and on-specification used oil generated on or off site. On-specification used oil shall only be burned if the PCB's are less than 50 ppm and blended with new fuel oil.
- (b) Used oil containing detectable levels of PCB's shall not be used for startup or shutdown. See specific condition A.33.
- (c) The maximum amount of on-specification used oil, whether generated on or off-site, burned at this

facility shall be limited to an amount that does not emit 1200 pounds (0.6 tons) or more of lead during a calendar year. See specific condition A.33.  
 [Rule 62-213.410, F.A.C.; and AO 64-185095]

**A.2. Permitted Capacity.** The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
SG 2	360	New No. 1, 2, 3, 4, 5 or 6 Fuel Oil & On-Specification Used Oil*
	380	Natural Gas
SG 3	820	New No. 1, 2, 3, 4, 5, or 6 Fuel Oil & On-specification Used Oil*
	840	Natural Gas
SG 4	820	New No. 1, 2, 3, 4, 5, or 6 Fuel Oil & On-specification Used Oil*
	840	Natural Gas

\* The on-specification used oil burned at this facility may be generated on or off-site.  
 [Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

**A.3. Emissions Unit Operating Rate Limitation After Testing.** See specific condition A.23.  
 [Rule 62-297.310(2), F.A.C.]

**A.4. Hours of Operation.** These emissions units may operate continuously, i.e., 8,760 hours/year/unit.  
 [Rule 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

{Permitting Note: The attached Table 1-1 and 1-2 , Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.5. Visible Emissions.** Visible emissions from SG 2 shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent. The emissions unit governed by this visible emissions limit shall test for particulate matter emission compliance annually and as otherwise required by Chapter 62-297, F.A.C..  
 [Rule 62-296.405(1)(a), F.A.C.]

**A.6. Visible Emissions.** Visible emissions from SG 3 and SG 4 shall not exceed 40 percent opacity. The emissions units subject to the opacity standards of this condition shall conduct a compliance test for particulate matter emissions annually. The Department reserves the right to require the permittee to

return to the more frequent testing schedule in Rule 62-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

[Rule 62-296.405(1)(a), F.A.C.; and, OGC Order TFR-92-A-01 dated March 11, 1993.]

**A.7. Visible Emissions - Soot Blowing and Load Change.** Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.]

**A.8. Particulate Matter.** Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.

[Rule 62-296.405(1)(b), F.A.C.]

**A.9. Particulate Matter - Soot Blowing and Load Change.** Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

[Rule 62-210.700(3), F.A.C.]

**A.10. Sulfur Dioxide.** When burning liquid fuel (fuel oil), sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods.

[Rule 62-296.405(1)(c)1.j., F.A.C.]

**A.11. Sulfur Dioxide - Sulfur Content.** The sulfur content of fuel oils, on-specification used oil, or any combination of the two burned in these units, shall not exceed 2.5 percent, by weight. See specific condition A.21. The sulfur content of natural gas burned in these units shall not exceed 1 grain per 100 dry standard cubic feet (dscf).

[Rule 62-296.405(1)(e)3., F.A.C.; and, requested by the applicant in Title V Application dated June 12, 1996.]

### **Excess Emissions**

**A.12.** Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized

but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

**A.13.** Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

**A.14.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

### Monitoring of Operations

**A.15. Sulfur Dioxide.** **The permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a fuel analysis provided by the vendor or permittee upon each fuel delivery.** This protocol is allowed because the emissions units do not have an operating flue gas desulfurization device. See specific conditions A.10., A.11., A.20. and A.21.

[Rule 62-296.405(1)(f)1.b., F.A.C.]

**A.16. Determination of Process Variables.**

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

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

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



### Test Methods and Procedures

{Permitting Note: The attached Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.17. Visible emissions.** The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition A.18.

[Rule 62-296.405(1)(e)1., F.A.C.]

**A.18. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

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

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

**A.19. Particulate Matter.** The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.  
[Rules 62-296.405(1)(e)2. and 62-297.401, F.A.C.]

**A.20. Sulfur Dioxide.** The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, the permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a fuel analysis provided by the vendor or permittee upon each fuel delivery.** See specific conditions A.10., A.11. and A.21.  
[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.; and, Permits AO 64-185095.]

**A.21.** The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, or both ASTM D4057-88 and ASTM D129-95, or the latest edition.  
[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

**A.22. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained

within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

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

**A.23. Operating Rate During Testing.** Testing of emissions shall be conducted with the emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

**A.24. Calculation of Emission Rate.** The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**A.25. Applicable Test Procedures.**

(a) Required Sampling Time.

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

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

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

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

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

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

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.  
[Rule 62-297.310(4), F.A.C.]

**A.26. Required Stack Sampling Facilities**. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

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

**A.27. Frequency of Compliance Tests**. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid for more than 400 hours other than during startup.

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

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

TABLE 297.310-1  
 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004" 2%
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	
		Comparison check	5%

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

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

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid fuel, other than during startup, for a total of more than 400 hours.

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

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

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

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

**A.28.** By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

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

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

**A.29.** Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

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

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

### **Record keeping and Reporting Requirements**

**A.30.** In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department's Central District Office in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department's Central District Office.

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

**A.31.** Submit to the Department's Central District Office a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

### **A.32. Test Reports.**

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department's Central District Office on the results of each such test.

(b) The required test report shall be filed with the Department's Central District Office as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department's Central District Office to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.

5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
  7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  8. The date, starting time and duration of each sampling run.
  9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  10. The number of points sampled and configuration and location of the sampling plane.
  11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  12. The type, manufacturer and configuration of the sampling equipment used.
  13. Data related to the required calibration of the test equipment.
  14. Data on the identification, processing and weights of all filters used.
  15. Data on the types and amounts of any chemical solutions used.
  16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
  17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
  18. All measured and calculated data required to be determined by each applicable test procedure for each run.
  19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
  20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
  21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
- [Rules 62-213.440 and 62-297.310(8), F.A.C.]



**Addition limitations for On-Specification Used Oil**

**A.33. On-Specification Used Oil.** On-specification used oil generated at this facility or off-site may only be burned in these emissions units if compliance with all the conditions of this permit and the following additional conditions are demonstrated:

- a. **On-specification Used Oil Allowed as Fuel:** This permit allows the burning of used fuel oil meeting EPA “on-specification” used oil specifications, with a maximum sulfur content of 2.5 percent, by weight, and a PCB concentration of no greater than 49 ppm.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

1. Arsenic shall not exceed 5.0 ppm;
2. Cadmium shall not exceed 2.0 ppm;
3. Chromium shall not exceed 10.0 ppm;
4. Lead shall not exceed 100.0 ppm;
5. Total halogens shall not exceed 1000 ppm;
6. Flash point shall not be less than 100 degrees F.

Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

- b. **Quantity Limited:** The maximum amount of on-specification used oil, whether generated on or off-site, that can be burned at this facility shall be limited to an amount that does not emit 1200 pounds or more of lead during a calendar year.
- c. **Used Oil Containing PCBs Not Allowed:** Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement or any part of this condition.
- d. **PCB Concentration of 2 to 49 ppm:** On-specification used oil with a PCB concentration of 2 to 49 ppm shall be burned only at normal source operating temperatures. On specification used oil with a PCB concentration of 2 to 49 ppm shall not be burned during periods of startup or shutdown.

Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device. The notice must state that EPA or a RCRA-delegated state agency has been

given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. [40 CFR 279.61 and 761.20(e)]

- e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of no greater than 49 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by testing or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

- f. Testing Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall properly sample and test each load of used oil received for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs\*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

\* Testing for PCB's is not necessary if quantifiable levels are less than 2 ppm (ref. to specific condition A.33.e., above)

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, each calendar quarter, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters. If the analytical results show that the used oil does not meet the specification for on-specification used oil, or that it contains a PCB concentration of 50 ppm or greater, the owner or operator shall

immediately notify the Central District Office and provide the analytical results to the Department. The owner or operator shall immediately cease burning of the used oil.

- g. Special Record Keeping Requirements: The owner or operator shall obtain, make, and keep the following records related to the use of used oil: [40 CFR 761.20(e)]
- (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
  - (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
  - (3) The name and address of all marketers delivering used oil to the facility.
  - (4) Copies of the marketer certifications, if obtained, and any supporting information.
  - (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
  - (6) Results of the analyses required above.
  - (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
  - (8) Total lead emissions as a result of burning on-specification used oil on a monthly basis.

The records shall be retained in a form suitable for inspection at the facility by the Department, and shall be retained for 5 years.

- h. Lead Emissions Limited: The maximum quantity of lead emissions that may be emitted as a result of burning on-specification used oil shall be less than 1200 pounds in any calendar year. Lead emissions shall be quantified on a monthly basis.
- i. Quarterly Reporting Required: The owner or operator shall submit to the Department's Central District Office, within thirty days of the end of each calendar quarter, a copy of the quarterly analyses and the total amount of on-specification used oil received and burned during the quarter.

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3), 62-212.400(2)(f)1. and 62-213.440, F.A.C.; and, AO 64-185095]

**Subsection B. This section addresses the following emissions units.**

E. U. ID No.	Brief Description
-002	Combustion Turbine Peaking Units, CTP 1, CTP 2, CTP 3, and CTP 4

The above referenced combustion turbine peaking units (CTP's) may only fire new No. 2 fuel oil having a maximum sulfur content of 0.5 percent, by weight. CTP 1 and CTP 2 each have a maximum heat input of 278 MMBtu/hour at 59° F and each power a generator rated at 18.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 930 MMBtu/hour at 59° F and each power a generator rated at 82.0 MW. Emissions are not controlled and each turbine exhausts through a separate stack. These emissions units are pre-NSPS and not subject to the Acid Rain Program. CTP 1 and CTP 2 began commercial service on October 9, 1970. CTP 3 and CTP 4 began commercial service on June 14, 1974.

{Permitting Note: The emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required.}

**The following specific conditions apply to the above referenced emissions units:**

**Essential Potential to Emit (PTE) Parameters**

**B.1. Permitted Capacity.** CTP 1 and CTP 2 each have a maximum heat input of 278 MMBtu/hour at 59° F and each power a generator rated at 18.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 930 MMBtu/hour at 59° F and each power a generator rated at 82.0 MW. At other ambient temperatures, the units shall be operated in accordance with established performance curves, which will be made available at the site during compliance testing.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AO 64-176745A.]

**B.2. Emissions Unit Operating Rate Limitation After Testing.** See specific condition B.13.

**B.3. Methods of Operation - Fuels.** Only new No. 2 fuel oil having a maximum sulfur content of 0.5 percent, by weight, shall be fired in these turbines.  
[Rules 62-4.160(2) and 62-213.440(1), F.A.C.; and, AO 64-176745A.]

**B.4. Hours of Operation.** Each emissions unit may operate continuously, i.e., 8,760 hours/year/CT.  
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

### **Emission Limitations and Standards**

{Permitting note: Table 1-3, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**B.5. Visible Emissions.** Visible emissions from each turbine shall not be equal to or greater than 20 percent opacity.

[Rule 62-296.320(4)(b)1., F.A.C.; and, AO 64-176745.]

**B.6. Sulfur Content.** The sulfur content of the new No. 2 fuel oil shall not exceed 0.5 percent, by weight.

[Rule 62-213.440, F.A.C.; and AO 64-176745.]

### **Excess Emissions**

**B.7.** Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

**B.8.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

### **Monitoring of Operations**

**B.9.** The permittee shall demonstrate compliance with the sulfur content limit with a fuel analysis provided by the vendor upon each fuel delivery. See specific condition B.12.

[Rule 62-213.440, F.A.C.; and, AO 64-176745.]

**B.10. Determination of Process Variables.**

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

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. [Rule 62-297.310(5), F.A.C.]

### **Test Methods and Procedures**

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**B.11.** The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

**B.12.** The fuel sulfur content, percent by weight, provided by the vendor or permittee for each delivery of liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition.

[Rules 62-213.440 and 62-297.440, F.A.C.]

**B.13.** Operating Rate During Testing.

Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rule 62-297.310(2), F.A.C.]

**B.14.** Applicable Test Procedures.

(a) Required Sampling Time.

2. Opacity Compliance Tests. When EPA Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less

than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

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

[Rule 62-297.310(4)(a)2.c., F.A.C.]

**B.15. Frequency of Compliance Tests.** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

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

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

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

- a. Visible emissions, if there is an applicable standard;

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

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

(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct

compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

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

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

**B.16. Visible Emissions Testing - Annual**. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

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

[Rules 62-297.310(7)(a)4. and 8., F.A.C.]

### **Record keeping and Reporting Requirements**

**B.17. Malfunction Reporting**. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

**B.18. Test Reports**.

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

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



**Section IV. This section is the Acid Rain Program.**

**Operated by: Florida Power Corporation**  
**ORIS code: 8049**

**Subsection A. This subsection addresses the Acid Rain Program, Phase II.**

The emissions units listed below are regulated under Acid Rain Program, Phase II.

E.U. ID No.	Description
-001	Fossil Fuel Fired Steam Generator - SG 2
-001	Fossil Fuel Fired Steam Generator - SG 3
-001	Fossil Fuel Fired Steam Generator - SG 4

1. The Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:
  - a. DEP Form No. 62-210.900(1)(a), dated 07/01/95.  
 [Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

2. Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit:

E.U. ID No.	EPA I.D.	Year	2000	2001	2002
-001	2	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR 73	542*	542*	542*
-001	3	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR 73	712*	712*	712*
-001	4	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR 73	603*	603*	603*

\*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program.

Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.440(3), F.A.C.
- b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain program.
- c. Allowances shall be accounted for under the Federal Acid Rain Program.

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

4. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within sixty (60) days after the end of the calendar year.

{See condition No. 51., Appendix TV-1, Title V Conditions}

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

5. Comments, notes, and justifications: None.

## Table 1-1, Summary of Air Pollutant Allowables and Terms

Florida Power Corporation  
Turner Power Plant

DRAFT Permit ID No.: 1270020-001-AV  
Facility ID No.: 1270020

### E.U. ID Nos. Brief Description

-001		Fossil Fuel Fired Steam Generator - SG 2							
			Allowable Emissions			Equivalent Emissions			
Pollutant Name	Fuel(s) *	Hours/ Year *	Standards	lb/ hour	TPY	lb/hour **	TPY **	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions Steady state Soot Blowing or Load Changing	F.O. & OSUO or N.G.	8760	20/40% Opacity 60% Opacity					Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C.	A.5 A.7
PM Emissions Steady State Soot Blowing or Load Changing	F.O. & OSUO or N.G.	8760	0.1 lb/MMBtu 0.3 lb/MMBtu			36.00 108.00	157.68	Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C.	A.8 A.9
Sulfur Dioxide	F.O. & OSUO or N.G.	8760 8760	2.75 lb/MMBtu, max. 2.5% S by wt. or 1 gr/100 dscf			990.00	4,336.20	Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(c)1.i., F.A.C.	A.10 A.11

-002		Fossil Fuel Fired Steam Generators - SG 3 & SG 4							
			Allowable Emissions			Equivalent Emissions			
Pollutant Name	Fuel(s) *	Hours/ Year *	Standards	lb/ hour	TPY	lb/hour **	TPY **	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions Steady state Soot Blowing or Load Changing	F.O. & OSUO or N.G.	8760	40% Opacity 60% Opacity					Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C. OGC Order TFR-92-A-01	A.6 A.7
PM Emissions Steady State Soot Blowing or Load Changing	F.O. & OSUO or N.G.	8760	0.1 lb/MMBtu 0.3 lb/MMBtu			82.00 246.00	359.16	Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C.	A.8 A.9
Sulfur Dioxide	F.O. & OSUO or N.G.	8760 8760	2.75 lb/MMBtu, max. 2.5% S by wt. or 1 gr/100 dscf			2,255.00	9,876.90	Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(c)1.i.,	A.10 A.11

\*Natural Gas (N.G.), No. 1, 2, 3, 4, 5, & 6 fuel oil (F.O.) and on-specification used oil (OSUO). OSUO burned at this facility shall emit less than 1200 pounds per calendar year of lead.

\*\* The "Equivalent Emissions" listed are for informational purposes only.

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Table 1-2, Summary of Air Pollutant Standards and Terms

Florida Power Corporation  
Turner Power Plant

DRAFT Permit No.: 1270020-001-AV  
Facility ID No.: 1270020

Additional Standards for On-Specification Used Oil (OSUO)

E.U. ID Nos.      Brief Description

-001		Fossil Fuel Fired Steam Generators, SG 2, SG 3, & SG 4							
		Allowable Emissions				Equivalent Emissions			
Pollutant Name	Fuel(s)	Hours/Year	Standards	lbs./hour	TPY	lbs./hour	TPY	Regulatory Citation(s)	See Permit Condition(s)
Arsenic	OSUO		5.0 ppm						A.33
Cadmium	OSUO		2.0 ppm						A.33
Chromium	OSUO		10.0 ppm						A.33
Lead	OSUO		100.0 ppm	<0.137	<0.60*				A.33
Total Halogens	OSUO		1000 ppm						A.33
Flash Point	OSUO		≥ 100 degrees F						A.33
PCB	OSUO		≤ 49 ppm						A.33
SO <sub>2</sub>			max. 2.5% S by wt.						A.33

\* Lead emissions from burning on-specification used oil shall be less than 1200 pounds per calendar year.

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

\*\* Rules 62-4.070(3), 62-212.400(2)(f)1. and 62-213.440, F.A.C.; and, AO 64-185095

### Table 1-3, Air Pollutant Emission Allowables and Terms

Florida Power Corporation  
Turner Power Plant

DRAFT Permit ID No.: 1270020-001-AV  
Facility ID No.: 1270020

**E.U. ID Nos.      Brief Description**

-002		Combustion Turbine Peaking Units - CTP 1 & CTP 2							
			Allowable Emissions			Equivalent Emissions *			
Pollutant Name	Fuel(s)	Hours/Year	Standards	lb/hour	TPY	lb/hour	TPY	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions	New No. 2 F.O.	8760	< 20% Opacity					Rule 62-296.320(4)(b)1., F.A.C.	B.5
Sulfur Dioxide	New No. 2 F.O.	8760	max. 0.50% S by wt.			142.56 **	624.43 **	Rule 62-213..440, F.A.C.	B.6

-002		Combustion Turbine Peaking Units - CTP 3 & CTP 4							
			Allowable Emissions			Equivalent Emissions			
Pollutant Name	Fuel(s) *	Hours/Year *	Standards	lb/hour	TPY	lb/hour	TPY	Regulatory Citation(s)	See Permit Condition(s)
Visible Emissions	New No. 2 F.O.	8760	< 20% Opacity					Rule 62-296.320(4)(b)1., F.A.C.	B.5
Sulfur Dioxide	New No. 2 F.O.	8760	max. 0.50% S by wt.			476.92 ***	2088.92 ***	Rule 62-213..440, F.A.C.	B.6

\* The "Equivalent Emissions" listed are for informational purposes only.

\*\* Emissions based on a maximum heat input of 278 MMBtu/hr. at 59°F, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

\*\*\* Emissions based on a maximum heat input of 930 MMBtu/hr. at 59°F, operating 8760 hr/yr., and maximum F.O. sulfur content of 0.50 %, by wt.

This table summarizes information for convenience purposes only and does not supersede any of the terms or conditions of this permit.

**Table 2-1, Compliance Testing Requirements**

Florida Power Corporation  
Turner Power Plant

DRAFT Permit ID No.: 1270020-001-AV  
Facility ID No.: 1270020

<b>E.U. ID</b>							
Pollutant Name or parameter	Fuel(s)	EPA/Reference Method	Testing Time or Frequency	Frequency Base Date <sup>2</sup>	Min. Compl. Test Time	CMS	Permit Condition(s)

<b>E.U. CTP 1, 2, 3, &amp; 4</b>							
SO <sub>2</sub>	Oil	F.O. Analysis <sup>1</sup>	Per Delivery <sup>1</sup>		NA		B.12
VE	Oil	EPA Meth. 9	Annual		1 Hour		B. 11,14,15, & 16

<b>E.U. SG 2, 3, &amp; 4</b>							
SO <sub>2</sub>	Gas						
	Oil	F.O. Analysis <sup>1</sup>	Per Delivery <sup>1</sup>				A.20 & 21
PM	Gas						
	Oil	EPA Meth. 5	Annual				A.19, 27, & 29
VE	Gas	EPA Meth. 9	Annual		1 Hour		A.17, 18, 25, & 28

1- Sulfur content of the fuel oil shall be provided by the supplier or permittee for every delivery.

**Appendix E-1. List of Exempt Emissions Units and/or Activities.**

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Full Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., are also exempt from the permitting requirements of Chapter 62-213, F.A.C., provided such emissions units and activities also meet the exemption criteria of Rule 62-213.430(6)(b), F.A.C. The below listed emissions units and/or activities are hereby exempt pursuant to Rule 62-213.430(6), F.A.C.

1	Lube Oil System Vents
2	Lube Oil Reservoir Tank
3	Oil Water Separators
4	Hazardous Waste Building
5	Parts Washers/Degreasers
6	Waste Oil Storage Tanks
7	Lube Oil Storage Building
8	Portable Unleaded Gasoline Tank
9	No. 2 Diesel Fuel Tank

Steam Generating Units - SG 2, SG 3, & SG 4

Evaporation of on-site generated boiler non-hazardous cleaning chemicals (Cirtosolv and ammonia). This activity occurs once every three to five years or longer.

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

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

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

<b>Emissions Unit</b>	<b>Description</b>
-xxx	Surface Coating and Solvent Cleaning
-xxx	General Purpose Engines
-xxx	Fuel Storage Tanks
-xxx	Helper Cooling Towers
-xxx	Emergency Generator



## Appendix H-1, Permit History/ID Number Changes

Florida Power Corporation  
Turner Power Plant

Facility ID No.: 1270020

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**Permit History (for tracking purposes):**

E.U.

<u>ID No</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-003	FFSG Unit #3 Stack "A"	AO64-185095	10/31/90	09/25/95	8/14/96	
-004	FFSG Unit #3 Stack "B"	AO64-185095	10/31/90	09/25/95	8/14/96	
-005	Unit #4 - Stack "A"	AO64-185095	10/31/90	09/25/95	8/14/96	
-006	Unit #4 - Stack "B"	AO64-185095	10/31/90	09/25/95	8/14/96	
-009	Peaking Unit #3 Oil Fired Gas Turbine	AO64-176745	07/03/90	01/15/96		
-010	Peaking Unit #4 Oil Fired	AO64-176745	07/03/90	01/15/96		
-011	Peaking Gen. Turbine P1	AO64-176745	07/03/90	01/15/96		
-012	Peaking Gen. Turbine P2	AO64-176745	07/03/90	01/15/96		

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**(if applicable) ID Number Changes (for tracking purposes):**

From: **Facility ID No.:** 30ORL640020

To: **Facility ID No.:** 1270020

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Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

**FIGURE 1--SUMMARY REPORT--GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE (version dated 7/96)**

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

Pollutant (Circle One): SO<sub>2</sub> NO<sub>x</sub> TRS H<sub>2</sub>S CO Opacity

Reporting period dates: From \_\_\_\_\_ to \_\_\_\_\_

Company: \_\_\_\_\_

Emission Limitation: \_\_\_\_\_

Address: \_\_\_\_\_

Monitor Manufacturer: \_\_\_\_\_

Model No.: \_\_\_\_\_

Date of Latest CMS Certification or Audit: \_\_\_\_\_

Process Unit(s) Description: \_\_\_\_\_

Total source operating time in reporting period <sup>1</sup>: \_\_\_\_\_

Emission data summary <sup>1</sup>	CMS performance summary <sup>1</sup>
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown .....	a. Monitor equipment malfunctions .....
b. Control equipment problems .....	b. Non-Monitor equipment malfunctions .....
c. Process problems .....	c. Quality assurance calibration .....
d. Other known causes .....	d. Other known causes .....
e. Unknown causes .....	e. Unknown causes .....
2. Total duration of excess emissions .....	2. Total CMS Downtime .....
3. Total duration of excess emissions x (100) / [Total source operating time] ..... % <sup>2</sup>	3. [Total CMS Downtime] x (100) / [Total source operating time] ..... % <sup>2</sup>

<sup>1</sup> For opacity, record all times in minutes. For gases, record all times in hours.

<sup>2</sup> For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 CFR 60.7(c) shall be submitted.

*Note: On a separate page, describe any changes since last quarter in CMS, process or controls.*

I certify that the information contained in this report is true, accurate, and complete.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Florida Power Corporation  
Turner Power Plant  
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**DRAFT Permit No.:** 1270020-001-AV

**APPENDIX SS-1, STACK SAMPLING FACILITIES**

Florida Power Corporation  
Turner Power Plant  
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**DRAFT Permit No.:** 1270020-001-AV

**APPENDIX TV-1, TITLE V CONDITIONS**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of: ) Permit No. AO 64-185095  
)  
Florida Power Corporation ) TFR-92-A-01  
Turner Unit No. 4, )  
)  
Petitioner. )  
\_\_\_\_\_ )

RECEIVED

MAR 15 1993

Environmental Svcs  
Department

ORDER ON REQUEST  
FOR  
REDUCTION IN SEMIANNUAL  
PARTICULATE EMISSIONS COMPLIANCE TESTING

Pursuant to Rule 17-296.405(1)(a), Florida Administrative Code (F.A.C.), Florida Power Corporation, petitioned for approval to reduce the frequency of particulate emissions compliance testing from a semiannual cycle to an annual cycle for Petitioner's Turner Unit No. 4, operation permit number AO 64-185095, located in Volusia County.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On April 2, 1992, Petitioner requested a reduction in the frequency of particulate emission compliance testing for the fossil fuel-fired steam generator known as Turner Unit No. 4. [Exhibit 1]
2. Petitioner asked that the frequency of particulate emission compliance testing be reduced from the semiannual cycle required by the Notice of Revocation Order, OGC File No. 86-1579, to an annual cycle. [Exhibit 1]
3. The petition and supporting documentation indicate that Petitioner has conducted the required semiannual particulate emission compliance tests. [Exhibits 1 & 2]
4. Petitioner's submissions included the results of fourteen particulate emission tests that were performed while Turner Unit No. 4 was operating at steady state conditions and ten particulate emission tests that were performed while soot blowing operations were being conducted. [Exhibits 1 & 2]
5. The results of the particulate emission tests indicate

that Turner Unit No. 4 was in compliance with the applicable emission limiting standard for particulate matter from February 1990 through February 1992. [Exhibits 1 & 2]

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes, and Rule 17-296.405(1)(a), F.A.C..

2. Pursuant to Rule 17-296.405(1)(a), F.A.C., the Department may reduce the required frequency of particulate matter compliance testing from a semiannual cycle to an annual cycle based upon showing that the affected source has regularly complied with the mass emission limiting standard for particulate matter.

3. Pursuant to Rule 17-4.080, F.A.C., Petitioner may apply for changes to permit conditions and the Department may grant the request by requiring Petitioner to conform to new or additional requirements.

4. Pursuant to Rule 17-297.340(2), F.A.C., the Department may require the owner or operator of an air pollution source to conduct compliance testing whenever the Department has good reason to believe an applicable emission limiting standard is being violated.

5. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department may require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

#### ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that:

1. Petitioner's request for a reduction in the frequency of particulate matter compliance testing is granted;

2. During each federal fiscal year (October 1 - September 30), Petitioner shall conduct one steady-state particulate emission compliance test of Turner Unit No. 4 and one particulate emission compliance test of Turner Unit No. 4 while it is being operated under soot blowing conditions;

3. Visible emissions from Turner Unit No. 4 shall not exceed forty (40) percent opacity, except as allowed by Rule 17-210.700, F.A.C.;

4. The annual particulate compliance test frequency specified in this order shall supersede the semiannual particulate compliance testing frequency specified for Turner Unit No. 4 in operation permit AO 64-185095;

5. Pursuant to Rule 17-297.340(2), F.A.C., the Department reserves the right to require particulate matter compliance testing whenever the Department has good reason to believe the emission limiting standard for particulate is being violated; and,

6. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department reserves the right to require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

#### PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's actions or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C..

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070. F.A.C. Upon timely filing of a petition or a request for an extension of time this Order will not be effective until further Order of the Department.

#### RIGHT TO APPEAL

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

DONE AND ORDERED this 11 day of March, 1993 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

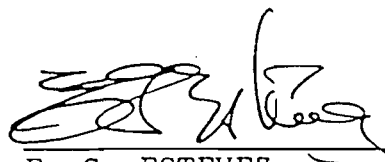
Virginia B. Wetherell  
VIRGINIA B. WETHERELL  
Secretary  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

(904) 488-4805



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been mailed, postage prepaid, to W. Jeffrey Pardue, Manager, Environmental Programs, Florida Power Corporation, P.O. Box 14042, St. Petersburg, Florida 33733, this 12th day of March, 1993.



E. G. ESTEVEZ  
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730

# Phase II Permit 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 from NADB

Turner Power Plant, FL

**STEP 2**  
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

Compliance Plan				
a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units  Commence Operation Date	New Units  Monitor Certification Deadline
2	Yes	No		
3	Yes	No		
4	Yes	No		
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

**STEP 3**  
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)  
*Turner Plant*

**STEP 4**  
 Read the standard requirements and certification, enter the name of the designated representative, and sign and date

**Standard Requirements**

Permit 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, 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 permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (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 permitting authority; 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)) 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)(i) 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 permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 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 Administrator or permitting authority:
  - (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;
  - (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)  
*Turner Plant*

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.

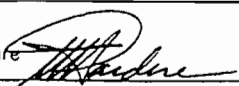
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject 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 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, 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 a written 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.

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 <i>W. Jeffrey Pardue, C.E.P., Director, Env. Serv. Dept.</i>	
Signature 	Date <i>12/14/95</i>

STEP 5 (optional)  
Enter the source AIRS  
and FINDS identification  
numbers, if known

AIRS
FINDS