

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

October 13, 2004

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Martin Drango
Plant Manager
Progress Energy Florida
Post Office Box 14042, MAC DB44
St. Petersburg, Florida 33733

Re: DRAFT Air Construction Permit No. 1270028-006-AC
DRAFT Title V Air Operation Permit Renewal No. 1270028-007-AV
Progress Energy Florida - DeBary Facility

Dear Mr. Drango:

One copy of the combined Public Notice, the DRAFT Air Construction Permit, and the DRAFT Title V Air Operation Permit Renewal for the DeBary Facility located at 788 West Highbanks Road, DeBary, Volusia County, is enclosed. The purpose of the Air Construction Permit is to allow use of existing Acid Rain nitrogen oxides (NO_x) continuous emission monitoring systems for compliance purposes at four of the ten units located at this facility. The applicant also requested the routine renewal of the facility Title V Operation Permit.

The Intent to Issue an Air Construction Permit and a Title V Operation Permit Renewal and the corresponding Public Notice are also included. The Public Notice must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

An electronic version of the DRAFT Permit has been posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

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

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to the Program Administrator, Permitting South Section, at the above letterhead address. If you have any other questions, please contact Tom Cascio, at 850/921-9526.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permits by:

Progress Energy Florida
Post Office Box 14042, MAC DB44
St. Petersburg, FL 33733

DRAFT Air Construction Permit No. 1270028-006-AC
DRAFT Title V Permit Renewal No. 1270028-007-AV
DeBary Facility
Volusia County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR OPERATION PERMIT RENEWAL

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Renewal (copies of the Draft Air Construction Permit and DRAFT Title V Air Operation Permit Renewal attached) for the Title V source detailed in the application(s) specified above, for the reasons stated below.

The applicant, Progress Energy Florida, applied on May 17, 2004 to the permitting authority, for the routine renewal to the Title V Air Operation Permit and on July 16, 2004 for an Air Construction Permit, for the DeBary Facility, located at 788 West Highbanks Road, DeBary, Volusia County.

The purpose of the Air Construction Permit is to allow use of existing Acid Rain nitrogen oxides (NO_x) continuous emission monitoring systems for compliance purposes at four of the ten units located at this facility. The new applicable conditions will be included in the routine renewal of the Title V Air Operation Permit.

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, 62-212 and 62-213. This source is not exempt from construction and Title V permitting procedures. The permitting authority has determined that an Air Construction Permit and a Title V Air Operation Permit Renewal are required to commence or continue operations at the described facility in the manner requested.

The permitting authority intends to issue the Air Construction Permit and the Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that the construction activity and 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, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/922-6879, within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Renewal and subsequent FINAL Title V Air Operation Permit Renewal, in accordance with the conditions of the attached Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Renewal 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 Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." 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 Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will accept written comments concerning the proposed Title V Air Operation Permit Renewal issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO

ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL.” 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 Title V Air Operation Permit Renewal, the permitting authority shall issue a Revised DRAFT Title V Air Operation Permit Renewal and require, if applicable, another Public Notice.

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. Petitions filed by the permits’ (construction and renewal) 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 persons other than those entitled to written notice under Section 120.60(3), F.S., 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. 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 (fourteen) 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 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.

A petition that does not dispute the material facts upon which the permitting authority’s action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority’s final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation will not be available in this proceeding.

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.

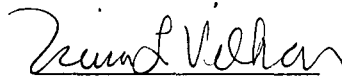
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will 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 401 M. Street, SW, Washington, D.C. 20460.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the combined PUBLIC NOTICE, the Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Renewal) and all copies were sent by certified mail before the close of business on 10/13/04 to the person(s) listed:

Martin Drango, Progress Energy Florida, Inc.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the combined PUBLIC NOTICE, the Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Renewal) were sent by U.S. mail on the same date to the person(s) listed or as otherwise noted:

Scott Osbourn, P.E., Golder Associates, Inc.
Len Kozlov, P.E., DEP Central District Office (INTERNET E-mail)
U.S. EPA, Region 4 (INTERNET E-mail)

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. Friday 10/13/04
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AND TITLE V AIR OPERATION
PERMIT RENEWAL**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Air Construction Permit No. 1270028-006-AC
DRAFT Title V Air Operation Permit Renewal No. 1270028-007-AV

Progress Energy DeBary Facility
Volusia County

Applicant: The applicant for this project is Progress Energy Florida, Post Office Box 14042, MAC DB44, St. Petersburg, Florida 33733. The applicant's responsible official is Mr. Martin Drango, Plant Manager.

Facility Location: The applicant operates a 683 MW Power Plant, which is located at 788 West Highbanks Road, DeBary, in Volusia County, Florida.

Project: There will be no physical construction or emissions increases as a result of this project. The existing facility consists of ten natural gas and fuel oil-fired combustion turbine-electrical generators operating in the peaking mode. There are six nominal 51.9 MW units that started operation in 1975 and 1976. There are four nominal 92.9 megawatt units that were permitted under the Rules for the Prevention of Significant Deterioration (PSD) and which started operation in 1992. Pollution control is accomplished by water injection and the burning of clean fuels. This facility is subject to applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

The applicant submitted an application for an Air Construction Permit to allow use of existing nitrogen oxides (NO_x) continuous emission monitoring systems (CEMS) at the four newest combustion turbine-electrical generators located at this facility for compliance purposes in lieu of tracking water-to-fuel ratios. The applicant also requested the routine renewal of the facility Title V Operation Permit for the ten units and simultaneous incorporation of the conditions from the requested air construction permit. Use of the very accurate CEMS will insure compliance and obviate development of a separate compliance assurance monitoring (CAM) plan based on the water-to-fuel ratio.

Permitting Authority: Applications for simultaneous processing of Air Construction and Title V Air Operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permits are required to operate the facility in the manner requested. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida, 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Mail Station #5505. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above or at the following email address: tom.cascio@dep.state.fl.us. A copy of the complete project file is also available at the Florida Department of Environmental Protection Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. Telephone: 407/894-7555.

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

Comments: The Permitting Authority will accept written comments concerning the DRAFT Title V Air Operation Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices (<http://tlhora6.dep.state.fl.us/onw/>) and in a newspaper of general circulation in the area affected by

the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall revise the DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Permitting Authority at the above address. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

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

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

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

Mediation: Mediation is not available for this proceeding.

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

DRAFT PERMIT

PERMITTEE:

Progress Energy Florida
Post Office Box 14042 MAC DB44
St. Petersburg, Florida 33733

Authorized Representative:
Martin Drango, Plant Manager

Progress Energy DeBary Facility Air Permit No. 1270028-006-AC Facility ID No. 1270028 SIC No. 4911 (Electric Services) Permit Expires: July 1, 2005

PROJECT AND LOCATION

Progress Energy Florida operates the existing DeBary Facility, which is an electrical generating plant located at 788 West Highbanks Road in DeBary, Volusia County, Florida. The UTM coordinates are: Zone 17, 467.5 km E, and 3197.2 km N. The primary purpose of this air construction permit is to establish the existing continuous emissions monitoring systems as the federally enforceable methods for determining compliance with the NOx emissions standards for Combustion Turbine Peaking Unit Nos. 7 through 10 at the DeBary Facility.

STATEMENT OF BASIS

This federally enforceable air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work and make the necessary changes in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

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- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions

(DRAFT)

Michael G. Cooke, Director
Division of Air Resource Management

(Date)

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

Progress Energy Florida operates the DeBary Facility located in Volusia County, Florida. This facility consists of ten simple cycle, intermittent duty, combustion turbine peaking units, fuel oil storage tanks and ancillary support equipment. Six peaking units began operation in 1975/1976 and pre-date the federal New Source Performance Standards (NSPS) for gas turbines (Subpart GG). The four newer peaking units were constructed in accordance with Permit No. PSD-FL-167 and began operation in 1992. The newer peaking units are also subject to NSPS Subpart GG and the Phase II Acid Rain requirements. This air construction permit affects only the following emissions units.

EU No.	Description
015	Combustion Turbine Unit No. 7
016	Combustion Turbine Unit No. 8
017	Combustion Turbine Unit No. 9
018	Combustion Turbine Unit No. 10

This permit specifies the NO_x CEMS as the compliance method for Unit Nos. 7 – 10 in order to avoid a CAM Plan for NO_x emissions. It also reestablishes the maximum heat input rates for Unit Nos. 1 - 6 at 20° F. This permit is being issued simultaneously with the renewal of the Title V air operation permit for this facility.

REGULATORY CLASSIFICATION

Title III: The existing facility is identified as a potential major source of hazardous air pollutants (HAP). In particular the facility is subject to 40 CFR 63, Subpart YYY - National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines

Title IV: The existing facility operates units (ARMS Units 15, 16, 17, and 018) subject to the acid rain provisions of the Clean Air Act.

Title V: The existing facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The existing facility is a PSD-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The existing facility operates units subject to the New Source Performance Standards of 40 CFR 60. In particular Combustion Turbine Units 7 – 10 (ARMS Units 15, 16, 17, and 018) are subject to 40 CFR 60, Subpart GG – Standards of Performance for Stationary Gas Turbines.

RELEVANT DOCUMENTS

The permit application received on May 17, 2004 and additional information received to make it complete are not a part of this permit; however, the information is specifically related to this permitting action and is on file with the Department. The documents listed below are not a part of this permit, but are specifically related to this permitting action and are on file with the Department.

- The "Statement of Basis" accompanying the Draft Title V Permit Renewal also provides the Department's technical review for this air construction permit.
- Application Information (complete on July 29, 2004).
- Permit No. PSD-FL-167 (AC64-191015) issued on October 18, 1991.
- Subsequent modifications to Permit No. PSD-FL-167 issued on 11/23/92, 04/08/93, 06/29/93, 06/30/93, 08/03/93, 08/11/93, 08/30/93, 09/21/94, 05/06/97, and 03/31/00.
- Title V Operation Air Permit 1270028-001-AV effective January 1, 2000 and Revisions effective June 11, 2000 and June 26, 2001.

SECTION 1. GENERAL INFORMATION

- Statement of Basis distributed with Draft Title V Air Operation Permit 1270028-007-AV and Draft Air Construction Permit 1270028-006-AC.

Draft Permit

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, modify, or operate emissions units regulated by this permit shall be submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP) at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all applications shall be sent to each Compliance Authority.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Air Resources Section of the Department's Central District Office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.
3. General Conditions: The permittee shall comply with the applicable General Conditions specified in Rule 62-4.160, F.A.C.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.); and Title 40, Part 60 of the Code of Federal Regulations (CFR), adopted by reference in Rule 62-204.800, F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. New or Additional Conditions: For good cause shown 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. [Rule 62-4.080, F.A.C.]
6. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Title V Permit: This air construction permit was issued simultaneously with the Title V air operation permit.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Combustion Turbine Unit Nos. 7 to 10

This section of the permit addresses the following similar emissions units.

EU No	Description
015	Combustion Turbine Unit No. 7
016	Combustion Turbine Unit No. 8
017	Combustion Turbine Unit No. 9
018	Combustion Turbine Unit No. 10

Each unit is a General Electric Model PG7111EA simple cycle gas turbine capable of firing natural gas or distillate oil. Based on the lower heating value of each fuel and a compressor inlet temperature of 20° F, each unit is capable of firing approximately 1159 MMBtu per hour of natural gas or 1144 MMBtu per hour of distillate oil. Each unit utilizes water injection to reduce emissions of nitrogen oxides (NOx) and employs a continuous emissions monitoring system (CEMS) for monitoring NOx emissions. Each unit is subject to NSPS Subpart GG for gas turbines and the federal Phase II acid rain requirements.

NEW SPECIFIC CONDITIONS

- Supplemental Permit: This air construction permit supplements all other existing air construction and operation permits for the emissions units identified above. Unless otherwise stated in this permit, the emissions units remain subject to the emissions standards and specific conditions of all other applicable air construction and operation permits. [Rule 62-4.070(3), F.A.C.]
- NOx CEMS for Compliance Monitoring: For each unit, the permittee shall demonstrate compliance with the following NOx emissions standards by data collected from the existing acid rain continuous emissions monitoring systems (CEMS).
 - When firing natural gas, NOx emissions shall not exceed 25.0 ppmvd corrected to 15% oxygen based on a 4-hour rolling average of all valid data collected from the continuous emissions monitoring system (CEMS).
 - When firing distillate oil, NOx emissions shall not exceed 42.0 ppmvd corrected to 15% oxygen based on a 4-hour rolling average of all valid data collected from the CEMS.

Excess emissions resulting from startup, shutdown and malfunction of any emissions unit shall be permitted providing: (1) best operational practices to minimize emissions are adhered to, and (2) the duration of excess emissions shall be minimized but in no case exceed two hours (total) in any 24 hour period unless specifically authorized by the Department for longer duration. 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.

Compliance with the above standards ensures compliance with applicable NOx standards specified in the previously issued air construction permits for these units. Because compliance will be demonstrated continuously, an annual stack test will not be required. However, the Department reserves the right to require a "special compliance test" in accordance with Rule 62-297.310(7)(b), F.A.C. The existing NOx CEMS shall remain subject to all existing installation, calibration, certification, and operation requirements.

When requested by the Department, the CEMS emission rates for NOx on these units shall be corrected to ISO conditions to demonstrate compliance with the NOx standards established in 40 CFR 60.332. With regard to NSPS Subpart GG, the NOx CEMS data shall also be used to report excess emissions in accordance with 40 CFR 60.334(j)(1)(iii) and 40 CFR 60.7(c).

[Rules 62-4.070(3) and 62-210.700, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Combustion Turbine Unit Nos. 7 to 10

3. Water-to-Fuel Ratio Monitoring: The permittee shall continuously monitor the water-to-fuel ratio for the water injection system on each unit. The water injection control system shall be set to continuously achieve a NOx emissions level not to exceed 25.0 ppmvd corrected to 15% oxygen when firing natural gas and 42.0 ppmvd corrected to 15% oxygen when firing distillate oil. In the event that the NOx CEMS is not available or providing valid data, the water-to-fuel ratio monitoring data shall be used to support the demonstration of compliance with the NOx standards. [Rule 62-4.070(3), F.A.C.]

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