



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

## PERMITTEE

Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

*Authorized Representative:*

Mr. Gary E. Willer, General Manager

Air Permit No. 0850102-017-AC  
Facility ID No. 0850102  
SIC No. 4931  
Auxiliary Boilers Hours Correction  
Permit Expires: December 31, 2008

## PROJECT AND LOCATION

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant (the facility). The facility is located in Martin County at 13303 SW Silver Fox Lane, Indiantown, Florida 34956.

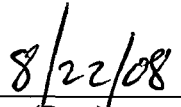
## STATEMENT OF BASIS

This 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.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment 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 2. Administrative Requirements
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- Section 4. Appendices

  
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Joseph Kahn, Director  
Division of Air Resource Management

  
\_\_\_\_\_  
(Date)

## **FINAL DETERMINATION**

### **PERMITTEE**

Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

### **PERMITTING AUTHORITY**

Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation, Title V Section  
2600 Blair Stone Road, MS 5505  
Tallahassee, Florida 32399-2400

### **PROJECT**

Air Permit No. 0850102-017-AC  
Indiantown Cogeneration Plant

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant in Indiantown, Martin County. It also establishes these changes as applicable Title V air operation permit conditions.

### **NOTICE AND PUBLICATION**

The Department distributed an "Intent to Issue Permit" package on July 1, 2008. The applicant published the "Public Notice of Intent to Issue" in the Stuart News on July 23, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

### **CONCLUSION**

The final action of the Department is to issue the permit with no changes.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL PERMIT

*Electronically Sent – Received Receipt Requested.*

In the Matter of an  
Application for Permit by:

Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

DEP File No. 0850102-017-AC  
Indiantown Cogeneration Plant  
Auxiliary Boilers Hours Correction

*Authorized Representative:*

Mr. Gary E. Willer, General Manager:  
GaryWiller@Cogentrix.com

Enclosed is Final Air Construction Permit No. 0850102-017-AC that corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant in Indiantown, Martin County. It also establishes these changes as applicable Title V air operation permit conditions. The facility is located at 13303 SW Silver Fox Lane, Indiantown, Florida 34956. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



for

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

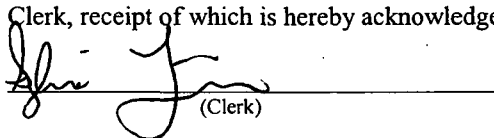
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the "Final Permit") was sent by electronic mail (with received receipt requested) before the close of business on 8/22/08 to the person(s) listed:

Gary E. Willer, ICLP: GaryWiller@Cogentrix.com  
Nick Laryea, ICLP: NicholasLaryea@Cogentrix.com  
Lee Hoefert, P.E., Southeast District Office: lee.hoefert@dep.state.fl.us  
David A. Buff: dbuff@golder.com  
Katy Forney, EPA Region 4: forney.kathleen@epa.gov

Clerk Stamp

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

  
(Clerk)

8/22/08  
(Date)

## SECTION 1. GENERAL INFORMATION

### FACILITY AND PROJECT DESCRIPTION

The Indiantown Cogeneration Plant is a cogeneration facility which generates electricity for sale and exports steam to the Louis Dreyfus Citrus Processing Plant. This facility is located 9 miles east of Lake Okeechobee, and 3 miles northwest of Indiantown, Martin County; UTM Coordinates: Zone 17, 422.3 km East and 2952.9 km North; Latitude: 27° 02' 20" North and Longitude: 80° 30' 45" West. The facility includes one high-pressure pulverized coal main boiler (PC boiler) rated at 3,422 million British thermal units (MMBtu)/hour heat input, and has a nominal net electrical power output of approximately 330 megawatts (MW). It is permitted to fire natural gas, propane, or No. 2 fuel oil for startup, shutdown, or load changes.

Also included are two natural gas (or propane) fired identical auxiliary boilers used for supplying steam to the steam host during times when the PC boiler is offline, as well as during PC boiler startup and shutdown periods. The two identically sized packaged water-tube steam boilers have a combined rated maximum capacity of 350 MMBtu/hr. Steam produced by the auxiliary boilers is not used to generate electricity. In addition, the facility has a variety of ancillary equipment needed to support operations as a coal-fired cogeneration plant.

This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the facility. The facility's current Title V Air Operation Permit contains Specific Condition F.7. that states erroneously that "The combined operation of the auxiliary boilers shall not exceed 5,000 hours during any consecutive 12-month period." Department records show that the original October 2005 construction permit application stated "Each boiler will be operated for a maximum of 5,000 hours per year." The erroneous wording was adopted from the previously issued final AC permit 1050102-008-AC. The erroneous wording was also included in the Technical Evaluation and Preliminary Determination that supported the AC permit. Therefore, the operating hours language needs to be corrected to indicate 5,000 hours per year per boiler. We note that Specific Condition F.11. of the facility's Title V permit properly shows tons per year calculations based on allowable hours of 5,000 hours per year per boiler, so no new analysis of emissions is required.

ID	Emission Unit Description
007	Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.

### REGULATORY CLASSIFICATION

Title III: The facility is a potential major source of hazardous air pollutants (HAP).

NESHAP: The facility does not operate units subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 Code of Federal Regulations (CFR) 63.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major stationary source in accordance with Rule 62-212.400, F.A.C.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR).

CAM: The facility is subject to compliance assurance monitoring (CAM). Because continuous emissions monitors (CEMS) are used to demonstrate compliance with the applicable standards for NO<sub>x</sub>

## SECTION 1. GENERAL INFORMATION

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and SO<sub>2</sub>, a CAM plan is not required for either the selective catalytic reduction (SCR) system, or the spray dryer absorber. However, a CAM plan is required for the fabric filter baghouse.

Siting: The facility is subject to Power Plant Siting Case No. PA 90-31.

### RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; the draft permit package including the Department's Technical Evaluation and Preliminary Determination; and the Department's Final Determination.

## SECTION 2. ADMINISTRATIVE REQUIREMENTS

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1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Department. The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southeast District Office. The mailing address and phone number of the Southeast District Office are: 400 North Congress Avenue, West Palm Beach, Florida 33401, Telephone: 561/681-6600, Fax: 561/681-6755.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General Conditions); and Appendix C (Common State Regulatory Requirements).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
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: No emissions unit 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.]

### SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

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This section of the permit addresses the following emissions unit.

<b>AIR RESOURCE MANAGEMENT SYSTEM (ARMS) Emissions Unit 007</b>
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Emissions Unit 007 includes (2) Victory Energy Model 23M Keystone packaged water-tube steam boilers each with a maximum rated capacity of 175 MMBtu/hr (combined maximum rated capacity of 350 MMBtu/hr) when firing natural gas and 170.5 MMBtu/hr (341 MMBtu/hr combined) when firing propane.
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*{Permitting Note: The unit remains subject to the applicable requirements of current Title V Air Operation Permit No. 0850102-013-AV.}*

#### PREVIOUS APPLICABLE REQUIREMENTS

1. Other Permits: Condition 2 of this permit replaces Condition 4 in air construction permit 0850102-008-AC, and Condition 3 replaces Condition 6 in air construction permit 0850102-008-AC. [Rule 62-4.070, F.A.C.]

#### EQUIPMENT AND PERFORMANCE RESTRICTIONS

2. Permitted Capacity: The combined heat input to the identically sized auxiliary boilers shall not exceed 350 MMBtu per hour while firing natural gas, or 341 MMBtu per hour while firing propane. The heat input to each auxiliary boiler shall not exceed 175 MMBtu per hour while firing natural gas, or 170.5 MMBtu per hour while firing propane. [Design, Rule 62-210.200, F.A.C. (Definition - PTE); and 0850102-008-AC, Specific Condition 4.]
3. Hours of Operation: The operation of each auxiliary boiler shall not exceed 5,000 hours during any consecutive 12-month period. The permittee shall calibrate, operate and maintain a monitoring system to measure and accumulate the amount of natural gas as well as propane fired and the hours of operation for each auxiliary boiler. [Rule 62-210.200, F.A.C. (Definitions - PTE), Rule 62-212.400 (2)(g), F.A.C. (PSD Avoidance); and 0850102-008-AC, Specific Condition 6.]

**SECTION 4. APPENDIX C**  
**COMMON STATE REGULATORY REQUIREMENTS**

*{Permitting Note: Unless otherwise specified by permit, the following conditions apply to all emissions units and activities at the facility.}*

**EMISSIONS AND CONTROLS**

1. **Plant Operation - Problems**: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention**: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. **Excess Emissions Allowed**: Excess emissions resulting from startup, shutdown or 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 in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]
4. **Excess Emissions Prohibited**: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification**: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program 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.]
6. **VOC or OS 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. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited**: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(217), F.A.C.]
8. **General Visible Emissions**: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions**: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

**TESTING REQUIREMENTS**

10. **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



**SECTION 4. APPENDIX C**  
**COMMON STATE REGULATORY REQUIREMENTS**

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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 two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

11. **Operating Rate During Testing:** Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the 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.]
12. **Calculation of Emission Rate:** For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. **Test Procedures:** Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
  - a. *Required Sampling Time.* 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. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
  - b. *Minimum Sample Volume.* Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
  - c. *Calibration of Sampling Equipment.* Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.

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

14. **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

## SECTION 4. APPENDIX C

### COMMON STATE REGULATORY REQUIREMENTS

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.]

15. **Sampling Facilities:** The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. **Test Notification:** 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. [Rule 62-297.310(7)(a)9, F.A.C.]
17. **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 shall 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. [Rule 62-297.310(7)(b), F.A.C.]
18. **Test Reports:** 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. 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. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
  1. The type, location, and designation of the emissions unit tested.
  2. The facility at which the emissions unit is located.
  3. The owner or operator of the emissions unit.
  4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
  7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  8. The date, starting time and duration of each sampling run.
  9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  10. The number of points sampled and configuration and location of the sampling plane.
  11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  12. The type, manufacturer and configuration of the sampling equipment used.
  13. Data related to the required calibration of the test equipment.

**SECTION 4. APPENDIX C**  
**COMMON STATE REGULATORY REQUIREMENTS**

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14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

**RECORDS AND REPORTS**

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

**SECTION 4. APPENDIX GC**  
**GENERAL PERMIT CONDITIONS**

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The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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), Florida Statutes, 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of 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 or 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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:
  - a. Have access to and copy and records that must be kept under the 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 non-compliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

**SECTION 4. APPENDIX GC**  
**GENERAL PERMIT CONDITIONS**

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The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. 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 Florida Administrative Code Rules 62-4.120 and 62-730.300, 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:
  - a. Determination of Best Available Control Technology (not applicable to project);
  - b. Determination of Prevention of Significant Deterioration (not applicable to project); and
  - c. Compliance with New Source Performance Standards (not applicable to project).
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; 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 that 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.

**Livingston, Sylvia**

---

**From:** Laryea, Nicholas [NicholasLaryea@cogentrix.com]  
**Sent:** Friday, August 22, 2008 4:56 PM  
**To:** Livingston, Sylvia  
**Subject:** RE: Indiantown Cogeneration Plant; 0850102-017-AC

Thanks Sylvia  
Nick

---

**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Friday, August 22, 2008 4:44 PM  
**To:** Willer, Gary; Laryea, Nicholas  
**Cc:** Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Indiantown Cogeneration Plant; 0850102-017-AC

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Facility Name: INDIANTOWN COGENERATION PLANT  
Project Number: 0850102-017-AC  
Permit Status: FINAL  
Permit Activity: CONSTRUCTION/ Auxiliary Boilers Hrs Correction  
Facility County: MARTIN

Processor: Tom Cascio

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0850102.017.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850102.017.AC.F_pdf.zip)

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Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506

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8/25/2008

**Livingston, Sylvania**

---

**From:** Willer, Gary [GaryWiller@Cogentrix.com]  
**Sent:** Monday, August 25, 2008 7:25 AM  
**To:** Livingston, Sylvania  
**Subject:** RE: Indiantown Cogeneration Plant; 0850102-017-AC

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**From:** Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]  
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8/25/2008

**Livingston, Sylvia**

---

**From:** Buff, Dave [DBuff@GOLDER.com]  
**Sent:** Sunday, August 24, 2008 2:46 PM  
**To:** Livingston, Sylvia  
**Subject:** RE: Indiantown Cogeneration Plant; 0850102-017-AC

David A. Buff, P.E., Q. E. P.  
Golder Associates Inc.  
Phone: (352)336-5600 x 545  
Fax: (352)336-6603 Mobile: (352)514-5600  
E-Mail: [dbuff@golder.com](mailto:dbuff@golder.com)

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---

**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Friday, August 22, 2008 4:44 PM  
**To:** garywiller@cogentrix.com; NicholasLaryea@Cogentrix.com  
**Cc:** Hoefert, Lee; Buff, Dave; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Indiantown Cogeneration Plant; 0850102-017-AC

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8/25/2008



## MEMORANDUM

To: Joseph Kahn

From: Trina L. Vielhauer

Subject: Indiantown Cogeneration Plant  
Air Construction Permit No. 0850102-017-AC

Date: August 22, 2008

Attached is the final air construction permit for the subject facility. This permit corrects the wording of the limitation of operating hours originally specified in 0850102-008-AC for the two auxiliary boilers located at the Indiantown Cogeneration Plant

The Department distributed an "Intent to Issue Permit" package on July 1, 2008. The applicant published the "Public Notice of Intent to Issue" in the Stuart News on July 23, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

I recommend your signature.

## Livingston, Sylvania

---

**From:** Livingston, Sylvania  
**Sent:** Friday, August 22, 2008 4:44 PM  
**To:** 'garywiller@cogentrix.com'; 'NicholasLaryea@Cogentrix.com'  
**Cc:** Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Indiantown Cogeneration Plant; 0850102-017-AC

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Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506

Tracking:	Recipient	Delivery	Read
	✓ 'garywiller@cogentrix.com'		
	✓ 'NicholasLaryea@Cogentrix.com'		
	Hoefert, Lee	Delivered: 8/22/2008 4:44 PM	
	✓ 'dbuff@golder.com'		
	'forney.kathleen@epa.gov'		
	Holtom, Jonathan	Delivered: 8/22/2008 4:44 PM	
	Cascio, Tom	Delivered: 8/22/2008 4:44 PM	
	Walker, Elizabeth (AIR)	Delivered: 8/22/2008 4:44 PM	

**Recipient**

Gibson, Victoria

**Delivery**

Delivered: 8/22/2008 4:44 PM

**Read**

Read: 8/22/2008 4:44 PM

**Livingston, Sylvia**

---

**From:** Willer, Gary [GaryWiller@Cogentrix.com]  
**Sent:** Monday, August 25, 2008 7:25 AM  
**To:** Livingston, Sylvia  
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**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Friday, August 22, 2008 4:44 PM  
**To:** Willer, Gary; Laryea, Nicholas  
**Cc:** Hoefert, Lee; dbuff@golder.com; forney.kathleen@epa.gov; Holtom, Jonathan; Cascio, Tom; Walker, Elizabeth (AIR); Gibson, Victoria  
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Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506

10/20/2008

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**From:** Buff, Dave [DBuff@GOLDER.com]  
**Sent:** Sunday, August 24, 2008 2:46 PM  
**To:** Livingston, Sylvania  
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David A. Buff, P.E., Q. E. P.  
Golder Associates Inc.  
Phone: (352)336-5600 x 545  
Fax: (352)336-6603 Mobile: (352)514-5600  
E-Mail: [dbuff@golder.com](mailto:dbuff@golder.com)

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**From:** Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]  
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**To:** garywiller@cogentrix.com; NicholasLaryea@Cogentrix.com  
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**From:** Laryea, Nicholas [NicholasLaryea@cogentrix.com]  
**Sent:** Friday, August 22, 2008 4:56 PM  
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Thanks Sylvia  
Nick

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Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506

10/20/2008

## Livingston, Sylvia

---

**Subject:** FW: Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(490 B)

Message  
Headers.txt (2 KB)

Received: from tlhexsprot2.floridadep.net  
(tlhexsprot2.floridadep.net [199.73.152.8])  
by mseive02.rtp.epa.gov (Postfix) with ESMTP id 2374D1E42DE  
for <forney.kathleen@epa.gov>; Fri, 22 Aug 2008 16:43:54 -0400 (EDT)  
Content-Transfer-Encoding: 7bit  
Importance: normal  
Priority: normal  
Received: from tlhexsmb4.floridadep.net ([172.20.30.47]) by tlhexsprot2.floridadep.net  
with Microsoft SMTPSVC(5.0.2195.6713); Fri, 22 Aug 2008 16:43:53 -0400  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1896  
Content-Class: urn:content-classes:message  
Return-Receipt-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="----\_=\_NextPart\_001\_01C90497.C99BED52"  
Disposition-Notification-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>  
Subject: Indiantown Cogeneration Plant; 0850102-017-AC  
Date: Fri, 22 Aug 2008 16:43:52 -0400  
Message-ID: <864D0E673032DD47ABE8B4EE542DF7CAC0A991@tlhexsmb4.floridadep.net>  
X-MS-Has-Attach:  
X-MS-TNEF-Correlator:  
Thread-Topic: Indiantown Cogeneration Plant; 0850102-017-AC  
thread-index: AckEl8lnI791v/wuREeQ53B2NeWkLA==  
From: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>  
To: <garywiller@cogentrix.com>,  
<NicholasLaryea@Cogentrix.com>  
Cc: "Hoefert, Lee" <Lee.Hoefert@dep.state.fl.us>,  
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<forney.kathleen@epa.gov>,  
"Holtom, Jonathan" <Jonathan.Holtom@dep.state.fl.us>,  
"Cascio, Tom" <Tom.Cascio@dep.state.fl.us>,  
"Walker, Elizabeth \ (AIR) " <Elizabeth.Walker@dep.state.fl.us>,  
"Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>  
X-OriginalArrivalTime: 22 Aug 2008 20:43:53.0588 (UTC) FILETIME=[CA360340:01C90497]

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

From: Mail Delivery System [mailto:MAILER-DAEMON@mseive02.rtp.epa.gov]  
Sent: Friday, August 22, 2008 4:44 PM  
To: Livingston, Sylvia  
Subject: Successful Mail Delivery Report

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<forney.kathleen@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,  
sent 48AF250A\_26974\_110136\_1 4C3E11E42E7