

# Florida Department of Environmental Protection

## Memorandum

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TO: Joseph Kahn, Division of Air Resource Management  
THROUGH: Trina Vielhauer, Bureau of Air Regulation *TV*  
Jon Holtom, Title V Section *JH*  
FROM: *SM* Susan Machinski  
DATE: 12/09/08  
SUBJECT: Title V Air Operation Permit No. 0950203-009-AV

Orlando CoGen Limited, L.P.  
Orlando CoGen  
Final Title V Air Operation Permit Renewal

The final permit for this project is attached for your approval and signature.

The attached Final Determination identifies issuance of the draft Title V air operation permit, the Proposed Title V air operation permit, and summarizes the publication process. There were no comments received from EPA in response to the proposed permit.

I recommend your approval of the attached final permit for this project.

Attachments

**NOTICE OF FINAL PERMIT**

*In the Matter of an  
Application for Permit by:*

Orlando CoGen Limited, L.P.  
8275 Exchange Drive  
Orlando, Florida 32809

*Responsible Official:*

Jim Murray, Plant Manager

Permit No. 0950203-009-AV  
Orlando CoGen  
Title V Air Operation Permit Renewal  
Orange County

Enclosed is the final permit package to renew the Title V air operation permit for Orlando CoGen. The existing facility is located in Orange County at 8275 Exchange Drive, Orlando, Florida. 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 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

TLV/jh/srm

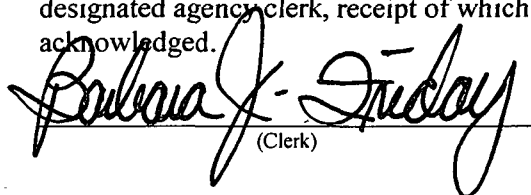
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Jim Murray, Orlando CoGen Limited, L.P.: [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
Mr. David Kellermeier, Orlando CoGen Limited, L.P.: [dave.kellermeier@northernstargen.com](mailto:dave.kellermeier@northernstargen.com)  
Mr. Scott H. Osbourn, P.E., Golder Associates: [sosbourn@golder.com](mailto:sosbourn@golder.com)  
Mr. Jim Bradner, DEP – Central District: [james.bradner@dep.state.fl.us](mailto:james.bradner@dep.state.fl.us)  
Mr. Hamp Pridgen, Orange County EPD: [hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net)  
Ms. Katy Forney, US EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)  
Ms. Ana Oquendo, US EPA Region 4: [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)  
Ms. Barbara Friday, DEP BAR: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)  
Ms. Victoria Gibson, DEP BAR: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us) (for reading file)

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)

12/16/08  
(Date)

## FINAL DETERMINATION

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### PERMITTEE

Orlando CoGen Limited, L.P.  
8275 Exchange Drive  
Orlando, Florida 32809

### PERMITTING AUTHORITY

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

### PROJECT

Permit No. 0950203-009-AV  
Orlando CoGen  
The purpose of this project is to renew the Title V air operation permit for Orlando CoGen.

### NOTICE AND PUBLICATION

The Department distributed an Intent to Issue a Title V Air Operation Permit Renewal package on October 3, 2008. The applicant published the Public Notice of Intent to Issue a Title V Air Operation Permit Renewal in the Orlando Sentinel on October 12, 2008. The Department received the proof of publication on October 21, 2008. A proposed permit was issued for EPA review on December 4, 2008.

### COMMENTS

No comments on the proposed permit were received from the EPA Region 4 Office.

### CONCLUSION

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

## STATEMENT OF BASIS

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### Title V Air Operation Permit Renewal Permit No. 0950203-009-AV

#### APPLICANT

The applicant for this project is Orlando CoGen Limited, L.P. The applicant's responsible official and mailing address are: Jim Murray, Plant Manager, Orlando CoGen – Northern Star Generating Services, 8275 Exchange Drive, Orlando, Florida, 32809.

#### FACILITY DESCRIPTION

The applicant operates the Orlando CoGen, which is located at 8275 Exchange Drive, Orlando, Florida.

The existing facility consists of one 86.8 MW combustion turbine and one heat recovery steam generator (HRSG) equipped with one duct burner (DB) system. The HRSG accepts exhaust from the combustion turbine and powers a 50 MW steam turbine. The combustion turbine is equipped with dry low nitrogen oxides (DLN) combustors to control nitrogen oxides (NO<sub>x</sub>) emissions. The emissions from the DB system are uncontrolled. A continuous emissions monitoring system (CEMs) is utilized for NO<sub>x</sub>. The CT and DB are allowed to burn only natural gas. The facility has the potential to emit nitrogen oxides, carbon monoxide, particulate matter, volatile organic compounds, and sulfur dioxides. The facility is subject to 40 CFR 75 Acid Rain Monitoring Provisions, 40 CFR 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines, and 40 CFR 60 Subpart A, General Provisions.

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

#### PROJECT DESCRIPTION

The purpose of this permitting project is to renew the existing Title V permit for the above referenced facility. This permit incorporates the provisions of air construction permit No. 0950203-007-AC and a new specific condition to exclude CEM data during DLN tuning, at the applicant's request.

#### PROCESSING SCHEDULE AND RELATED DOCUMENTS

Initial Title V Air Operation Permit issued **January 1, 1999**  
Title V Air Operation Permit Renewal issued **January 1, 2004**  
Title V Air Operation Permit Revision issued on **January 24, 2006**  
Application for a Title V Air Operation Permit Renewal received **July 7, 2008**  
Additional Information Request dated **August 28, 2008**  
Additional Information Response received **September 18, 2008**

#### PRIMARY REGULATORY REQUIREMENTS

Title III: The facility is not identified as a major source of hazardous air pollutants (HAP).

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

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

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility. The emissions are not subject to CAM because they do not meet all the applicability requirements of 40 CFR 64.2. Specifically, the unit has potential pre-control device emissions of the applicable regulated air pollutant that are

## STATEMENT OF BASIS

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equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source. For purposes of this paragraph, "potential pre-control device emissions" shall have the same meaning as "potential to emit," as defined in §64.1, except that emission reductions achieved by the applicable control device shall not be taken into account. Additionally, the requirements for CAM shall not apply to emission limitations or standards for Acid Rain Program requirements pursuant to sections 404, 405, 406, 407(a), 407(b), or 410 of the Act.

### PROJECT REVIEW

Changes made as part of this renewal were reformatting, replacement of TV-6 with new Appendix TV, streamlining of EU sections by moving common conditions to the new appendices, and adding a new specific condition to exclude CEM data during DLN tuning. The Department is in favor of providing the flexibility for operators to maintain and tune combustors according to the manufacturer's recommendations in order to keep units operating as efficiently as possible and to minimize pollutant emissions. It should be noted that the addition of the requested condition (Specific Condition C.12.) in the Title V permit is limited to the duration of this renewal and will expire on December 31, 2013. If the company desires to make this a permanent condition, an air construction permit revision will be required at some point. Otherwise, this condition will need to be specifically requested with each future Title V permit renewal.

### CONCLUSION

This project renews Title V air operation permit No. 0950203-002-AV, which was issued on January 1, 2004. This Title V air operation permit renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 214, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

**Orlando CoGen Limited, L.P.**  
**Facility ID No. 0950203**  
Orange County

**Title V Air Operation Permit Renewal**

**Final Permit No. 0950203-009-AV**  
(Renewal of Title V Air Operation Permit No. 0950203-002-AV)

**Permitting Authority**

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

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

Telephone: 850/488-0114  
Fax: 850/921-9533

**Compliance Authority**

State of Florida  
Department of Environmental Protection  
Orange County Environmental Protection Department

800 Mercy Drive, Suite 4  
Orlando, Florida 32808

Telephone: 407/836-1400  
Fax: 407/836-1499

**Title V Air Operation Permit Renewal**

Permit No. 0950203-009-AV

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# 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:**

Orlando CoGen Limited, L.P.  
8275 Exchange Drive  
Orlando, Florida 32809-7651

Permit No. 0950203-009-AV  
Orlando CoGen  
Facility ID No. 0950203  
Title V Air Operation Permit Renewal

The purpose of this permit is to renew the Title V Air Operation Permit and to incorporate construction permit 0950203-007-AC into the operation permit for the above referenced facility. The existing Orlando CoGen facility is located at 8275 Exchange Drive, Orlando, Orange County. UTM Coordinates are: Zone 17, 459.5 East (km), 3,146.1 North (km). Latitude is: 28° 26' 23"; and, Longitude is: 81° 24' 28".

The 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 operate the facility shown on the application and approved drawings, plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Effective Date: January 1, 2009  
Renewal Application Due Date: May 20, 2013  
Expiration Date: December 31, 2013

Joseph Kahn, Director  
Division of Air Resource Management

JK/tlv/jh/srm



## SECTION I. FACILITY INFORMATION.

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

This facility consists of one 86.8 MW combustion turbine (CT) and one heat recovery steam generator (HRSG) equipped with one duct burner system. The HRSG powers a nominal 50 MW steam turbine (ST). Ancillary equipment includes one four-cell mechanical draft fresh water cooling tower, a chiller unit and a natural gas fired 150kW emergency generator (exempt from permitting). The facility's nominal output for the combined cycle unit including the CT and ST is 136.8 megawatts (MW). This facility utilizes natural gas as its only fuel.

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

### **Subsection B. Summary of Emissions Units.**

<b>EU No.</b>	<b>Brief Description</b>
<i>Regulated Emissions Units</i>	
001	Combustion Turbine (CT)
002	Heat Recovery Steam Generator (HRSG) and Duct Burner (DB) System
<i>Unregulated Emissions Units and Activities</i>	
003	Emergency Generator

### **Subsection C. Applicable Regulations.**

Based on the Title V Air Operation Permit Renewal application received July 7, 2008, this facility is not a major source of hazardous air pollutants (HAPs). This facility is classified as a PSD major facility. A summary of applicable regulations is shown in the following table.

<b>Regulation</b>	<b>EU No(s).</b>
40 CFR 60, Subpart A, NSPS General Provisions	001, 002
40 CFR 60, Subpart KKKK, Standards of Performance for Stationary Combustion Turbines	001, 002
40 CFR 75 Acid Rain Monitoring Provisions	001, 002

## SECTION II. FACILITY-WIDE CONDITIONS.

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**The following conditions apply facility-wide to all emission units and activities:**

**FW1. Appendices.** The permittee shall comply with all documents identified in Section V, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

### **Emissions and Controls**

**FW2. Not federally enforceable. 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. [Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

**FW3. General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) 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. Nothing is deemed necessary and ordered at this time. [Rule 62-296.320(1)(a), F.A.C.]

**FW4. 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% opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

**FW5. Unconfined Particulate Matter.** No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- a. Maintenance of roads, parking areas, and yards;
- b. Landscaping or planting of vegetation;
- c. Confining abrasive blasting where possible; and,
- d. Other techniques, as necessary

[Rule 62-296.320(4)(c), F.A.C.; and, proposed by applicant in Title V air operation permit renewal application received July 7, 2008]

### **Annual Reports and Fees**

See Appendix RR, Facility-wide Reporting Requirements for additional details.

**FW6. 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 May 1, 2009 and by April 1<sup>st</sup> of each year thereafter. [Rule 62-210.370(3), F.A.C.]

**FW7. Annual Emissions Fee Form and Fee.** The annual Title V emissions fees are due (postmarked) by March 1<sup>st</sup> of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site: <http://www.dep.state.fl.us/Air/permitting/tvfee.htm>. [Rule 62-213.205, F.A.C.]

**FW8. Annual Statement of Compliance.** The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit within 60 days after the end of each calendar year during which the Title V permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (3)(b), F.A.C.]

## SECTION II. FACILITY-WIDE CONDITIONS.

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**FW9.** Prevention of Accidental Releases (Section 112(r) of CAA).

- a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to: RMP Reporting Center, Post Office Box 1515, Lanham-Seabrook, MD 20703-1515, Telephone: 301/429-5018.
- b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.  
[40 CFR 68]

**FW10.** Clean Air Interstate Rule (CAIR) Applicable Units. This facility contains emissions units that are subject to CAIR. On July 11, 2008, the U.S. Court of Appeals for the District of Columbia recommended vacature of the Clean Air Interstate Rule. Because of this decision, the applicable CAIR requirements that were identified in the renewal application are not being included in the permit at this time. If, and at such time that, CAIR is ultimately upheld, you must begin complying with the CAIR program requirements contained in the renewal application and the Title V permit must be revised accordingly. [Rules 62-213.440 and 62-296.470, F.A.C.]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection A. Emissions Unit 001**

The specific conditions in this section apply to the following emissions unit:

EU No.	Brief Description
001	Combustion Turbine (CT)

The combined cycle CT is an upgraded Alstom Model GT 11NMC (Permit No. 0950203-007-AC) with a nameplate rating of 86.8 MW at ISO conditions. The CT is allowed to burn only natural gas. The CT is equipped with dry low nitrogen oxides (NO<sub>x</sub>) (DLN) combustors to control NO<sub>x</sub> emissions. A continuous emissions monitoring system (CEMS) is utilized for NO<sub>x</sub>. The CT began commercial operation on September 25, 1993. Stack height = 115 feet, exit diameter = 15.7 feet, exit temperature = 240 °F, actual volumetric flow rate = 668,145 acfm.

{Permitting notes: The emissions unit is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart KKKK, Standards of Performance for Stationary Combustion Turbines, adopted and incorporated by reference in Rule 62-204.800(8), F.A.C.; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated August 17, 1992.}

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

A.1. Permitted Capacity. The maximum allowable heat input rate is as follows:

Unit No.	Heat Input [based on the low heating value (LHV) of fuel at ISO conditions]	Fuel Type
EU001	980 MMBtu/hr	Natural Gas

[Rules 62-4.160(2), F.A.C., 62-204.800, F.A.C., 62-296.405, F.A.C., 62-210.200(Definitions - PTE), F.A.C., 62-214.330, F.A.C.; and, Permit No. 0950203-007-AC]

A.2. Hours of Operation. These emissions units may operate continuously (8760 hours/year). [Rule 62-210.200(Definitions - PTE), F.A.C., Permit No. AC48-206720 (PSD-FL-184)]

**Control Technology**

A.3. Control Equipment. DLN combustors shall be installed and maintained on the combustion turbine to control NO<sub>x</sub> emissions. [AC48-20670 (PSD-FL-184), BACT determination dated August 17, 1992]

**Emission Limitations and Standards**

Unless otherwise specified, the averaging time(s) for Specific Condition(s) A.4. - A.9. is based on the specified averaging time of the applicable test method.

A.4. Nitrogen Oxides (NO<sub>x</sub>). NO<sub>x</sub> emissions shall not exceed 15 ppmvd @ 15% O<sub>2</sub> [63.1 lbs/hr (24 hr rolling average); 251.4 TPY]. (See also Subsection C. Common Conditions, Specific Condition C.5.) [Permit Nos. 0950203-007-AC and AC48-206720 (PSD-FL-184); BACT Determination, dated August 17, 1992; and, 40 CFR 60.4320]

A.5. Carbon Monoxide (CO). CO emissions shall not exceed 10 ppmvd (22.3 lbs/hr; 92.1 TPY). [AC48-206720 (PSD-FL-184); and, BACT Determination, dated August 17, 1992]

A.6. Particulate Matter (PM/PM<sub>10</sub>). PM/PM<sub>10</sub> emissions shall not exceed 0.01 lb/MMBtu (9.9 lbs/hr; 43.3 TPY). [BACT Determination, dated August 17, 1992; Permit No. 0950203-007-AC]

A.7. Volatile Organic Compounds (VOC). VOC emissions shall not exceed 3.3 lbs/hr; 14.3 TPY. [BACT Determination, dated August 17, 1992; Permit No. 0950203-007-AC]

A.8. Visible Emissions (VE). VE from the CT shall not exceed 10% opacity. [Permit No. AC48-206720 (PSD-FL-184)]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

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**Subsection A. Emissions Unit 001**

**A.9. Sulfur Dioxide (SO<sub>2</sub>).** See Subsection C. Common Conditions, Specific Condition C.6.

**Excess Emissions**

See Subsection C. Common Conditions.

**Continuous Monitoring Requirements**

See Subsection C. Common Conditions.

**Test Methods and Procedures**

See Subsection C. Common Conditions for additional test methods and procedures requirements.

**A.10. Operating Capacity During Testing.** Testing of emissions shall be conducted with the source operating at capacity, as defined below. If it is impracticable to test at capacity, then sources 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 110 percent of the value reached during the test. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report. Permitted capacity is defined as 90-100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. [Rules 62-297.31092), F.A.C. and 62-4.070(3), F.A.C.]

**Recordkeeping and Reporting Requirements**

See Subsection C. Common Conditions.

**Other Requirements**

**A.11.** This emissions unit is also subject to conditions C.1. through C.26. contained in **Subsection C. Common Conditions.**

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection B. Emissions Unit 002**

The specific conditions in this section apply to the following emissions unit:

EU No.	Brief Description
002	Heat Recovery Steam Generator (HRSG) and Duct Burner (DB) System

The HRSG accepts exhaust from the CT. The HRSG powers a nominal 50 MW steam turbine (ST). The transition duct from the CT to the HRSG contains DBs manufactured by COEN Company Incorporated. The DB system is allowed to burn only natural gas. The emissions from the DB system are uncontrolled. The HRSG-DB System began commercial operation on September 25, 1993. The DB system shares a common stack with the CT. Stack height = 115 feet, exit diameter = 15.7 feet, exit temperature = 240 °F, actual volumetric flow rate = 731.91 acfm.

{Permitting notes: The emissions unit is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart KKKK, Standards of Performance for Stationary Combustion Turbines, adopted and incorporated by reference in Rule 62-204.800(8), F.A.C.; Rule 62-212.400(6), F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated August 17, 1992.}

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

**B.1. Permitted Capacity.** The maximum allowable heat input rate is as follows:

Unit No.	Heat Input		Fuel Type
	[based on the low heating value (LHV) of fuel]		
002	122.0 MMBtu/hr	450,000 MMBtu/yr	Natural Gas

[Rules 62-4.160(2), F.A.C., 62-204.800, F.A.C., 62-296.405, F.A.C., 62-210.200(Definitions - PTE), F.A.C., 62-214.330, F.A.C.; and, Permit No. AC48-206720 ( PSD-FL-184)]

**B.2. Hours of Operation.** The hours of operation for the DB shall not exceed 3,688 hours/year at maximum heat input (Note: The DB, however, may operate at lower heat input rates for more hours, up to 8,760, within the annual heat input limit). [Rule 62-210.200(Definitions - PTE), F.A.C., Permit No. AC48-206720 (PSD-FL-184).]

{Permitting Note: DB operation planned when ambient temperature is greater than 59 °F.}

**Emission Limitations and Standards**

**B.3. Nitrogen Oxides (NO<sub>x</sub>).** NO<sub>x</sub> emissions shall not exceed 0.1 lb/MMBtu, [12.2 lb/hr (24-hour rolling average); 22.5 TPY]. (See also Subsection C. Common Conditions, Specific Condition C.5.) [Permit No. AC48-206720 (PSD-FL-184); BACT Determination dated August 17, 1992.]

{Permitting Note: Continuous compliance with the NO<sub>x</sub> emission limits is being demonstrated through the use of the continuous emissions monitor that is required in Specific Condition C.13.}

**B.4. Carbon Monoxide (CO).** CO emissions shall not exceed 0.1 lb/MMBtu (12.2 lb/hr; 22.5 TPY). [Permit No. AC48-206720 (PSD-FL-184); BACT Determination dated August 17, 1992.]

**B.5. Particulate Matter (PM/PM<sub>10</sub>).** PM/PM<sub>10</sub> emissions shall not exceed 0.01 lb/MMBtu (1.2 lb/hr; 2.2 TPY). [Permit No. AC48-206720 (PSD-FL-184); BACT Determination dated August 17, 1992.]

**B.6. Volatile Organic Compounds (VOCs).** VOC emissions shall not exceed 3.7 lb/hr; 6.8 TPY. [Permit No. AC48-206720 (PSD-FL-184).]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

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**Subsection B. Emissions Unit 002**

**B.7. Visible Emissions (VE).** VE from the DB shall not exceed 10% opacity. [Permit No. AC48-206720 (PSD-FL-184).]

**B.8. Sulfur Dioxide (SO<sub>2</sub>).** See Subsection C. Common Conditions, Specific Condition C.6.

**Excess Emissions**

See Subsection C. Common Conditions.

**Test Methods and Procedures**

See Subsection C. Common Conditions.

**Recordkeeping and Reporting Requirements**

See Subsection C. Common Conditions.

**Common Conditions**

**B.9.** This emissions unit is also subject to conditions **C.1.** through **C.26.** contained in **Subsection C. Common Conditions.**

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection C. Emissions Units 001, 002**

The specific conditions in this section apply to the following emissions units:

EU No.	Brief Description
001	Combustion Turbine (CT)
002	Heat Recovery Steam Generator (HRSG) and Duct Burner (DB) System

The following specific conditions apply to the emissions units listed above:

**General**

- C.1. **Definitions.** For the purposes of Rule 62-204.800(8), F.A.C., the definitions contained in the various provisions of 40 CFR 60 shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee. [40 CFR 60.2; Rule 62-204.800(7)(a), F.A.C.]
- C.2. **Operating Procedures.** Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.]

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

- C.3. **Emissions Unit Operating Rate Limitation after Testing.** See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]
- C.4. **Methods of Operation.** Natural gas shall only be burned in these units. The burning of other fuels shall require review, public notice, and approval by the Department through the pre-construction process. [Rules 62-213.410, F.A.C. and 62-210.200, F.A.C.; Applicant's request in Title V permit renewal application received July 7, 2008; and, Permit No. AC48-206720 (PSD-FL-184)]

**Emission Limitations and Standards**

- C.5. **Nitrogen Oxides (NO<sub>x</sub>).** When both the CT and DB are operating, NO<sub>x</sub> emissions shall not exceed 15 ppmvd (30 unit day rolling average) @ 15% O<sub>2</sub> .[Permit No. 0950203-007-AC; and, BACT Determination dated August 17, 1992; 40 CFR 60.4320]  
  
{Permitting Note: Continuous compliance with the NO<sub>x</sub> emission limits is being demonstrated through the use of the continuous emissions monitor that is required in Specific Condition C.13.}
- C.6. **Sulfur Dioxide (SO<sub>2</sub>).** The owner or operator must not discharge into the atmosphere for the CT any gases which contain SO<sub>2</sub> in excess of 0.90 pounds per megawatt-hour (lb/MWh) [(110 nanograms per Joule (ng/J)) gross output. The owner or operator must not burn in the CT any fuel which contains total potential sulfur emissions in excess of 0.060 pounds SO<sub>2</sub> per MMBtu (26 ng SO<sub>2</sub>/J) heat input. [Permit No. 0950203-007-AC, 40 CFR 60.4330]

**Emissions Controls**

- C.7. **Combustion Control.** Combustion control shall be utilized for CO control. The permittee shall have designed the facility to allow for future installation of an oxidation catalyst. Once the performance testing has been completed, the decision to require an oxidation catalyst will be based on a cost/benefit analysis of using such control. [Permit No. AC48-206720 (PSD-FL-184)]

**Excess Emissions**

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.



### SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

#### Subsection C. Emissions Units 001, 002

- C.8. Excess Emissions Allowed.** Excess emissions 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 a longer duration. [Rule 62-210.700(1), F.A.C.]
- C.9. Preventable Excess Emissions.** 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.]
- C.10. NO<sub>x</sub> Excess Emissions.** Excess emissions and monitor downtime that must be reported shall be defined as described in 40 CFR 60.4380. For purposes of identifying excess emissions from CEMS, CEMS data shall meet the criteria according to 40 CFR 60.4350. [40 CFR 4380, 40 CFR 4350, Permit No. 0950203-007-AC]
- C.11. SO<sub>2</sub> Excess Emissions.** Excess emissions and monitor downtime that must be reported shall be defined as described in 40 CFR 60.4385. [Permit No. 0950203-007-AC, 40 CFR 60.4385]
- C.12. CEMS Data Exclusion – DLN Tuning.** CEMS data collected during initial or other major DLN tuning sessions shall be excluded from the CEMS compliance demonstration provided the tuning session is performed in accordance with the manufacturer’s specifications. A “major tuning session” would occur after completion of initial construction, a combustor change-out, a major repair or major maintenance to a combustor. Prior to performing any major tuning session, the permittee shall provide the Department’s Central District Compliance Authority with an advance notice that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal or electronic mail. [Rule 62-4.070(3), F.A.C., Applicant’s Request dated July 7, 2008]

{Permitting Note: The addition of the requested Specific Condition C.12. is limited to the duration of this permit and will expire on December 31, 2013. If the company desires to make this a permanent condition, an air construction permit revision will be required at some point. Otherwise, this condition will need to be specifically requested and approved with each future Title V permit renewal.}

#### **Continuous Monitoring Requirements**

- C.13. Continuous Emissions Monitor (CEM).** The permittee shall calibrate, maintain and operate a CEM in the stack to measure and record the NO<sub>x</sub> emissions from this source. The CEM must comply with 40 CFR 60, Appendix B, Performance Specification 2. The CEM shall meet the requirements in 40 CFR 60.4345. [Permit No. 0950203-007, 40 CFR 60 Subpart KKKK]
- C.14. CEM Compliance Demonstration.** The permittee shall calibrate, maintain and operate a continuous emission monitor (CEM) in the stack to measure and record the nitrogen oxide (NO<sub>x</sub>) emissions from this source. The continuous emission monitor must comply with 40 CFR 60, Appendix B, Performance Specification 2. For the purpose of demonstrating ongoing compliance with the applicable NO<sub>x</sub> emission limitations in **A.4., B.3., and C.5.**, using the stack CEM, compliance is considered to occur when the NO<sub>x</sub> emissions are less than or equal to 63.1 lb/hr when only the CT is operating and less than or equal to 69.6 lb/hr when both the CT and DB are operating. The 24-hour rolling average compliance level is calculated based on the proportion of hours in any 24-hour period that the CT only or the CT/DB are operating. Any portion of an hour that the DB operates is recognized as an hour period on the rolling average.

For example, in a given contiguous 24-hour period, with 20 hours of CT operation only and 4 hours of CT/DB operation:

$$\text{Calculated Emission Limitation} = [(63.1 \text{ lb/hr} \times 20 \text{ hrs}) + (69.6 \text{ lb/hr} \times 4 \text{ hrs})] / 24 \text{ hrs}$$
$$24 \text{ hour rolling average-compliance NO}_x \text{ level} = 65.4 \text{ lb/hr}$$

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection C. Emissions Units 001, 002**

Compliance with the permitted NO<sub>x</sub> emission limitation is considered satisfied as long as the NO<sub>x</sub> emissions from the stack CEM are less than or equal to the calculated NO<sub>x</sub> emissions, averaged over the same 24-hour period.

[Permit Nos. AC 48-206720/PSD-FL-184 and 0950203-007-AC]

**Test Methods and Procedures**

**C.15. Test Methods.** Required tests shall be performed in accordance with the following reference methods:

<b>Method</b>	<b>Description of Method and Comments</b>
1	Sample and Velocity Traverses for Stationary Sources
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emission from Stationary Sources (Instrumental Analyzer Procedure)
5	Determination of Particulate Emissions from Stationary Sources
6	Determination of Sulfur Dioxide Emissions From Stationary Sources
6C	Determination of Sulfur Dioxide Emissions from Station Sources (Instrumental Analyzer Procedure)
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
8	Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
17	Determination of Particulate Emissions from Stationary Sources (In-Stack Filtration Method)
18	Measurement of Gaseous Organic Compound Emissions by Gas Chromatography
19	Determination of Sulfur Dioxide Removal Efficiency and Particulate, Sulfur Dioxide and Nitrogen Oxides Emission Rates
20	Determination of Nitrogen Oxides, Sulfur Dioxide, Diluent Emissions from Stationary Gas Turbines
25A	Method for Determining Gaseous Organic Concentrations (Flame Ionization)
ASTM D5287	Standard Practice for Automatic Sampling of Gaseous Fuels
ASTM D1072	Standard Test Method for Total Sulfur in Fuel Gases by Combustion and Barium Chloride Titration

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department.

[Permit Nos. AC48-206720 (PSD-FL-184) and 0950203-007-AC, Rules 62-297.310, F.A.C, 62-204.401, F.A.C., 40 CFR 60 Subpart A, 40 CFR 60 Subpart KKKK]

**SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.**

**Subsection C. Emissions Units 001, 002**

**C.16. Annual Compliance Tests.**

- a. *Pollutants.* During each federal fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>), the emission units shall be tested to demonstrate compliance with the emissions standards for NO<sub>x</sub>, CO and VE. Annual tests may be required for volatile organic carbons (VOC) and particulate matter (PM).
- b. *Units.* Tests shall be conducted for the CT only, DB only, and the CT plus the DB.
- c. *Methods.* Required annual tests shall be conducted concurrently, and shall be conducted using the EPA reference methods in accordance with 40 CFR 60 Subpart KKKK, 40 CFR 60 Subpart A, and this permit. [Rule 62-297.310(7), F.A.C. and Permit Nos. AC48-206720 (PSD-FL-184), 0950203-007-AC]

**C.17. Visible Emissions (VE) Compliance.** The test method for VE shall be EPA Method 9. There shall be two one-hour VE tests while firing gas at maximum load, one hour with the DB on and one hour with the DB off. [Rules 62-213.440(1) & (1)(b)1.b., F.A.C.]

**C.18. Nitrogen Oxides (NO<sub>x</sub>) Compliance.** Compliance with NO<sub>x</sub> emission limits shall be demonstrated by CEMS and in accordance with the requirements of 40 CFR Subpart 60.4400. [40 CFR 60.4400, Permit No. 0950203-007-AC]

**C.19. Carbon Monoxide (CO) Compliance.** The test method for CO shall be EPA Method 10. [Permit No. AC48-206720]

**C.20. Particulate Matter (PM/PM<sub>10</sub>) Compliance.** When required, the test method for PM/PM<sub>10</sub> shall be EPA Method 5. An opacity test at maximum load for the CT may be substituted for the annual PM/PM<sub>10</sub> emissions test. If, however, opacity values exceed 10%, then an EPA Method 5 or Method 17 PM/PM<sub>10</sub> emissions test must be conducted on the CT at maximum load to demonstrate compliance with the PM/PM<sub>10</sub> emissions standard. [Permit No. AC48-206720]

**C.21. Volatile Organic Compounds (VOCs) Compliance.** Specific VOC compliance testing is not required. Compliance with the total VOC emission limits will be assumed, provided the CO allowable emission rate is achieved. When required, the test method for VOCs shall be EPA Method 25A. [Permit No. AC48-206720]

**C.22. Common Testing Requirements.** Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

**Recordkeeping and Reporting Requirements**

See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

**C.23. Reporting Schedule.** The following reports and notifications shall be submitted to the Compliance Authority:

<b>Report</b>	<b>Reporting Deadline</b>	<b>Related Condition(s)</b>
Notice of Excess Emissions and Monitor Downtime	Reporting frequency of document	40 CFR 60.4375
Annual Performance Test Results	Close of business of 60 <sup>th</sup> day following completion of test	40 CFR 60.4375
Reports required by 40 CFR 60.7(c)	Postmarked by 30 <sup>th</sup> day following each 60 month period	40 CFR 60.4395

**C.24. Testing Notifications.** The owner or operator shall notify the Orange County Environmental Protection Department, in writing, at least 15 days prior to the date on which each formal compliance test is to begin, 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.]

### SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

#### Subsection C. Emissions Units 001, 002

**C.25. Notification of Malfunction Excess Emissions.** In case of excess emissions resulting from malfunctions, Orlando CoGen Limited shall notify the Orange County Environmental Protection Department in accordance with 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.]

**C.26. Future Actual CO/NO<sub>x</sub> Emissions Reporting:**

- a. *Reporting Frequency and Content.* For a period of five years following completion of the gas turbine upgrade (including heat input increase) authorized in Permit No. 0950203-007-AC, the permittee shall submit an annual report demonstrating, in accordance with Rule 62-212.300(1)(e), F.A.C., and using the emissions computation and reporting procedures in Rule 62-210.370, F.A.C., that the project did not result in a increase in CO and NO<sub>x</sub> emissions that would equal or exceed the respective significant emission rate as defined in Rule 62-210.200, F.A.C. The baseline emissions for operation prior to the project are 3 tons per year of CO and 233 tons per year of NO<sub>x</sub>.
- b. *Submittal Due Date.* The first report shall be submitted for the first full calendar year after completing the gas turbine upgrade. Reports shall be submitted by March 1<sup>st</sup> of each year and may be submitted along with the required Annual Operating Report.
- c. *Allowable Emission Exclusions.* When calculating any increase in emissions resulting from the project, the permittee shall exclude that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the project, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

[Rules 62-210.200(11)(d), F.A.C., and 62-212.300(1)(e), F.A.C; 40 C.F.R.52.21(b)(33); Permit Nos. 0950203-005-AC, 0950203-007-AC.]

{Permitting Note: These reports are required only after completion of the gas turbine upgrade.}

**SECTION IV. ACID RAIN PART**

**Orlando CoGen**

Operated by: Orlando CoGen Limited, L.P.

ORIS Code: 54466

The emissions units listed below are regulated under Phase II of the Federal Acid Rain Program.

E.U. ID No.	Brief Description
001	Combustion Turbine (CT)
002	Heat Recovery Steam Generator (HRSG) and Duct Burner (DB) System

**A.1.** The Phase II 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 Phase II 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 07/01/08, received 07/07/08.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

**A.2.** Sulfur dioxide (SO<sub>2</sub>) allowance allocations and nitrogen oxide (NO<sub>x</sub>) requirements for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2009	2010	2011	2012	2013
001	1	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR 73	0*	0*	0*	0*	0*
002	1	SO <sub>2</sub> allowances, under Table 2 or 3 of 40 CFR 73	0*	0*	0*	0*	0*

\*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, 3, or 4 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 62-213.400(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, Fast-Track Revisions of Acid Rain Parts. [Rule 62-213.413, F.A.C.]

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

SECTION IV. ACID RAIN PART

# Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30, 72.31, and 74; and Chapter 62-214, F.A.C.

This submission is:  New  Revised  Renewal

**STEP 1**

Identify the source by plant name, state, and ORIS or plant code.

Plant name <b>Orlando Cogen</b>	State <b>Florida</b>	<b>54466</b> ORIS/Plant Code
---------------------------------	----------------------	---------------------------------

**STEP 2**

Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a."

If unit a SO<sub>2</sub> Opt-in unit, enter "yes" in column "b".

For new units or SO<sub>2</sub> Opt-in units, enter the requested information in columns "d" and "e."

a	b	c	d	e
Unit ID#	SO <sub>2</sub> Opt-in Unit? (Yes or No)	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	New or SO <sub>2</sub> Opt-in Units Commence Operation Date	New or SO <sub>2</sub> Opt-in Units Monitor Certification Deadline
1	NO	Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		

DEP Form No. 62-210.900(1)(a) - Form  
Effective: 3/16/08

## SECTION IV. ACID RAIN PART

Plant Name (from STEP 1) **Orlando Cogen**

### STEP 3

Read the  
standard  
requirements.

#### Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain Part application (including a compliance plan) under 40 CFR Part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the DEP determines is necessary in order to review an Acid Rain Part application and issue or deny an Acid Rain Part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain Part application or a superseding Acid Rain Part issued by the DEP; 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.
- (4) For applications including a SO<sub>2</sub> Opt-in unit, a monitoring plan for each SO<sub>2</sub> Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for SO<sub>2</sub> Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

#### Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000, or the deadline for monitor certification under 40 CFR Part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Part application, the Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

#### Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR Part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR Part 77.

#### Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the DEP:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and

**SECTION IV. ACID RAIN PART**

Plant Name (from STEP 1) **Orlando Cogen**

**STEP 3,  
Continued.**

**Recordkeeping and Reporting Requirements (cont)**

- (iv) Copies of all documents used to complete an Acid Rain Part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR Part 72, Subpart I, and 40 CFR Part 75.

**Liability.**

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 76 (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, 74, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

**Effect on Other Authorities.**

No provision of the Acid Rain Program, an Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.

**STEP 4  
For SO<sub>2</sub> Opt-in  
units only.**

In column "f" enter the unit ID# for every SO<sub>2</sub> Opt-in unit identified in column "a" of STEP 2.

For column "g" describe the combustion unit and attach information and diagrams on the combustion unit's configuration.

In column "h" enter the hours.

f	g	h (not required for renewal application)
Unit ID#	Description of the combustion unit	Number of hours unit operated in the six months preceding initial application

DEP Form No. 62-210.900(1)(a) – Form  
Effective: 3/16/08



**SECTION IV. ACID RAIN PART**

Plant Name (from STEP 1) **Orlando Cogen**

**STEP 5**

For SO<sub>2</sub> Opt-in units only. (Not required for SO<sub>2</sub> Opt-In renewal applications.)

In column "i" enter the unit ID# for every SO<sub>2</sub> Opt-in unit identified in column "a" (and in column "f").

For columns "j" through "n," enter the information required under 40 CFR 74.20-74.25 and attach all supporting documentation required by 40 CFR 74.20-74.25.

i	j	k	l	m	n
Unit ID#	Baseline or Alternative Baseline under 40 CFR 74.20 (mmBtu)	Actual SO <sub>2</sub> Emissions Rate under 40 CFR 74.22 (lbs/mmBtu)	Allowable 1985 SO <sub>2</sub> Emissions Rate under 40 CFR 74.23 (lbs/mmBtu)	Current Allowable SO <sub>2</sub> Emissions Rate under 40 CFR 74.24 (lbs/mmBtu)	Current Promulgated SO <sub>2</sub> Emissions Rate under 40 CFR 74.25 (lbs/mmBtu)

**STEP 6**

For SO<sub>2</sub> Opt-in units only.

Attach additional requirements, certify and sign.

- A. If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in 40 CFR 74.47 for combustion sources must be attached.
- B. A statement whether the combustion unit was previously an affected unit under 40 CFR 74.
- C. A statement that the combustion unit is not an affected unit under 40 CFR 72.6 and does not have an exemption under 40 CFR 72.7, 72.8, or 72.14.
- D. Attach a complete compliance plan for SO<sub>2</sub> under 40 CFR 72.40.
- E. The designated representative of the combustion unit shall submit a monitoring plan in accordance with 40 CFR 74.61. For renewal application, submit an updated monitoring plan if applicable under 40 CFR 75.53(b).
- F. The following statement must be signed by the designated representative or alternate designated representative of the combustion source: "I certify that the data submitted under 40 CFR Part 74, Subpart C, reflects actual operations of the combustion source and has not been adjusted in any way."

**STEP 7**

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

Signature	Date
<b>Certification (for designated representative or alternate designated representative only)</b>	
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.	
<b>James T. Murray</b> Name	<b>Plant Manager</b> Title
<b>Orlando Cogen Limited, L.P.</b> Owner Company Name	
<b>(407) 851-1350</b> Phone	<b>jim.murray@northernstargen.com</b> E-mail address
Signature <i>James T. Murray</i>	Date <b>07-01-2008</b>

DEP Form No. 62-210.900(1)(a) - Form Effective: 3/16/08

**SECTION V. APPENDICES.**

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**The Following Appendices Are Enforceable Parts of This Permit:**

Appendix A, Glossary.

Appendix I, List of Insignificant Emissions Units and/or Activities.

Appendix NSPS, Subpart A – General Provisions.

Appendix NSPS, Subpart KKKK, Standards of Performance for Stationary Combustion Turbines

Appendix RR, Facility-wide Reporting Requirements.

Appendix TR, Facility-wide Testing Requirements.

Appendix TV, Title V General Conditions.

Appendix U, List of Unregulated Emissions Units and/or Activities.

APPENDIX A

ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

(Version Dated 9/12/2008)

**Abbreviations and Acronyms:**

**° F:** degrees Fahrenheit

**acfm:** actual cubic feet per minute

**AOR:** Annual Operating Report

**ARMS:** Air Resource Management System  
(Department's database)

**BACT:** best available control technology

**Btu:** British thermal units

**CAM:** compliance assurance monitoring

**CEMS:** continuous emissions monitoring system

**cfm:** cubic feet per minute

**CFR:** Code of Federal Regulations

**CO:** carbon monoxide

**COMS:** continuous opacity monitoring system

**DARM:** Division of Air Resources Management

**DCA:** Department of Community Affairs

**DEP:** Department of Environmental Protection

**Department:** Department of Environmental Protection

**dscfm:** dry standard cubic feet per minute

**EPA:** Environmental Protection Agency

**ESP:** electrostatic precipitator (control system for reducing particulate matter)

**EU:** emissions unit

**F.A.C.:** Florida Administrative Code

**F.D.:** forced draft

**F.S.:** Florida Statutes

**FGR:** flue gas recirculation

**Fl:** fluoride

**ft<sup>2</sup>:** square feet

**ft<sup>3</sup>:** cubic feet

**gpm:** gallons per minute

**gr:** grains

**HAP:** hazardous air pollutant

**Hg:** mercury

**I.D.:** induced draft

**ID:** identification

**ISO:** International Standards Organization (refers to those conditions at 288 Kelvin, 60% relative humidity and 101.3 kilopascals pressure.)

**kPa:** kilopascals

**LAT:** Latitude

**lb:** pound

**lbs/hr:** pounds per hour

**LONG:** Longitude

**MACT:** maximum achievable technology

**mm:** millimeter

**MMBtu:** million British thermal units

**MSDS:** material safety data sheets

**MW:** megawatt

**NESHAP:** National Emissions Standards for Hazardous Air Pollutants

**NO<sub>x</sub>:** nitrogen oxides

**NSPS:** New Source Performance Standards

**O&M:** operation and maintenance

**O<sub>2</sub>:** oxygen

**ORIS:** Office of Regulatory Information Systems

**OS:** Organic Solvent

**Pb:** lead

**PM:** particulate matter

**PM<sub>10</sub>:** particulate matter with a mean aerodynamic diameter of 10 microns or less

**PSD:** prevention of significant deterioration

**psi:** pounds per square inch

**PTE:** potential to emit

**RACT:** reasonably available control technology

**RATA:** relative accuracy test audit

**RMP:** Risk Management Plan

**RO:** Responsible Official

**SAM:** sulfuric acid mist

**scf:** standard cubic feet

**scfm:** standard cubic feet per minute

APPENDIX A

ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

(Version Dated 9/12/2008)

**SIC:** standard industrial classification code  
**SNCR:** selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)  
**SOA:** Specific Operating Agreement  
**SO<sub>2</sub>:** sulfur dioxide  
**TPH:** tons per hour

**TPY:** tons per year  
**UTM:** Universal Transverse Mercator coordinate system  
**VE:** visible emissions  
**VOC:** volatile organic compounds  
**x:** By or times

**Citations:**

*The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers and ID numbers.*

Code of Federal Regulations:

*Example: [40 CFR 60.334]*

Where:	40	refers to	Title 40
	CFR	refers to	Code of Federal Regulations
	60	refers to	Part 60
	60.334	refers to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

*Example: [Rule 62-213.205, F.A.C.]*

Where:	62	refers to	Title 62
	62-213	refers to	Chapter 62-213
	62-213.205	refers to	Rule 62-213.205, F.A.C.

**Identification Numbers:**

Facility Identification (ID) Number:

*Example: Facility ID No.: 1050221*

*Where:*

105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

APPENDIX A - GLOSSARY

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ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

*Example:* 1050221-002-AV, or  
1050221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
105 = 3-digit number code identifying the facility is located in Polk County  
0221= 4-digit number assigned by permit tracking database  
001 or 002= 3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

*Where:*

PSD = Prevention of Significant Deterioration Permit  
PA = Power Plant Siting Act Permit  
AC53 = old Air Construction Permit numbering identifying the facility is located in Polk County

## APPENDIX I

### List of Insignificant Emissions Units and/or Activities

#### **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. Internal combustion engines – mobile sources.
2. Vacuum pumps for labs.
3. Steam cleaning equipment.
4. Lab equipment used for chemical or physical analyses.
5. Brazing, soldering or welding equipment.
6. Fire and safety equipment.
7. Space heating equipment (non-boilers).
8. Parts cleaning and degreasing stations not subject to 40 CFR 63, Subpart T.
9. Degreasing units using heavier-than-air vapors exclusively, not subject to 40 CFR 63, Subpart T.
10. Turbine vapor extractors
11. Sand blasting and abrasive grit blasting.
12. Freshwater cooling tower. The cooling tower does not use chromium-based treatment chemicals.
13. Storage tanks less than 550 gallons.
14. Architectural (equipment) maintenance painting.
15. Petroleum lubrication systems.
16. Refrigeration equipment.
17. Sanders < 5 sq. ft.
18. On-line turbine compressor cleaning

Updated 6/7/06

[Source: Federal Register dated 7/1/98, Federal Register 5/8/98, 2/12/99, 10/17/00, 6/28/02, 6/1/06]

**Subpart A-General Provisions for 40 CFR 60**

**40 CFR 60.1 Applicability.**

(a) Except as provided in 40 CFR 60 subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (CAA) as amended November 15, 1990 (42 U.S.C. 7661).  
[40 CFR 60.1(a), (b) and (c)]

**40 CFR 60.5 Determination of construction or modification.**

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

**§ 60.6 Review of plans.**

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b)(1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

**40 CFR 60.7 Notification and record keeping.**

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

1. A notification of the date construction (or reconstruction as defined under § 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
2. Reserved.
3. A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
4. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in § 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
5. A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.
6. A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
7. A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5) of 40 CFR 60. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

- (1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
- (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
- (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.



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(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in Figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.

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

(e) (1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance re-report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this

section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

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

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

[40 CFR 60.7(a), (b), (c), (d), (e), (f), (g), (h)]

#### **40 CFR 60.8 Performance tests.**

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

[40 CFR 60.8(a)]

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in 40 CFR 60.8 shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

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[40 CFR 60.8(b)(1), (2), (3), (4) & (5)]

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

[40 CFR 60.8(c)].

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

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

(1) Sampling ports adequate for test methods applicable to such facility. This includes

(i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and

(ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

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

(4) Utilities for sampling and testing equipment.

[40 CFR 60.8(e)].

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

[40 CFR 60.8(f)].

**§ 60.9 Availability of information.**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator for the purposes of §§ 60.5 and 60.6 is governed by §§ 2.201 through 2.213 of this chapter and not by § 2.301 of this chapter.)

**40 CFR 60.10 State authority.**

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

(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.

(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.

[40 CFR 60.10(a) and (b)].

**40 CFR 60.11 Compliance with standards and maintenance requirements.**

(a) Compliance with standards in this part, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the

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source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of 40 CFR 60, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

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

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

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

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

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

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

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the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

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

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

[40 CFR 60.11(a), (b), (c), (d), (e) and (f)]

**40 CFR 60.12 Circumvention.**

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

[40 CFR 60.12]

**40 CFR 60.13 Monitoring requirements.**

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

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

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

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

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

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(d) (1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures shall be followed for continuous monitoring systems measuring opacity of emissions. Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by 40 CFR 60.13(c) for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of 40 CFR 60 shall be used.

(g) (1) When more than one continuous monitoring system is used to measure the emissions from only one affected facility (e.g. multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless installation of fewer systems is approved by the Administrator.

(2) When the effluents from two or more affected facilities subject to the same opacity standard are combined before being released to the atmosphere, the owner or operator may either install a continuous opacity monitoring system at a location monitoring the combined effluent or install an opacity combiner system comprised of opacity and flow monitoring systems on each stream, and shall report as per Sec. 60.7(c) on the combined effluent. When the affected facilities are not subject to the same opacity standard applicable, except for documented periods of shutdown of the affected facility, subject to the most stringent opacity standard shall apply

(3) When the effluents from two or more affected facilities subject to the same emissions standard, other than opacity, are combined before released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the continuous monitoring standard, separate continuous

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monitoring systems shall be installed on each effluent and the owner or operator shall report as required for each affected facility.

(h) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in 40 CFR 60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. For owners or operators complying with the requirements in Sec. 60.7(f)(1) or (2), data averages must include any data recorded during periods of monitor breakdown or malfunction. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non reduced form (e.g., ppm pollutant and percent O<sub>2</sub> or ng or pollutant per J of heat input). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

[Rule 62-296.800, F.A.C.; 40 CFR 60.13(h)].

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

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

[Rule 62-296.800, F.A.C.; 40 CFR 60.13(i)].

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

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in section 8.4 of Performance Specification 2 and substitute the procedures in section 16.0 if the results of a performance test conducted according to the requirements in 40 CFR 60.8 of this subpart or other tests performed



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following the criteria in 40 CFR 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure that the CEMS data indicate the source emissions approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., 40 CFR 60.45(g)(2) and 40 CFR 60.45(g)(3), 40 CFR 60.73(e), and 40 CFR 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in section 8.4 of Performance Specification 2.  
[Rule 62-296.800, F.A.C.; 40 CFR 60.13(j)].

**40 CFR 60.14 Modification.**

(a) Except as provided under 40 CFR 60.14(e) and 40 CFR 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.  
[Rule 62-296.800, F.A.C.; 40 CFR 60.14(a)].

(b) Emission rate shall be expressed as kg/hr (lbs./hour) of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors", EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in 40 CFR 60.14(b)(1) does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in 40 CFR 60.14(b)(1). When the emission rate is based on results from manual emission tests or continuous

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monitoring systems, the procedures specified in 40 CFR 60 appendix C of 40 CFR 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(b)].

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(c)].

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of 40 CFR 60.14(c) and 40 CFR 60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by 40 CFR 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(e)].

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(f)].

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in 40 CFR 60.14(a), compliance with all applicable standards must be achieved.

[Rule 62-296.800, F.A.C.; 40 CFR 60.14(g)].

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated

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under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

- (j) (1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.
- (2) This exemption shall not apply to any new unit that:
- (i) Is designated as a replacement for an existing unit;
  - (ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and
  - (iii) Is located at a different site than the existing unit.
- (k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project*, for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.
- (l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

**40 CFR 60.15 Reconstruction.**

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.  
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(a)].
- (b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:
- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and
  - (2) It is technologically and economically feasible to meet the applicable standards set forth in this part.
- [Rule 62-296.800, F.A.C.; 40 CFR 60.15(b)].
- (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.  
[Rule 62-296.800, F.A.C.; 40 CFR 60.15(c)].
- (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:
- (1) Name and address of the owner or operator.
  - (2) The location of the existing facility.
  - (3) A brief description of the existing facility and the components which are to be replaced.
  - (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
  - (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

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(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

[Rule 62-296.800, F.A.C.; 40 CFR 60.15(d)].

(e) The Administrator will determine, within 30 days of the receipt of the notice required by 40 CFR 60.15(d) and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

[Rule 62-296.800, F.A.C.; 40 CFR 60.15(e)].

(f) The Administrator's determination under 40 CFR 60.15(e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

[Rule 62-296.800, F.A.C.; 40 CFR 60.15(f)].

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[Rule 62-296.800, F.A.C.; 40 CFR 60.15(g)].

**§ 60.18 General control device requirements.**

(a) *Introduction.* This section contains requirements for control devices used to comply with applicable subparts of parts 60 and 61. The requirements are placed here for administrative convenience and only apply to facilities covered by subparts referring to this section.

(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c) (1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.

(i) (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity,  $V_{max}$ , as determined by the following equation:

$$V_{max} = (XH_2 - K_1) * K_2$$

Where:

$V_{max}$  = Maximum permitted velocity, m/sec.

$K_1$  = Constant, 6.0 volume-percent hydrogen.

$K_2$  = Constant, 3.9(m/sec)/volume-percent hydrogen.

$XH_2$  = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in § 60.17).

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(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.

(4) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity,  $V_{max}$ , as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{max}$ , as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f) (1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

<http://www.access.gpo.gov/ecfr/graphics/pdfs/ec01jn92.008.pdf>

Eq. 1

where:

HT=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant} \cdot \left( \frac{1}{\text{ppm}} \right) \left( \frac{\text{g mole}}{\text{scm}} \right) \left( \frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for  $\left( \frac{\text{g mole}}{\text{scm}} \right)$  is 20°C;

<http://www.access.gpo.gov/ecfr/graphics/pdfs/ec01jn92.009.pdf>

Eq. 2

$C_i$ =Concentration of sample component  $i$  in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994) (Incorporated by reference as specified in § 60.17); and

$H_i$ =Net heat of combustion of sample component  $i$ , kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in § 60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(5) The maximum permitted velocity,  $V_{max}$ , for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.  $\text{Log}_{10}(V_{max})=(HT+28.8)/31.7$

$V_{max}$ =Maximum permitted velocity, M/sec

28.8=Constant

31.7=Constant

HT=The net heating value as determined in paragraph (f)(3).

(6) The maximum permitted velocity,  $V_{max}$ , for air-assisted flares shall be determined by the following equation.  $V_{max}=8.706+0.7084(HT)$

$V_{max}$ =Maximum permitted velocity, m/sec

8.706=Constant

0.7084=Constant

HT=The net heating value as determined in paragraph (f)(3).

#### § 60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be post-marked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the post-mark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or

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operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

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**FEDERAL REGULATIONS ADOPTED BY REFERENCE**

In accordance with Rule 62-204.800, F.A.C., the following federal regulation in Title 40 of the Code of Federal Regulations (CFR) was adopted by reference. The original federal rule numbering has been retained.

Federal Revision Date: July 6, 2006

State Rule Effective Date: January 8, 2007

**40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines**

Source: 71 FR 38497, July 6, 2006, unless otherwise noted.

**INTRODUCTION****§ 60.4300 What is the purpose of this subpart?**

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

**APPLICABILITY****§ 60.4305 Does this subpart apply to my stationary combustion turbine?**

- (a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.
- (b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.

**§ 60.4310 What types of operations are exempt from these standards of performance?**

- (a) Emergency combustion turbines, as defined in §60.4420(i), are exempt from the nitrogen oxides (NO<sub>x</sub>) emission limits in §60.4320.
- (b) Stationary combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements are exempt from the NO<sub>x</sub> emission limits in §60.4320 on a case-by-case basis as determined by the Administrator.
- (c) Stationary combustion turbines at integrated gasification combined cycle electric utility steam generating units that are subject to subpart Da of this part are exempt from this subpart.
- (d) Combustion turbine test cells/stands are exempt from this subpart.

**EMISSION LIMITS****§ 60.4315 What pollutants are regulated by this subpart?**

The pollutants regulated by this subpart are nitrogen oxide (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>).

**§ 60.4320 What emission limits must I meet for nitrogen oxides (NO<sub>x</sub>)?**

- (a) You must meet the emission limits for NO<sub>x</sub> specified in Table 1 to this subpart.



- (b) If you have two or more turbines that are connected to a single generator, each turbine must meet the emission limits for NO<sub>x</sub>.

**§ 60.4325 What emission limits must I meet for NO<sub>x</sub> if my turbine burns both natural gas and distillate oil (or some other combination of fuels)?**

You must meet the emission limits specified in Table 1 to this subpart. If your total heat input is greater than or equal to 50 percent natural gas, you must meet the corresponding limit for a natural gas-fired turbine when you are burning that fuel. Similarly, when your total heat input is greater than 50 percent distillate oil and fuels other than natural gas, you must meet the corresponding limit for distillate oil and fuels other than natural gas for the duration of the time that you burn that particular fuel.

**§ 60.4330 What emission limits must I meet for sulfur dioxide (SO<sub>2</sub>)?**

- (a) If your turbine is located in a continental area, you must comply with either paragraph (a)(1) or (a)(2) of this section. If your turbine is located in Alaska, you do not have to comply with the requirements in paragraph (a) of this section until January 1, 2008.
- (1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO<sub>2</sub> in excess of 110 nanograms per Joule (ng/J) (0.90 pounds per megawatt-hour (lb/MWh)) gross output, or
  - (2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.
- (b) If your turbine is located in a noncontinental area or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit, you must comply with one or the other of the following conditions:
- (1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO<sub>2</sub> in excess of 780 ng/J (6.2 lb/MWh) gross output, or
  - (2) You must not burn in the subject stationary combustion turbine any fuel which contains total sulfur with potential sulfur emissions in excess of 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

**GENERAL COMPLIANCE REQUIREMENTS**

**§ 60.4333 What are my general requirements for complying with this subpart?**

- (a) You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
- (b) When an affected unit with heat recovery utilizes a common steam header with one or more combustion turbines, the owner or operator shall either:
- (1) Determine compliance with the applicable NO<sub>x</sub> emissions limits by measuring the emissions combined with the emissions from the other unit(s) utilizing the common heat recovery unit; or
  - (2) Develop, demonstrate, and provide information satisfactory to the Administrator on methods for apportioning the combined gross energy output from the heat recovery unit for each of the affected combustion turbines. The Administrator may approve such demonstrated substitute methods for apportioning the combined gross energy output measured at the steam turbine whenever the demonstration ensures accurate estimation of emissions related under this part.

**MONITORING****§ 60.4335 How do I demonstrate compliance for NO<sub>x</sub> if I use water or steam injection?**

- (a) If you are using water or steam injection to control NO<sub>x</sub> emissions, you must install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine when burning a fuel that requires water or steam injection for compliance.
- (b) Alternatively, you may use continuous emission monitoring, as follows:
- (1) Install, certify, maintain, and operate a continuous emission monitoring system (CEMS) consisting of a NO<sub>x</sub> monitor and a diluent gas (oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>)) monitor, to determine the hourly NO<sub>x</sub> emission rate in parts per million (ppm) or pounds per million British thermal units (lb/MMBtu); and
  - (2) For units complying with the output-based standard, install, calibrate, maintain, and operate a fuel flow meter (or flow meters) to continuously measure the heat input to the affected unit; and
  - (3) For units complying with the output-based standard, install, calibrate, maintain, and operate a watt meter (or meters) to continuously measure the gross electrical output of the unit in megawatt-hours; and
  - (4) For combined heat and power units complying with the output-based standard, install, calibrate, maintain, and operate meters for useful recovered energy flow rate, temperature, and pressure, to continuously measure the total thermal energy output in British thermal units per hour (Btu/h).

**§ 60.4340 How do I demonstrate continuous compliance for NO<sub>x</sub> if I do not use water or steam injection?**

- (a) If you are not using water or steam injection to control NO<sub>x</sub> emissions, you must perform annual performance tests in accordance with §60.4400 to demonstrate continuous compliance. If the NO<sub>x</sub> emission result from the performance test is less than or equal to 75 percent of the NO<sub>x</sub> emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NO<sub>x</sub> emission limit for the turbine, you must resume annual performance tests.
- (b) As an alternative, you may install, calibrate, maintain and operate one of the following continuous monitoring systems:
- (1) Continuous emission monitoring as described in §§60.4335(b) and 60.4345, or
  - (2) Continuous parameter monitoring as follows:
    - (i) For a diffusion flame turbine without add-on selective catalytic reduction (SCR) controls, you must define parameters indicative of the unit's NO<sub>x</sub> formation characteristics, and you must monitor these parameters continuously.
    - (ii) For any lean premix stationary combustion turbine, you must continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO<sub>x</sub> mode.
    - (iii) For any turbine that uses SCR to reduce NO<sub>x</sub> emissions, you must continuously monitor appropriate parameters to verify the proper operation of the emission controls.
    - (iv) For affected units that are also regulated under part 75 of this chapter, with state approval you can monitor the NO<sub>x</sub> emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in §75.19, the requirements of this paragraph (b) may be met by performing the parametric monitoring described in section 2.3 of part 75 appendix E or in §75.19(c)(1)(iv)(H).

**§ 60.4345 What are the requirements for the continuous emission monitoring system equipment, if I choose to use this option?**

If the option to use a NO<sub>x</sub>CEMS is chosen:

- (a) Each NO<sub>x</sub> diluent CEMS must be installed and certified according to Performance Specification 2 (PS 2) in appendix B to this part, except the 7-day calibration drift is based on unit operating days, not calendar days. With state approval, Procedure 1 in appendix F to this part is not required. Alternatively, a NO<sub>x</sub> diluent CEMS that is installed and certified according to appendix A of part 75 of this chapter is acceptable for use under this subpart. The relative accuracy test audit (RATA) of the CEMS shall be performed on a lb/MMBtu basis.
- (b) As specified in §60.13(e)(2), during each full unit operating hour, both the NO<sub>x</sub> monitor and the diluent monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained with each monitor for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required for each monitor to validate the NO<sub>x</sub> emission rate for the hour.
- (c) Each fuel flow meter shall be installed, calibrated, maintained, and operated according to the manufacturer's instructions. Alternatively, with state approval, fuel flow meters that meet the installation, certification, and quality assurance requirements of appendix D to part 75 of this chapter are acceptable for use under this subpart.
- (d) Each watt meter, steam flow meter, and each pressure or temperature measurement device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions.
- (e) The owner or operator shall develop and keep on-site a quality assurance (QA) plan for all of the continuous monitoring equipment described in paragraphs (a), (c), and (d) of this section. For the CEMS and fuel flow meters, the owner or operator may, with state approval, satisfy the requirements of this paragraph by implementing the QA program and plan described in section 1 of appendix B to part 75 of this chapter.

**§ 60.4350 How do I use data from the continuous emission monitoring equipment to identify excess emissions?**

For purposes of identifying excess emissions:

- (a) All CEMS data must be reduced to hourly averages as specified in §60.13(h).
- (b) For each unit operating hour in which a valid hourly average, as described in §60.4345(b), is obtained for both NO<sub>x</sub> and diluent monitors, the data acquisition and handling system must calculate and record the hourly NO<sub>x</sub> emission rate in units of ppm or lb/MMBtu, using the appropriate equation from method 19 in appendix A of this part. For any hour in which the hourly average O<sub>2</sub> concentration exceeds 19.0 percent O<sub>2</sub> (or the hourly average CO<sub>2</sub> concentration is less than 1.0 percent CO<sub>2</sub>), a diluent cap value of 19.0 percent O<sub>2</sub> or 1.0 percent CO<sub>2</sub> (as applicable) may be used in the emission calculations.
- (c) Correction of measured NO<sub>x</sub> concentrations to 15 percent O<sub>2</sub> is not allowed.

*Permitting Note:* Based on correspondence with EPA's Office of Air Quality and Planning Standards, this requirement should have been removed when NSPS Subpart KKKK was revised to add concentration-based standards (ppmvd corrected to 15% oxygen) in addition to the output-based standards (lb/MWh). The regulation is currently under reconsideration for several issues. In the mean time, EPA states that the intent is to allow sources complying with the optional concentration-based standards to correct to 15% oxygen.

- (d) If you have installed and certified a NO<sub>x</sub> diluent CEMS to meet the requirements of part 75 of this chapter, states can approve that only quality assured data from the CEMS shall be used to identify excess emissions

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under this subpart. Periods where the missing data substitution procedures in subpart D of part 75 are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under §60.7(c).

- (e) All required fuel flow rate, steam flow rate, temperature, pressure, and megawatt data must be reduced to hourly averages.
- (f) Calculate the hourly average NO<sub>x</sub> emission rates, in units of the emission standards under §60.4320, using either ppm for units complying with the concentration limit or the following equation for units complying with the output based standard:
  - (1) For simple-cycle operation:

$$E = \frac{(\text{NO}_x)_h * (\text{HI})_h}{P} \quad (\text{Eq. 1})$$

Where:

E = hourly NO<sub>x</sub> emission rate, in lb/MWh,

(NO<sub>x</sub>)<sub>h</sub> = hourly NO<sub>x</sub> emission rate, in lb/MMBtu,

(HI)<sub>h</sub> = hourly heat input rate to the unit, in MMBtu/h, measured using the fuel flow meter(s), e.g. , calculated using Equation D-15a in appendix D to part 75 of this chapter, and

P = gross energy output of the combustion turbine in MW.

- (2) For combined-cycle and combined heat and power complying with the output-based standard, use Equation 1 of this subpart, except that the gross energy output is calculated as the sum of the total electrical and mechanical energy generated by the combustion turbine, the additional electrical or mechanical energy (if any) generated by the steam turbine following the heat recovery steam generator, and 100 percent of the total useful thermal energy output that is not used to generate additional electricity or mechanical output, expressed in equivalent MW, as in the following equations:

$$P = (\text{Pe})_t + (\text{Pe})_c + \text{Ps} + \text{Po} \quad (\text{Eq. 2})$$

Where:

P = gross energy output of the stationary combustion turbine system in MW.

(Pe)<sub>t</sub> = electrical or mechanical energy output of the combustion turbine in MW,

(Pe)<sub>c</sub> = electrical or mechanical energy output (if any) of the steam turbine in MW, and

$$\text{Ps} = \frac{Q * H}{3.413 \times 10^6 \text{ Btu/MWh}} \quad (\text{Eq. 3})$$

Where:

Ps = useful thermal energy of the steam, measured relative to ISO conditions, not used to generate additional electric or mechanical output, in MW,

Q = measured steam flow rate in lb/h,

H = enthalpy of the steam at measured temperature and pressure relative to ISO conditions, in Btu/lb, and  
 3.413 x 10<sup>6</sup> = conversion from Btu/h to MW.

Po = other useful heat recovery, measured relative to ISO conditions, not used for steam generation or performance enhancement of the combustion turbine.

(3) For mechanical drive applications complying with the output-based standard, use the following equation:

$$E = \frac{(\text{NO}_x)_m}{\text{BL} * \text{AL}} \quad (\text{Eq. 4})$$

Where:

E = NO<sub>x</sub> emission rate in lb/MWh,

(NO<sub>x</sub>)<sub>m</sub> = NO<sub>x</sub> emission rate in lb/h,

BL = manufacturer's base load rating of turbine, in MW, and

AL = actual load as a percentage of the base load.

- (g) For simple cycle units without heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 4-hour rolling average basis, as described in §60.4380(b)(1).
- (h) For combined cycle and combined heat and power units with heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 30 unit operating day rolling average basis, as described in §60.4380(b)(1).

**§ 60.4355 How do I establish and document a proper parameter monitoring plan?**

- (a) The steam or water to fuel ratio or other parameters that are continuously monitored as described in §§60.4335 and 60.4340 must be monitored during the performance test required under §60.8, to establish acceptable values and ranges. You may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. You must develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO<sub>x</sub> emission controls. The plan must:
- (1) Include the indicators to be monitored and show there is a significant relationship to emissions and proper operation of the NO<sub>x</sub> emission controls,
  - (2) Pick ranges (or designated conditions) of the indicators, or describe the process by which such range (or designated condition) will be established,
  - (3) Explain the process you will use to make certain that you obtain data that are representative of the emissions or parameters being monitored (such as detector location, installation specification if applicable),
  - (4) Describe quality assurance and control practices that are adequate to ensure the continuing validity of the data,
  - (5) Describe the frequency of monitoring and the data collection procedures which you will use (e.g., you are using a computerized data acquisition over a number of discrete data points with the average (or maximum value) being used for purposes of determining whether an exceedance has occurred), and
  - (6) Submit justification for the proposed elements of the monitoring. If a proposed performance specification differs from manufacturer recommendation, you must explain the reasons for the differences. You must submit the data supporting the justification, but you may refer to generally available sources of information used to support the justification. You may rely on engineering assessments and other data, provided you demonstrate factors which assure compliance or explain why performance testing is unnecessary to establish indicator ranges. When establishing indicator ranges, you may choose to simplify the process by treating the parameters as if they were correlated. Using this assumption, testing can be divided into two cases:

- (i) All indicators are significant only on one end of range (e.g., for a thermal incinerator controlling volatile organic compounds (VOC) it is only important to insure a minimum temperature, not a maximum). In this case, you may conduct your study so that each parameter is at the significant limit of its range while you conduct your emissions testing. If the emissions tests show that the source is in compliance at the significant limit of each parameter, then as long as each parameter is within its limit, you are presumed to be in compliance.
- (ii) Some or all indicators are significant on both ends of the range. In this case, you may conduct your study so that each parameter that is significant at both ends of its range assumes its extreme values in all possible combinations of the extreme values (either single or double) of all of the other parameters. For example, if there were only two parameters, A and B, and A had a range of values while B had only a minimum value, the combinations would be A high with B minimum and A low with B minimum. If both A and B had a range, the combinations would be A high and B high, A low and B low, A high and B low, A low and B high. For the case of four parameters all having a range, there are 16 possible combinations.
- (b) For affected units that are also subject to part 75 of this chapter and that have state approval to use the low mass emissions methodology in §75.19 or the NO<sub>x</sub> emission measurement methodology in appendix E to part 75, you may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a QA plan, as described in §75.19(e)(5) or in section 2.3 of appendix E to part 75 of this chapter and section 1.3.6 of appendix B to part 75 of this chapter.

**§ 60.4360 How do I determine the total sulfur content of the turbine's combustion fuel?**

You must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

**§ 60.4365 How can I be exempted from monitoring the total sulfur content of the fuel?**

You may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for units located in continental areas and 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for units located in noncontinental areas or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit. You must use one of the following sources of information to make the required demonstration:

- (a) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use in continental areas is 0.05 weight percent (500 ppmw) or less and 0.4 weight percent (4,000 ppmw) or less for noncontinental areas, the total sulfur content for natural gas use in continental areas is 20 grains of sulfur or less per 100 standard cubic feet and 140 grains of sulfur or less per 100 standard cubic feet for noncontinental areas, has potential sulfur emissions of less than less than 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for continental areas and has potential sulfur emissions of less than less than 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for noncontinental areas; or
- (b) Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO<sub>2</sub>/J (0.060 lb SO<sub>2</sub>/MMBtu) heat input for continental areas or 180 ng SO<sub>2</sub>/J (0.42 lb SO<sub>2</sub>/MMBtu) heat input for noncontinental areas. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

**§ 60.4370 How often must I determine the sulfur content of the fuel?**

The frequency of determining the sulfur content of the fuel must be as follows:

- (a) Fuel oil. For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter ( i.e. , flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).
- (b) Gaseous fuel. If you elect not to demonstrate sulfur content using options in §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.
- (c) Custom schedules. Notwithstanding the requirements of paragraph (b) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (c)(1) and (c)(2) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.4330.
  - (1) The two custom sulfur monitoring schedules set forth in paragraphs (c)(1)(i) through (iv) and in paragraph (c)(2) of this section are acceptable, without prior Administrative approval:
    - (i) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (c)(1)(ii), (iii), or (iv) of this section, as applicable.
    - (ii) If none of the 30 daily measurements of the fuel's total sulfur content exceeds half the applicable standard, subsequent sulfur content monitoring may be performed at 12-month intervals. If any of the samples taken at 12-month intervals has a total sulfur content greater than half but less than the applicable limit, follow the procedures in paragraph (c)(1)(iii) of this section. If any measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section.
    - (iii) If at least one of the 30 daily measurements of the fuel's total sulfur content is greater than half but less than the applicable limit, but none exceeds the applicable limit, then:
      - (A) Collect and analyze a sample every 30 days for 3 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(B) of this section.
      - (B) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(C) of this section.
      - (C) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, continue to monitor at this frequency.
    - (iv) If a sulfur content measurement exceeds the applicable limit, immediately begin daily monitoring according to paragraph (c)(1)(i) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than the applicable limit, are obtained. At that point, the applicable procedures of paragraph (c)(1)(ii) or (iii) of this section shall be followed.
  - (2) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

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- (i) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf, no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.
- (ii) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds half the applicable limit, then the minimum required sampling frequency shall be one sample at 12 month intervals.
- (iii) If any sample result exceeds half the applicable limit, but none exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iii) of this section.
- (iv) If the sulfur content of any of the 720 hourly samples exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iv) of this section.

**REPORTING****§ 60.4375 What reports must I submit?**

- (a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.
- (b) For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

**§ 60.4380 How are excess emissions and monitor downtime defined for NO<sub>x</sub>?**

For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that must be reported are defined as follows:

- (a) For turbines using water or steam to fuel ratio monitoring:
  - (1) An excess emission is any unit operating hour for which the 4-hour rolling average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.4320, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine when a fuel is being burned that requires water or steam injection for NO<sub>x</sub> control will also be considered an excess emission.
  - (2) A period of monitor downtime is any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.
  - (3) Each report must include the average steam or water to fuel ratio, average fuel consumption, and the combustion turbine load during each excess emission.
- (b) For turbines using continuous emission monitoring, as described in §§60.4335(b) and 60.4345:
  - (1) An excess emissions is any unit operating period in which the 4-hour or 30-day rolling average NO<sub>x</sub> emission rate exceeds the applicable emission limit in §60.4320. For the purposes of this subpart, a "4-hour rolling average NO<sub>x</sub> emission rate" is the arithmetic average of the average NO<sub>x</sub> emission rate in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given hour and the three unit operating hour average NO<sub>x</sub> emission rates immediately preceding that unit operating hour. Calculate the rolling average if a valid NO<sub>x</sub> emission rate is obtained for at least 3 of the 4 hours. For the purposes of



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this subpart, a "30-day rolling average NO<sub>x</sub> emission rate" is the arithmetic average of all hourly NO<sub>x</sub> emission data in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given day and the twenty-nine unit operating days immediately preceding that unit operating day. A new 30-day average is calculated each unit operating day as the average of all hourly NO<sub>x</sub> emissions rates for the preceding 30 unit operating days if a valid NO<sub>x</sub> emission rate is obtained for at least 75 percent of all operating hours.

- (2) A period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NO<sub>x</sub> concentration, CO<sub>2</sub> or O<sub>2</sub> concentration, fuel flow rate, steam flow rate, steam temperature, steam pressure, or megawatts. The steam flow rate, steam temperature, and steam pressure are only required if you will use this information for compliance purposes.
  - (3) For operating periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard.
- (c) For turbines required to monitor combustion parameters or parameters that document proper operation of the NO<sub>x</sub> emission controls:
- (1) An excess emission is a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.
  - (2) A period of monitor downtime is a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

**§ 60.4385 How are excess emissions and monitoring downtime defined for SO<sub>2</sub>?**

If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

- (a) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.
- (b) If the option to sample each delivery of fuel oil has been selected, you must immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. You must continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and you must evaluate excess emissions according to paragraph (a) of this section. When all of the fuel from the delivery has been burned, you may resume using the as-delivered sampling option.
- (c) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

**§ 60.4390 What are my reporting requirements if I operate an emergency combustion turbine or a research and development turbine?**

- (a) If you operate an emergency combustion turbine, you are exempt from the NO<sub>x</sub> limit and must submit an initial report to the Administrator stating your case.

- (b) Combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements may be exempted from the NO<sub>x</sub> limit on a case-by-case basis as determined by the Administrator. You must petition for the exemption.

**§ 60.4395 When must I submit my reports?**

All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.

**PERFORMANCE TESTS**

**§ 60.4400 How do I conduct the initial and subsequent performance tests, regarding NO<sub>x</sub>?**

- (a) You must conduct an initial performance test, as required in §60.8. Subsequent NO<sub>x</sub> performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

- (1) There are two general methodologies that you may use to conduct the performance tests. For each test run:
- (i) Measure the NO<sub>x</sub> concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of this part. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then, use the following equation to calculate the NO<sub>x</sub> emission rate:

$$E = \frac{1.194 \times 10^{-7} * (NO_x)_c * Q_{std}}{P} \quad (\text{Eq. 5})$$

Where:

E = NO<sub>x</sub> emission rate, in lb/MWh

$1.194 \times 10^{-7}$  = conversion constant, in lb/dscf-ppm

(NO<sub>x</sub>)<sub>c</sub> = average NO<sub>x</sub> concentration for the run, in ppm

Q<sub>std</sub> = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

- (ii) Measure the NO<sub>x</sub> and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of this part. Concurrently measure the heat input to the unit, using a fuel flow meter (or flow meters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the NO<sub>x</sub> emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the NO<sub>x</sub> emission rate in lb/MWh.

- (2) Sampling traverse points for NO<sub>x</sub> and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.
- (3) Notwithstanding paragraph (a)(2) of this section, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of this part if the following conditions are met:
- (i) You may perform a stratification test for NO<sub>x</sub> and diluent pursuant to

- (A) [Reserved], or
- (B) The procedures specified in section 6.5.6.1(a) through (e) of appendix A of part 75 of this chapter.
- (ii) Once the stratification sampling is completed, you may use the following alternative sample point selection criteria for the performance test:
- (A) If each of the individual traverse point NO<sub>x</sub> concentrations is within  $\pm 10$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 5$  ppm or  $\pm 0.5$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points, then you may use three points (located either 16.7, 50.0 and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three points must be located along the measurement line that exhibited the highest average NO<sub>x</sub> concentration during the stratification test; or
- (B) For turbines with a NO<sub>x</sub> standard greater than 15 ppm @ 15% O<sub>2</sub>, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO<sub>x</sub> concentrations is within  $\pm 5$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 3$  ppm or  $\pm 0.3$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points; or
- (C) For turbines with a NO<sub>x</sub> standard less than or equal to 15 ppm @ 15% O<sub>2</sub>, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO<sub>x</sub> concentrations is within  $\pm 2.5$  percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than  $\pm 1$  ppm or  $\pm 0.15$  percent CO<sub>2</sub> (or O<sub>2</sub>) from the mean for all traverse points.
- (b) The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.
- (1) If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.
- (2) For a combined cycle and CHP turbine systems with supplemental heat (duct burner), you must measure the total NO<sub>x</sub> emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.
- (3) If water or steam injection is used to control NO<sub>x</sub> with no additional post-combustion NO<sub>x</sub> control and you choose to monitor the steam or water to fuel ratio in accordance with §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or EPA Method 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.4320 NO<sub>x</sub> emissions limit.
- (4) Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NO<sub>x</sub> emissions rate at each tested level meets the applicable emission limit in §60.4320.
- (5) If you elect to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.
- (6) The ambient temperature must be greater than 0 °F during the performance test.

**§ 60.4405 How do I perform the initial performance test if I have chosen to install a NO<sub>x</sub>-diluent CEMS?**

If you elect to install and certify a NO<sub>x</sub>-diluent CEMS under §60.4345, then the initial performance test required under §60.8 may be performed in the following alternative manner:

- (a) Perform a minimum of nine RATA reference method runs, with a minimum time per run of 21 minutes, at a single load level, within plus or minus 25 percent of 100 percent of peak load. The ambient temperature must be greater than 0 °F during the RATA runs.
- (b) For each RATA run, concurrently measure the heat input to the unit using a fuel flow meter (or flow meters) and measure the electrical and thermal output from the unit.
- (c) Use the test data both to demonstrate compliance with the applicable NO<sub>x</sub> emission limit under §60.4320 and to provide the required reference method data for the RATA of the CEMS described under §60.4335.
- (d) Compliance with the applicable emission limit in §60.4320 is achieved if the arithmetic average of all of the NO<sub>x</sub> emission rates for the RATA runs, expressed in units of ppm or lb/MWh, does not exceed the emission limit.

**§ 60.4410 How do I establish a valid parameter range if I have chosen to continuously monitor parameters?**

If you have chosen to monitor combustion parameters or parameters indicative of proper operation of NO<sub>x</sub> emission controls in accordance with §60.4340, the appropriate parameters must be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.4355.

**§ 60.4415 How do I conduct the initial and subsequent performance tests for sulfur?**

- (a) You must conduct an initial performance test, as required in §60.8. Subsequent SO<sub>2</sub> performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test). There are three methodologies that you may use to conduct the performance tests.
  - (1) If you choose to periodically determine the sulfur content of the fuel combusted in the turbine, a representative fuel sample would be collected following ASTM D5287 (incorporated by reference, see §60.17) for natural gas or ASTM D4177 (incorporated by reference, see §60.17) for oil. Alternatively, for oil, you may follow the procedures for manual pipeline sampling in section 14 of ASTM D4057 (incorporated by reference, see §60.17). The fuel analyses of this section may be performed either by you, a service contractor retained by you, the fuel vendor, or any other qualified agency. Analyze the samples for the total sulfur content of the fuel using:
    - (i) For liquid fuels, ASTM D129, or alternatively D1266, D1552, D2622, D4294, or D5453 (all of which are incorporated by reference, see §60.17); or
    - (ii) For gaseous fuels, ASTM D1072, or alternatively D3246, D4084, D4468, D4810, D6228, D6667, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17).
  - (2) Measure the SO<sub>2</sub> concentration (in parts per million (ppm)), using EPA Methods 6, 6C, 8, or 20 in appendix A of this part. In addition, the American Society of Mechanical Engineers (ASME) standard, ASME PTC 19-10-1981-Part 10, "Flue and Exhaust Gas Analyses," manual methods for sulfur dioxide (incorporated by reference, see §60.17) can be used instead of EPA Methods 6 or 20. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then use the following equation to calculate the SO<sub>2</sub> emission rate:

$$E = \frac{1.664 \times 10^{-7} * (SO_2)_e * Q_{sd}}{P} \quad (\text{Eq. 6})$$

Where:

$E$  =  $\text{SO}_2$  emission rate, in lb/MWh

$1.664 \times 10^{-7}$  = conversion constant, in lb/dscf-ppm

$(\text{SO}_2)_c$  = average  $\text{SO}_2$  concentration for the run, in ppm

$Q_{\text{std}}$  = stack gas volumetric flow rate, in dscf/hr

$P$  = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

- (3) Measure the  $\text{SO}_2$  and diluent gas concentrations, using either EPA Methods 6, 6C, or 8 and 3A, or 20 in appendix A of this part. In addition, you may use the manual methods for sulfur dioxide ASME PTC 19-10-1981-Part 10 (incorporated by reference, see §60.17). Concurrently measure the heat input to the unit, using a fuel flow meter (or flow meters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the  $\text{SO}_2$  emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the  $\text{SO}_2$  emission rate in lb/MWh.

(b) [Reserved]

## DEFINITIONS

### § 60.4420 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein will have the meaning given them in the Clean Air Act and in subpart A (General Provisions) of this part.

*Combined cycle combustion turbine* means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to generate steam that is only used to create additional power output in a steam turbine.

*Combined heat and power combustion turbine* means any stationary combustion turbine which recovers heat from the exhaust gases to heat water or another medium, generate steam for useful purposes other than additional electric generation, or directly uses the heat in the exhaust gases for a useful purpose.

*Combustion turbine model* means a group of combustion turbines having the same nominal air flow, combustor inlet pressure, combustor inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.

*Combustion turbine test cell/stand* means any apparatus used for testing uninstalled stationary or uninstalled mobile (motive) combustion turbines.

*Diffusion flame stationary combustion turbine* means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition.

*Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary combustion turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

*Efficiency* means the combustion turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output—based on the higher heating value of the fuel.

*Emergency combustion turbine* means any stationary combustion turbine which operates in an emergency situation. Examples include stationary combustion turbines used to produce power for critical networks or equipment, including power supplied to portions of a facility, when electric power from the local utility is interrupted, or stationary combustion turbines used to pump water in the case of fire or flood, etc. Emergency stationary

combustion turbines do not include stationary combustion turbines used as peaking units at electric utilities or stationary combustion turbines at industrial facilities that typically operate at low capacity factors. Emergency combustion turbines may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are required by the manufacturer, the vendor, or the insurance company associated with the turbine. Required testing of such units should be minimized, but there is no time limit on the use of emergency combustion turbines.

*Excess emissions* means a specified averaging period over which either (1) the NO<sub>x</sub> emissions are higher than the applicable emission limit in §60.4320; (2) the total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.4330; or (3) the recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.

*Gross useful output* means the gross useful work performed by the stationary combustion turbine system. For units using the mechanical energy directly or generating only electricity, the gross useful work performed is the gross electrical or mechanical output from the turbine/generator set. For combined heat and power units, the gross useful work performed is the gross electrical or mechanical output plus the useful thermal output (i.e., thermal energy delivered to a process).

*Heat recovery steam generating unit* means a unit where the hot exhaust gases from the combustion turbine are routed in order to extract heat from the gases and generate steam, for use in a steam turbine or other device that utilizes steam. Heat recovery steam generating units can be used with or without duct burners.

*Integrated gasification combined cycle electric utility steam generating unit* means a coal-fired electric utility steam generating unit that burns a synthetic gas derived from coal in a combined-cycle gas turbine. No solid coal is directly burned in the unit during operation.

*ISO conditions* means 288 Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

*Lean premix stationary combustion turbine* means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture before delivery to the combustor. Mixing may occur before or in the combustion chamber. A lean premixed turbine may operate in diffusion flame mode during operating conditions such as startup and shutdown, extreme ambient temperature, or low or transient load.

*Natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

*Noncontinental area* means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, the Northern Mariana Islands, or offshore platforms.

*Peak load* means 100 percent of the manufacturer's design capacity of the combustion turbine at ISO conditions.

*Regenerative cycle combustion turbine* means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine.

*Simple cycle combustion turbine* means any stationary combustion turbine which does not recover heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine, or which does not recover heat from the combustion turbine exhaust gases for purposes other than enhancing the performance of the combustion turbine itself.

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*Stationary combustion turbine* means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), heat recovery system, and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, any combined cycle combustion turbine, and any combined heat and power combustion turbine based system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function. It may, however, be mounted on a vehicle for portability.

*Unit operating day* means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

*Unit operating hour* means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

*Useful thermal output* means the thermal energy made available for use in any industrial or commercial process, or used in any heating or cooling application, i.e., total thermal energy made available for processes and applications other than electrical or mechanical generation. Thermal output for this subpart means the energy in recovered thermal output measured against the energy in the thermal output at 15 degrees Celsius and 101.325 kilopascals of pressure.

**Table 1—to Subpart KKKK of Part 60—Nitrogen Oxide Emission Limits for New Stationary Combustion Turbines**

Combustion turbine type	Combustion turbine heat input at peak load (HHV)	NO <sub>x</sub> emission standard
New turbine firing natural gas, electric generating	≤ 50 MMBtu/h	42 ppm at 15 percent O <sub>2</sub> or 290 ng/J of useful output (2.3 lb/MWh).
New turbine firing natural gas, mechanical drive	≤ 50 MMBtu/h	100 ppm at 15 percent O <sub>2</sub> or 690 ng/J of useful output (5.5 lb/MWh).
New turbine firing natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	25 ppm at 15 percent O <sub>2</sub> or 150 ng/J of useful output (1.2 lb/MWh).
New, modified, or reconstructed turbine firing natural gas	> 850 MMBtu/h	15 ppm at 15 percent O <sub>2</sub> or 54 ng/J of useful output (0.43 lb/MWh)
New turbine firing fuels other than natural gas, electric generating	≤ 50 MMBtu/h	96 ppm at 15 percent O <sub>2</sub> or 700 ng/J of useful output (5.5 lb/MWh).
New turbine firing fuels other than natural gas, mechanical drive	≤ 50 MMBtu/h	150 ppm at 15 percent O <sub>2</sub> or 1,100 ng/J of

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		useful output (8.7 lb/MWh).
New turbine firing fuels other than natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	74 ppm at 15 percent O <sub>2</sub> or 460 ng/J of useful output (3.6 lb/MWh).
New, modified, or reconstructed turbine firing fuels other than natural gas	> 850 MMBtu/h	42 ppm at 15 percent O <sub>2</sub> or 160 ng/J of useful output (1.3 lb/MWh).
Modified or reconstructed turbine	≤ 50 MMBtu/h	150 ppm at 15 percent O <sub>2</sub> or 1,100 ng/J of useful output (8.7 lb/MWh).
Modified or reconstructed turbine firing natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	42 ppm at 15 percent O <sub>2</sub> or 250 ng/J of useful output (2.0 lb/MWh).
Modified or reconstructed turbine firing fuels other than natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	96 ppm at 15 percent O <sub>2</sub> or 590 ng/J of useful output (4.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than 75 percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0 °F	≤ 30 MW output	150 ppm at 15 percent O <sub>2</sub> or 1,100 ng/J of useful output (8.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than 75 percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0 °F	> 30 MW output	96 ppm at 15 percent O <sub>2</sub> or 590 ng/J of useful output (4.7 lb/MWh).
Heat recovery units operating independent of the combustion turbine	All sizes	54 ppm at 15 percent O <sub>2</sub> or 110 ng/J of useful output (0.86 lb/MWh).



**APPENDIX RR**

**FACILITY-WIDE REPORTING REQUIREMENTS**

(Version Dated 9/12/2008)

**RR1. Reporting Schedule.** This table summarizes information for convenience purposes only. It does not supersede any of the terms or conditions of this permit.

<b>Report</b>	<b>Reporting Deadline(s)</b>	<b>Related Condition(s)</b>
Plant Problems/Permit Deviations	Immediately upon occurrence (See RR2.d.)	RR2, RR3
Semi-Annual Monitoring Report	Every 6 months	RR4
Annual Operating Report	April 1 <sup>st</sup>	RR5
Annual Emissions Fee Form and Fee	March 1 <sup>st</sup>	RR6
Annual Statement of Compliance	Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and  Within 60 days after submittal of a written agreement for transfer of responsibility, or  Within 60 days after permanent shutdown	RR7
Notification of Administrative Permit Corrections	As needed	RR8
Notification of Startup after Shutdown for More than One Year	Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained	RR9
Permit Renewal Application	225 days prior to the expiration date of permit	TV17
Test Reports	Maximum 45 days following compliance tests	TR8

{Permitting Note: See permit Section III. Emissions Units and Specific Conditions, for any additional Emission Unit-specific reporting requirements.}

**RR2. Reports of Problems.**

- a. 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.
- b. 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:
  - (1) A description of and cause of noncompliance; and
  - (2) 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.
- c. 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.
- d. "Immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of Rule 62-4.160(15) and 40 CFR 70.6(a)(3)(iii)(B), "promptly" or "prompt" shall have the same meaning as "immediately".

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[Rule 62-4.130, Rule 62-4.160(8), Rule 62-4.160(15), and Rule 62-213.440(1)(b), F.A.C.; 40 CFR 70.6(a)(3)(iii)(B)]

**RR3. Reports of Deviations from Permit Requirements.** The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), 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 62-210.700(6):* In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

**RR4. Semi-Annual 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.]

**RR5. Annual Operating Report.**

a. The permittee shall submit to the Compliance Authority, each calendar year, on or before April 1<sup>st</sup>, a completed DEP Form No 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year.

b. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C. [Rules 62-210.370(2) & (3), and 62-213.440(3)2., F.A.C.]

**RR6. Annual Emissions Fee Form and Fee.** Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

a. If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

b. 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.

c. A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.

[Rules 62-213.205(1), (1)(g), (1)(i) & (1)(j), F.A.C.]

**RR7. Annual Statement of Compliance.**

a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C.,

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for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:

- (1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
  - (2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.
- b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.
- c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.
- [Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

**RR8. Notification of Administrative Permit Corrections.**

- a. A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
- (1) Typographical errors noted in the permit;
  - (2) Name, address or phone number change from that in the permit;
  - (3) A change requiring more frequent monitoring or reporting by the permittee;
  - (4) A change in ownership or operational control of a facility, subject to the following provisions:
    - (a) The Department determines that no other change in the permit is necessary;
    - (b) The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
    - (c) The new permittee has notified the Department of the effective date of sale or legal transfer.
  - (5) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
  - (6) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
  - (7) Any other similar minor administrative change at the source.
- b. Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- c. After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- d. For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

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

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- RR9. Notification of Startup.** The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.
- a. The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.
  - b. If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.
- [Rule 62-210.300(5), F.A.C.]
- RR10. Report Submission.** The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}
- RR11. EPA Report Submission.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.
- RR12. Acid Rain Report Submission.** Acid Rain Program Information shall be submitted, as necessary, to: Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400. Phone: 850/488-6140. Fax: 850/922-6979.
- RR13. Report Certification.** 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.]
- RR14. 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. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]
- RR15. 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. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]
- RR16. 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 forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's web site at: <http://www.dep.state.fl.us/Air/forms.htm>.
- a. Major Air Pollution Source Annual Emissions Fee Form (Effective 01/03/2001).
  - b. Statement of Compliance Form (Effective 06/02/2002).
  - c. Responsible Official Notification Form (Effective 06/02/2002).
- [Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

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Unless otherwise specified in the permit, the following testing requirements apply to each emissions unit for which testing is required. The terms "stack" and "duct" are used interchangeably in this appendix.

**TR1. 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 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.]

**TR2. Operating Rate During Testing.** Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. 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. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]

**TR3. 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.]

**TR4. 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:
  - (a) For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
  - (b) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
  - (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

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- applicable opacity standard shall be twelve minutes.
- 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. *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, F.A.C.

<b>TABLE 297.310-1 CALIBRATION SCHEDULE</b>			
<b>ITEM</b>	<b>MINIMUM CALIBRATION FREQUENCY</b>	<b>REFERENCE INSTRUMENT</b>	<b>TOLERANCE</b>
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass	5° F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5° 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, 0.004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, when 5% change observed, annually	Spirometer or calibrated wet test or dry gas test meter	2%
	2. One Point: Semiannually		
	3. Check after each test series		

- 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.]

**TR5. Determination of Process Variables.**

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- 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.]

**TR6. Sampling Facilities.** Permittees that are required to sample mass emissions from point sources shall install stack sampling ports and provide sampling facilities that meet the requirements of this condition. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must also comply with all applicable Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

- a. *Permanent Test Facilities.* The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.
- b. *Temporary Test Facilities.* The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.
- c. *Sampling Ports.*
  - (1) All sampling ports shall have a minimum inside diameter of 3 inches.
  - (2) The ports shall be capable of being sealed when not in use.
  - (3) The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
  - (4) For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.
  - (5) On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.
- d. *Work Platforms.*
  - (1) Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
  - (2) On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
  - (3) On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

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- (4) All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.
- e. *Access to Work Platform.*
- (1) Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.
- (2) Walkways over free-fall areas shall be equipped with safety rails and toe boards.
- f. *Electrical Power.*
- (1) A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.
- (2) If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.
- g. *Sampling Equipment Support.*
- (1) A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
- (a) The bracket shall be a standard 3 inch × 3 inch × one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
- (b) A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.
- (c) The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.
- (2) A complete monorail or dual rail arrangement may be substituted for the eyebolt and bracket.
- (3) When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

**TR7. 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.*

- (1) The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
- (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 and/or solid fuel 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



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- requirements of this provision. In renewing an air operation permit pursuant to sub-subparagraph 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 and/or solid 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;
    - (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 and/or solid fuel, other than during startup, for a total of more than 400 hours.
  - (6) For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
  - (7) For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to paragraph 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
  - (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.
  - (10) An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to subsection 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to subparagraph 62-213.300(2)(a)1., A.C., or paragraph 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in paragraph 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.
- 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 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.
  - 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 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

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compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of paragraph 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C.]

**TR8. 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.
- c. 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.
  - (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

**APPENDIX TR**

**FACILITY-WIDE TESTING REQUIREMENTS**

(Version Dated 9/12/2008)

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.]

**APPENDIX TV**  
**TITLE V GENERAL CONDITIONS**

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[Note: This appendix includes “canned conditions” developed from the “Title V Core List.”]

**Operation**

- TV1. General Prohibition.** 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.)]
- TV2. Validity.** 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. [Rule 62-4.160(2), F.A.C.]
- TV3. Proper Operation and Maintenance.** 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. [Rule 62-4.160(6), F.A.C.]
- TV4. Not Federally Enforceable. Health, Safety and Welfare.** 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. [Rule 62-4.050(3), F.A.C.]
- TV5. Continued Operation.** An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, applicable requirements of the CAIR Program, and applicable requirements of the Hg Budget Trading Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]
- TV6. 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:
- a. Permitted sources may change among those alternative methods of operation;
  - b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
    - (1) 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;
    - (2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - c. 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.]
- TV7. 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.]

**Compliance**

- TV8. Compliance with Chapter 403, F.S., and Department Rules.** Except as provided at Rule 62-213.460, Permit Shield, 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.]

## TITLE V GENERAL CONDITIONS

- TV9. Compliance with Federal, State and Local Rules.** Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or 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. [Rule 62-210.300, F.A.C.]
- TV10. Binding and enforceable.** 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. [Rule 62-4.160(1), F.A.C.]
- TV11. Timely information.** 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. [Rule 62-4.160(15), F.A.C.]
- TV12. Halting or reduction of source activity.** 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.]
- TV13. Final permit action.** Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]
- TV14. Sudden and unforeseeable events beyond the control of the source.** 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.]
- TV15. Permit Shield.** Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition 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, the CAIR Program. [Rule 62-213.460, F.A.C.]

**Permit Procedures**

- TV16. Permit Revision Procedures.** The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).
- TV17. Permit Renewal.** The permittee shall renew its permit as required by Rules 62-4.090, 62.213.420(1) and 62-213.430(3), F.A.C. 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) [Application for Air Permit - Long Form], 62-213.420(3) [Required Information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

## TITLE V GENERAL CONDITIONS

- TV18. Insignificant Emissions Units or Pollutant-Emitting Activities.** The permittee shall identify and evaluate insignificant emissions units and activities as set forth in Rule 62-213.430(6), F.A.C.
- TV19. Savings Clause.** 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.]
- TV20. Suspension and Revocation.**
- a. 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.
  - b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
  - c. 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 his agent:
    - (1) Submitted false or inaccurate information in his application or operational reports.
    - (2) Has violated law, Department orders, rules or permit conditions.
    - (3) Has failed to submit operational reports or other information required by Department rules.
    - (4) Has refused lawful inspection under Section 403.091, F.S.
  - d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.  
[Rule 62-4.100, F.A.C.]
- TV21. 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.]
- TV22. 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.]
- TV23. Transfer of Permits.** Per Rule 62-4.160(11), F.A.C., 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. 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. The permittee shall also comply with the requirements of Rule 62-210.300(7), F.A.C., and use DEP Form No. 62-210.900(7). [Rules 62-4.160(11), 62-4.120, and 62-210.300(7), F.A.C.]

**Rights, Title, Liability, and Agreements**

- TV24. Rights.** As provided in Subsections 403.987(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.

APPENDIX TV

TITLE V GENERAL CONDITIONS

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. [Rule 62-4.160(3), F.A.C.]

**TV25. Title.** 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. [Rule 62-4.160(4), (F.A.C.)]

**TV26. Liability.** 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. [Rule 62-4.160(5), F.A.C.]

**TV27. Agreements.**

a. 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:

- (1) Have access to and copy any records that must be kept under conditions of the permit;
- (2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
- (3) 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.

b. 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 403.111 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.

c. 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.

[Rules 62-4.160(7), (9), and (10), F.A.C.]

**Recordkeeping and Emissions Computation**

**TV28. Permit.** The permittee shall keep this permit or a copy thereof at the work site of the permitted activity. [Rule 62-4.160(12), F.A.C.]

**TV29. Recordkeeping.**

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, and the operating conditions at the time of sampling or measurement;
- (2) The person responsible for performing the sampling or measurements;
- (3) The dates analyses were performed;
- (4) The person and company that performed the analyses;
- (5) The analytical techniques or methods used;
- (6) The results of such analyses.

## TITLE V GENERAL CONDITIONS

[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

**TV30. Emissions Computation.** Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with Rule 62-210.370, F.A.C. Rule 62-210.370, F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

- a. *Basic Approach.* The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
- (1) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
  - (2) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
  - (3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
- b. *Continuous Emissions Monitoring System (CEMS).*
- (1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
    - (a) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or,
    - (b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
  - (2) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
    - (a) A calibrated flowmeter that records data on a continuous basis, if available; or
    - (b) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
  - (3) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
- c. *Mass Balance Calculations.*



## TITLE V GENERAL CONDITIONS

- (1) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
    - (a) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and,
    - (b) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
  - (2) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
  - (3) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
- d. *Emission Factors.*
- (1) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
    - (a) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
    - (b) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
    - (c) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
  - (2) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.
- e. *Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.
- f. *Accounting for Emissions During Periods of Startup and Shutdown.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
- g. *Fugitive Emissions.* In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.

## TITLE V GENERAL CONDITIONS

- h. *Recordkeeping*. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(1) & (2), F.A.C.]

**Responsible Official**

- TV31. Designation and Update**. The permittee shall designate and update a responsible official as required by Rule 62-213.202, F.A.C.

**Prohibitions and Restrictions**

- TV32. Asbestos**. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]
- TV33. 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 Chapter 62-281, F.A.C.
- TV34. Open Burning Prohibited**. Unless otherwise authorized by Rule 62-296.320(3) or Chapter 62-256, F.A.C., open burning is prohibited.

APPENDIX U-1

**LIST OF UNREGULATED EMISSIONS UNITS AND/OR ACTIVITIES**

Unregulated Emissions Unit(s) 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 unit(s) and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

<u>E.U.</u> <u>No.</u>	<u>Brief Description</u>
---------------------------	--------------------------

-003	Emergency Generator(s) - Located for use at this source is one, or more, Emergency Generator(s).
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**REFERENCED ATTACHMENTS.**

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**The Following Attachments Are Included for Applicant Convenience:**

Figure 1, Summary Report-Gaseous and Opacity Excess Emission and  
Monitoring System Performance (40 CFR 60, July, 1996).

Table H, Permit History

**FIGURE 1--SUMMARY REPORT**

**GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE**

[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: \_\_\_\_\_

**TABLE H  
PERMIT HISTORY**

<b>E.U. ID No.</b>	<b>Description</b>	<b>Permit No.</b>	<b>Issue/Effective Date</b>	<b>Expiration Date</b>	<b>Project Type</b>
-001 -002	Combustion Turbine HRSG-DB System	AC48-206720/ PSD-FL-184	08/17/92	06/02/95	Initial Construction
-001 -002	Combustion Turbine HRSG-DB System	0950203-001-AV	01/01/99	12/31/2003	Initial Title V Permit
-001 -002 -003	Combustion Turbine HRSG-DB System Emergency Generator(s)	0950203-002-AV	01/01/04	12/31/08	Title V permit Renewal
-001	Combustion Turbine	0950203-003-AC	04/15/05	07/01/08	Construction
-001	Combustion Turbine	0950203-005-AC	08/03/05	07/01/08	Construction Revision
-001 -002	Combustion Turbine HRSG-DB System	0950203-006-AV	01/24/06	12/31/08	Title V permit Revision
-001 -002	Combustion Turbine HRSG-DB System	0950203-007-AC	02/07/2008	03/31/2009	Construction
-001 -002	Combustion Turbine HRSG-DB System	0950203-009-AV	01/01/2009	12/31/2013	Title V permit Renewal

**Friday, Barbara**

---

**To:** jim.murray@northernstargen.com  
**Cc:** dave.kellermeyer@northernstargen.com; sosbourn@golder.com; Bradner, James; hamp.pridgen@ocfl.net; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Attachments:** 0950203-009AVNoticeofFinalPermit.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". **We must receive verification that you are able to access the documents.** Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

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[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0950203.009.AV.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950203.009.AV.F_pdf.zip)

Attention: : Susan Machinski

Owner/Company Name: ORLANDO COGEN LIMITED, L.P.

Facility Name: ORLANDO COGEN LIMITED, L.P.

Project Number: 0950203-009-AV

Permit Status: FINAL

Permit Activity: PERMIT RENEWAL

Facility County: ORANGE

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Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)

(850)921-9524

## Friday, Barbara

---

**From:** Murray, James [jim.murray@northernstargen.com]  
**To:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 12:45 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Subject:**

was read on 12/16/2008 12:45 PM.



## Friday, Barbara

---

**From:** Murray, James [jim.murray@northernstargen.com]  
**Sent:** Tuesday, December 16, 2008 12:50 PM  
**To:** Friday, Barbara  
**Subject:** RE: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

I have received the documents.  
JIM

James T Murray  
407-851-1350 ext.2022

---

**From:** Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** Murray, James  
**Cc:** Kellermeyer, Dave; sosbourn@golder.com; Bradner, James; hamp.pridgen@ocfl.net; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

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[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0950203.009.AV.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950203.009.AV.F_pdf.zip)

Attention: : Susan Machinski

Owner/Company Name: ORLANDO COGEN LIMITED, L.P.  
Facility Name: ORLANDO COGEN LIMITED, L.P.  
Project Number: 0950203-009-AV  
Permit Status: FINAL  
Permit Activity: PERMIT RENEWAL  
Facility County: ORANGE

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Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)

(850)921-9524

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

## Friday, Barbara

---

**From:** Mail Delivery System [MAILER-DAEMON@mx1.golder.com]  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report  
**Attachments:** Delivery report; Message Headers

This is the mail system at host mx1.golder.com.

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

<[sosbourn@golder.com](mailto:sosbourn@golder.com)>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent  
4947E5D6\_24921\_1688927\_1 46CE01CF0B80

## Friday, Barbara

---

**From:** Osbourn, Scott [Scott\_Osbourn@golder.com]  
**To:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 12:34 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [Scott Osbourn@golder.com](mailto:Scott_Osbourn@golder.com)  
**Subject:**

was read on 12/16/2008 12:34 PM.

## Friday, Barbara

---

**From:** Exchange Administrator  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)  
**Attachments:** ATT730269.txt; ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net)

**Friday, Barbara**

---

**From:** Hamp.Pridgen@ocfl.net  
**To:** undisclosed-recipients  
**Sent:** Tuesday, December 16, 2008 12:46 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** Hamp.Pridgen@ocfl.net  
**Subject:**

was read on 12/16/2008 12:46 PM.

## Friday, Barbara

---

**From:** System Administrator  
**To:** Gibson, Victoria  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**Subject:** Delivered:ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

### Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James;  
[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov);  
[Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was delivered to the following recipient(s):

Gibson, Victoria on 12/16/2008 12:31 PM

## Friday, Barbara

---

**From:** Gibson, Victoria  
**To:** Friday, Barbara  
**Sent:** Wednesday, December 17, 2008 1:20 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James;  
[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov);  
[Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was read on 12/17/2008 1:20 PM.



**Friday, Barbara**

---

**From:** System Administrator  
**To:** Bradner, James; Machinski, Susan  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**Subject:** Delivered:ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James;  
[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov);  
[Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was delivered to the following recipient(s):

Bradner, James on 12/16/2008 12:31 PM  
Machinski, Susan on 12/16/2008 12:31 PM

## Friday, Barbara

---

**From:** Bradner, James  
**To:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 3:54 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

### Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James; [hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov); [Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was read on 12/16/2008 3:53 PM.

## Friday, Barbara

---

**From:** Bradner, James  
**Sent:** Tuesday, December 16, 2008 3:54 PM  
**To:** Friday, Barbara  
**Subject:** RE: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Got it—thanks!

---

**From:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** jim.murray@northernstargen.com  
**Cc:** dave.kellermeyer@northernstargen.com; 'sosbourn@golder.com'; Bradner, James; hamp.pridgen@ocfl.net; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Dear Sir/ Madam:

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Attention: : Susan Machinski

Owner/Company Name: ORLANDO COGEN LIMITED, L.P.  
Facility Name: ORLANDO COGEN LIMITED, L.P.  
Project Number: 0950203-009-AV  
Permit Status: FINAL  
Permit Activity: PERMIT RENEWAL  
Facility County: ORANGE

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Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)

(850)921-9524

## Friday, Barbara

---

**From:** Machinski, Susan  
**Sent:** Tuesday, December 16, 2008 2:04 PM  
**To:** Friday, Barbara  
**Subject:** RE: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Received and able to view documents. Thank you.

---

**From:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** jim.murray@northernstargen.com  
**Cc:** dave.kellermeyer@northernstargen.com; 'sosbourn@golder.com'; Bradner, James; hamp.pridgen@ocfl.net; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

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Attention: : Susan Machinski

Owner/Company Name: ORLANDO COGEN LIMITED, L.P.  
Facility Name: ORLANDO COGEN LIMITED, L.P.  
Project Number: 0950203-009-AV  
Permit Status: FINAL  
Permit Activity: PERMIT RENEWAL  
Facility County: ORANGE

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Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)

(850)921-9524

## Friday, Barbara

---

**From:** Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report  
**Attachments:** Delivery report; Message Headers

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@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 4947E5DC\_13587\_21165\_2 9EEF244389

<Oquendo.Ana@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 4947E5DC\_13587\_21165\_2 9EEF244389

**Friday, Barbara**

---

**From:** Oquendo.Ana@epamail.epa.gov  
**Sent:** Wednesday, December 17, 2008 9:01 AM  
**To:** Friday, Barbara  
**Subject:** Re: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Attachments:** 0950203-009AVNoticeofFinalPermit.pdf

Hi,

I was able to open and access all files. Thanks.

Wishing you a great day!

Ana M. Oquendo  
Air Permits Section  
Air, Pesticides and Toxics Management Division U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, GA 30303

email. [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)  
phone. 404-562-9781  
fax. 404-562-9019

Please consider the environment before printing this email.

"Friday,  
Barbara"  
<Barbara.Friday@  
dep.state.fl.us>

12/16/2008 12:30  
PM

To  
<[jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)>  
cc  
<[dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com)>, <[sosbourn@golder.com](mailto:sosbourn@golder.com)>, "Bradner, James" <[James.Bradner@dep.state.fl.us](mailto:James.Bradner@dep.state.fl.us)>, <[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net)>, Kathleen Forney/R4/USEPA/US@EPA, Ana Oquendo/R4/USEPA/US@EPA, "Gibson, Victoria" <[Victoria.Gibson@dep.state.fl.us](mailto:Victoria.Gibson@dep.state.fl.us)>, "Machinski, Susan" <[Susan.Machinski@dep.state.fl.us](mailto:Susan.Machinski@dep.state.fl.us)>, "Holtom, Jonathan" <[Jonathan.Holtom@dep.state.fl.us](mailto:Jonathan.Holtom@dep.state.fl.us)>  
Subject  
ORLANDO COGEN LIMITED, L.P.;  
0950203-009-AV



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[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0950203.009.AV.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950203.009.AV.F_pdf.zip)

Attention: : Susan Machinski

Owner/Company Name: ORLANDO COGEN LIMITED, L.P.  
Facility Name: ORLANDO COGEN LIMITED, L.P.  
Project Number: 0950203-009-AV  
Permit Status: FINAL  
Permit Activity: PERMIT RENEWAL  
Facility County: ORANGE

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Permit project documents are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Barbara Friday

Bureau of Air Regulation

Division of Air Resource Management (DARM)  
(850)921-9524

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**Friday, Barbara**

---

**From:** System Administrator  
**To:** Holtom, Jonathan  
**Sent:** Tuesday, December 16, 2008 12:31 PM  
**Subject:** Delivered:ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James;  
[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov);  
[Oquendo.Ana@epamail.epa.gov](mailto:Oquendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was delivered to the following recipient(s):

Holtom, Jonathan on 12/16/2008 12:31 PM

## Friday, Barbara

---

**From:** Holtom, Jonathan  
**To:** Friday, Barbara  
**Sent:** Tuesday, December 16, 2008 12:44 PM  
**Subject:** Read: ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV

Your message

**To:** [jim.murray@northernstargen.com](mailto:jim.murray@northernstargen.com)  
**Cc:** [dave.kellermeyer@northernstargen.com](mailto:dave.kellermeyer@northernstargen.com); 'sosbourn@golder.com'; Bradner, James;  
[hamp.pridgen@ocfl.net](mailto:hamp.pridgen@ocfl.net); [Forney.Kathleen@epamail.epa.gov](mailto:Forney.Kathleen@epamail.epa.gov);  
[Quendo.Ana@epamail.epa.gov](mailto:Quendo.Ana@epamail.epa.gov); Gibson, Victoria; Machinski, Susan; Holtom, Jonathan  
**Subject:** ORLANDO COGEN LIMITED, L.P.; 0950203-009-AV  
**Sent:** 12/16/2008 12:31 PM

was read on 12/16/2008 12:44 PM.