

A.K. (BEN) SHARMA, P.E.  
DIRECTOR OF POWER SUPPLY



P.O. BOX 423219 KISSIMMEE, FLORIDA 34742-3219  
(407) 833-7777 FAX: (407) 847-0787

December 30, 1997

**CERTIFIED/RETURN RECEIPT**

Bureau of Air Regulations  
Florida Department of  
Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**REF: ACID RAIN PERMIT APPLICATION**

Attention: Title V Operating Permit Unit

Enclosed is a copy of the New Unit Exemption which sent under separate cover. I am resending a copy of my letter dated December 22, 1997 with attachments enclosed as to make sure that everything was received.

Please excuse any confusion this may have caused.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "A.K. Sharma" followed by a circled "ne" in the middle of the signature.

A. K. (Ben) Sharma, P.E.  
Director of Power Supply

AKS/ne

Enclosure:

cc: Mr. David McNeal, EPA Region IV

**RECEIVED**

JAN 05 1998

BUREAU OF  
AIR REGULATION

A.K. (BEN) SHARMA, P.E.  
DIRECTOR OF POWER SUPPLY



P.O. BOX 423219 KISSIMMEE, FLORIDA 34742-3219  
(407) 933-7777 FAX: (407) 847-0787

December 22, 1997

**CERTIFIED/ACKNOWLEDGE RECEIPT**

Bureau of Air Regulations  
Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**RE: ACID RAIN PERMIT APPLICATION**

**ATTENTION: Title V Operating Permit Unit**

Gentlemen:

In accordance with the requirements and associated deadlines of 40 Code of Federal Regulations (CFR) 72.30 and Florida Administrative Code (F.A.C.) 62-214-320, Kissimmee Utility Authority (KUA) is submitting its Acid Rain permit application for Units 1 and 2 located at the Cane Island Power Park.

If you have any questions concerning the submittal, please contact me at (407) 933-7777 (ext. 6-1232).

Cordially,

A handwritten signature in cursive script that reads "A. K. Sharma".

A. K. (Ben) Sharma  
Director of Power Supply

cc: Mr. David McNeal, EPA Region IV

Attachments

**RECEIVED**

**DEC 26 1997**

**BUREAU OF  
AIR REGULATION**

# New Unit Exemption

For more information, see instructions and/or to 40 CFR 72.7

**STEP 1**

Plant Name Cane Island Power Park	State FL	ORIS Code 7238	Boiler ID# 2
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**STEP 2**

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

**TOTAL**

40.0 MWe	120.0 MWe	MWe	MWe	MWe	160.0 MWe
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**STEP 3**

List all fuels currently burned or expected to be burned, by the unit and the percent sulfur content by weight of each.

Fuel (current)	Percent S <sub>0</sub> (current)	Fuel (expected)	Percent S <sub>0</sub> (expected)
Natural Gas	<0.05 %	N/A	N/A %
No. 2 Oil	≤ 0.05 %		%
	%		%

**STEP 4**

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

**Special Provisions**

(1) The owners and operators of each unit exempted under 40 CFR 72.7 and Rule 62-214.340, F.A.C. shall surrender allowances equal in number to, and with the same or an earlier compliance use date as, all of those allocated to the unit under subpart B of 40 CFR part 73 for any year for which the unit is exempted and shall waive the right to receive any allowances to be allocated under subpart B of 40 CFR part 73 for any year for which the unit is exempted.

(2) The owners and operators of each unit exempted under 40 CFR 72.7 and Rule 62-214.340(f), F.A.C. shall determine the sulfur content by weight of its fuel as follows:

(i) For petroleum or petroleum products that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, a sample of each delivery of such fuel shall be tested using ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-92, or ASTM D4284-90.

(ii) For natural gas that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, the sulfur content shall be assumed to be 0.05 percent or less by weight.

(iii) For gaseous fuel (other than natural gas) that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, a sample of each delivery of such fuel shall be tested using ASTM methods ASTM D1072-90 and ASTM D1265-92; provided that if the gaseous fuel is delivered by pipeline to the unit, a sample of the fuel shall be tested, at least once every quarter in which the unit operates during any year for which the exemption is in effect, using ASTM method ASTM D1072-90.

(3) The owners and operators of each unit exempted under 40 CFR 72.7 and Rule 62-214.340(f), F.A.C. shall retain at the source that includes the unit, the records of the results of the tests performed under paragraph (2)(i) and (iii) of the special provisions and a copy of the purchase agreements for the fuel under paragraph (2) of the special provisions, stating the sulfur content of such fuel. Such records and documents shall be retained for 5 years from the date they are created.

(4) On the earlier of the date the written exemption expires, the date a unit exempted under 40 CFR 72.7 and Rule 62-214.340(f), F.A.C. burns any fuel with a sulfur content in excess of 0.05 percent by weight (as determined in accordance with paragraph (2) of the special provisions), or 24 months prior to the date the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe, the unit shall no longer be exempted under 40 CFR 72.7 and Rule 62-214.340(f), F.A.C. and shall be subject to all requirements of the Acid Rain Program, except that:

(i) Notwithstanding 40 CFR 72.30(b) and (c), the designated representative of the source that includes the unit shall submit a complete Acid Rain part application on the later of January 1, 1998 or the date the unit is no longer exempted under 40 CFR 72.7 and Rule 62-214.340(f), F.A.C.

(ii) For purposes of applying monitoring requirements under part 75 of this chapter, the unit shall be treated as a new unit that commenced commercial operation on the date the unit no longer meets the requirements of 40 CFR 72.7(a).

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	A.K. Sharma
Signature	A.K. Sharma
Date	12/22/97



# Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is:  New  Revised

### STEP 1

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

Cane Island Power Park	Florida	7238
Plant Name	State	ORIS Code

### STEP 2

Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a Boiler ID#	Compliance Plan		d New Units Commence Operation Date	e New Units Monitor Certification Deadline
	b Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	c Repowering Plan		
Unit 1	Yes		8/12/94	1/1/95
Unit 2	Yes		1/29/95	4/8/95
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

### STEP 3

Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

**STEP 4**  
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

**Standard Requirements**

Permit Requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
  - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
  - (ii) Have an Acid Rain Permit.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR parts 74, 75, and 76.
- (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 parts 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

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

Nitrogen Oxides Requirements. The owners and operators of the source and each affected 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 affected 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 affected 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 affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Cane Island Power Park Plant Name (from Step 1)
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Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain permit 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 affected source and each affected 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 permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected 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 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected 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 affected source or affected 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 permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

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

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Mr. Abani Kumar (A. K.) Sharma, Director of Power Supply and Designated Representative	
Name	
Signature <i>A.K. Sharma</i>	12/22/97 Date

STEP 5 (optional)  
Enter the source AIRS  
and FINDS identification  
numbers, if known

AIRS
FINDS