



September 18, 1997

Mr. Scott M. Sheplak, P.E.  
Bureau of Air Regulation  
Florida Dept. of Environmental Protection  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

RE: City of Gainesville  
Gainesville Regional Utilities  
J. R. Kelly Generating Station  
Draft Title V Permit No. 0010005-001-AV

Dear Mr. Sheplak:

Enclosed are the following documents:

- GRU's comments on the Draft Title V Permit No. 0010005-001-AV.
- Revised Facility Plot Plan dated 09/15/97 (Document II.E.2. of the Title V Permit Application).
- Revised Alternative Methods of Operation dated 09/16/97 (Document III.L.10 of the Title V Permit Application).
- Responsible Official Certification for amendments to the Title V permit application.

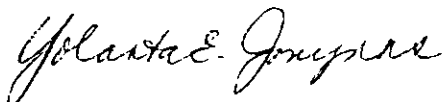
GRU is hereby requesting that the Department issue and incorporate into the Title V permit an order extending the expiration date(s) of the existing air operating permits until the Title V permit becomes effective. This will clarify that the facility will continue to comply with the terms and conditions of the existing permits until such time that the Title V permit becomes effective.

GRU would appreciate the Department forwarding to GRU any comments received from the public or other regulatory agencies pertaining to the draft permit.

Mr. Scott Sheplak  
September 18, 1997  
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I will be vacation from September 19 – 30, 1997. In my absence, please call Angela Morrison at (904) 222-7500 if you have any questions.

Sincerely,



Yolanta E. Jonynas  
Sr. Environmental Engineer

xc: D. Beck  
R. Manasco  
A. Morrison, HGSS  
G. Swanson  
CAA Title V

sheplakTV

**RECEIVED**

SEP 19 1997

BUREAU OF  
AIR REGULATION

**Owner/Authorized Representative or Responsible Official**

<b>1. Name and Title of Owner/Authorized Representative or Responsible Official:</b> Name: Michael L. Kurtz Title: General Manager	
<b>2. Owner/Authorized Representative or Responsible Official Mailing Address:</b> Organization/Firm: City of Gainesville, GRU Street Address: 605 SE 3rd Street City: Gainesville State: FL Zip Code: 32601	
<b>3. Owner/Authorized Representative or Responsible Official Telephone Numbers:</b> Telephone: (352) 334-2811 Fax: (352) 334-2277	
<b>4. Owner/Authorized Representative or Responsible Official Statement:</b> <p><i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i></p> <p>_____ Signature</p> <p>_____ Date 9/18/97</p>	

\* Attach letter of authorization if not currently on file.

**J. R. KELLY GENERATING STATION  
ALTERNATIVE METHODS OF OPERATION**

**Unit No. 6 - Fossil Fuel Steam Generator**

Method No.	Fuel Type	Fuel Sulfur Content (Wt %)	Heat Input Range (MMBtu/hr)	Maximum Operating House		
				(Hrs/Dy)	(Dys/Wk)	(Hrs/Yr)
1	Natural Gas	N/A	0 - 187.3	24	7	8,760
2	No. 6 Fuel Oil/Used Oil	≤ 1.5	0 - 187.3	24	7	8,760
3	Co-firing Natural Gas/No. 6 Fuel Oil/Used Oil	≤ 1.5	0 - 187.3	24	7	8,760

**Unit No. 7 - Fossil Fuel Steam Generator**

Method No.	Fuel Type	Fuel Sulfur Content (Wt %)	Heat Input Range (MMBtu/hr)	Maximum Operating House		
				(Hrs/Dy)	(Dys/Wk)	(Hrs/Yr)
1	Natural Gas	N/A	0 - 272.0	24	7	8,760
2	No. 6 Fuel Oil/Used Oil	≤ 1.5	0 - 249.0	24	7	8,760
3	Co-firing Natural Gas/No. 6 Fuel Oil/Used Oil	≤ 1.5	0 - 272.0	24	7	8,760

**J. R. KELLY GENERATING STATION  
ALTERNATIVE METHODS OF OPERATION  
(continued)**

**Unit No. 8 - Fossil Fuel Steam Generator**

Method No.	Fuel Type	Fuel Sulfur Content (Wt %)	Heat Input Range (MMBtu/hr)	Maximum Operating House		
				(Hrs/Dy)	(Dys/Wk)	(Hrs/Yr)
1	Natural Gas	N/A	0 - 584.5	24	7	8,760
2	No. 6 Fuel Oil/Used Oil	<sup>1</sup>	0 - 539.5	24	7	8,760
3	Co-firing Natural Gas/No. 6 Fuel Oil/Used Oil	<sup>1</sup>	0 - 584.5	24	7	8,760

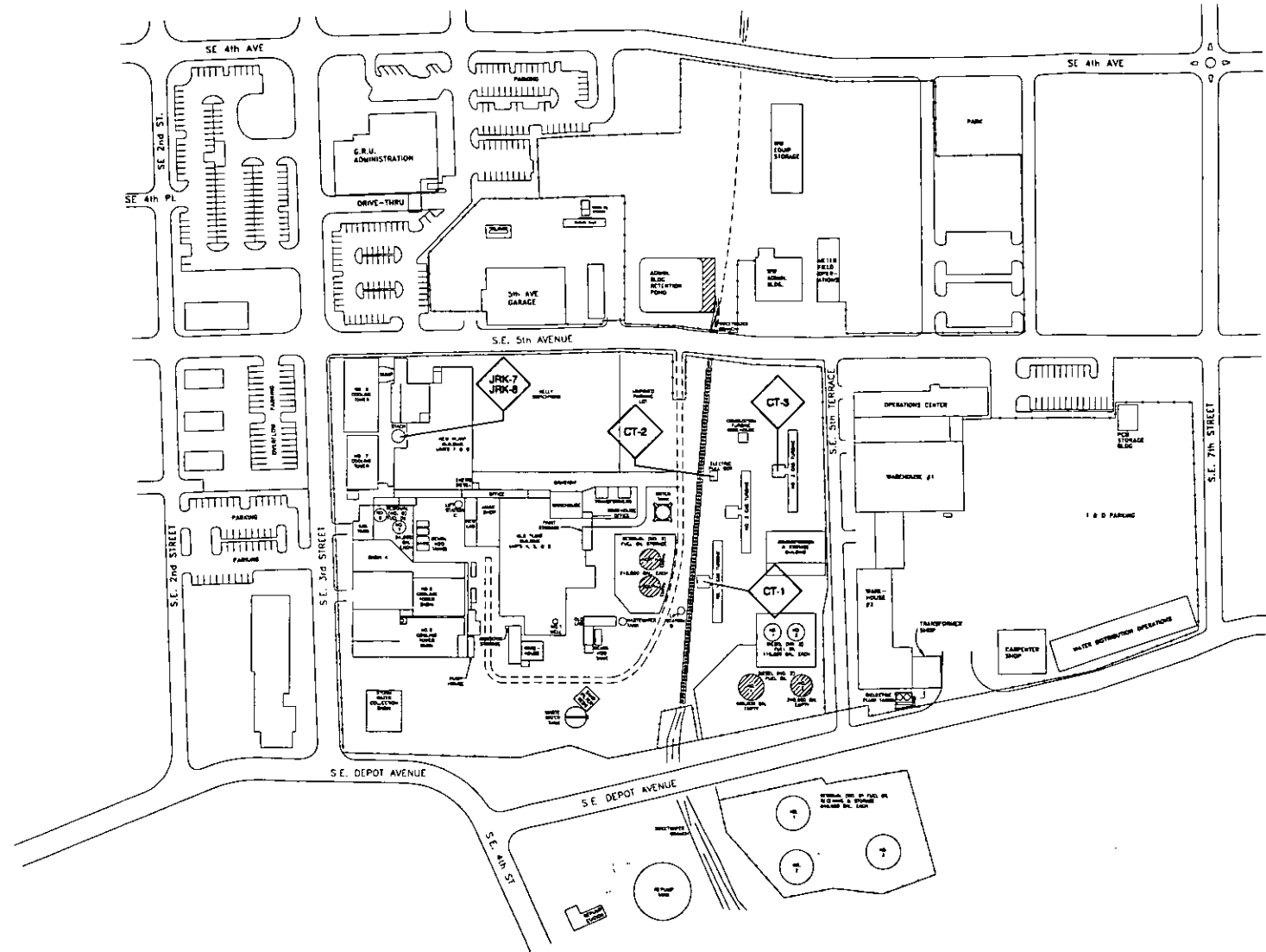
<sup>1</sup> - Fuel oil sulfur content equivalent to 2.75 lb SO<sub>2</sub>/MMBtu heat input.

**Combustion Turbines No. 1, 2, and 3**

Method No.	Fuel Type	Fuel Sulfur Content (Wt %)	Heat Input Range (MMBtu/hr)	Maximum Operating House		
				(Hrs/Dy)	(Dys/Wk)	(Hrs/Yr)
1	Natural Gas	N/A	0 - 200.0	24	7	8,760
2	No. 2 Fuel Oil		0 - 207.0	24	7	8,760



GRAPHIC SCALE  
0 50 100 200  
SCALE IN FEET



LEGEND

 EMISSION POINT  
NUMBER AND LOCATION

DOCUMENT II.E.2.  
FACILITY PLOT PLAN

\\JKELLY\TITLE-V.DWG

REVISION	DATE
DELETE UNIT 6 STACK	9/15/97

(Portions based on original drawings)



J. R. KELLY GENERATING STATION  
COMMENTS ON DRAFT TITLE V PERMIT NO. 001005-001-AV

**PAGE 1**

COMMENT NO. 1: The following referenced attachment should be deleted: "FIGURE 1 - SUMMARY REPORT - GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE REPORT (version dated 7/96)."

RATIONALE: This form is prescribed per 40 CFR 60 for excess emission reporting by units subject to the New Source Performance Standards (NSPS). None of the units at this facility are NSPS units and since the use of this form is not prescribed by Department rules for non-NSPS units, its use should be left to the discretion of the permittee.

COMMENT NO. 2: The attachment referencing the alternate sampling procedure should be revised as follows:

"Alternate Sampling Procedure: ASP Number 97-B-01 (including the Order Correcting the Scrivener's Error dated July 9, 1997)"

RATIONALE: To clarify that the Order Correcting the Scrivener's Order is made part of the permit.

COMMENT NO. 3: GRU is requesting that the Department issue an order extending the expiration date(s) of its existing valid permit(s) until the effective date of its Title V permit. This order should be included as a referenced attachment in the Title V permit.

RATIONALE: To clarify that the facility may continue to operate under the terms and conditions of the existing permit(s) until the effective date of the Title V permit.

**PAGE 2**

COMMENT NO. 4 (General): Replace "new No. 6 fuel oil" with "No. 6 fuel oil" at each occurrence **throughout the draft permit.**

RATIONALE: The term "new No. 6 fuel oil" is undefined and is not consistent with long-standing terminology used by the petroleum industry to describe fuel oils. Description of an oil by its ASTM specification number (e.g., No. 6) connotes virgin fuel oil and therefore, it is unnecessary and potentially confusing to further describe such oils as "new."

**Page 2 - SUBSECTION A. FACILITY DESCRIPTION**

COMMENT NO. 5: The facility description should be revised to read as follows:

~~“...The facility is fired with either natural gas or new No. 6 fuel oil with natural gas being the primary fuel and new NO. 6 fuel oil as backup fuel. Two of three steam generators are allowed to burn which may be supplemented with on-specification used oil.~~

RATIONALE: GRU does not distinguish between primary and backup or standby fuels because the use of a particular fuel at any time is dependent on economics and availability. While in recent years these factors have favored natural gas, fuel oil is not considered to be solely a “backup” or “standby” fuel.

Additionally, GRU requested as an alternate method of operation (see Document III.L.10 of the Title V application dated June 1996) the option of burning on-specification used oil in Unit 6, consistent with the Department’s historical policy on the use of used oil in fossil fuel steam generators. GRU requests that the Department give this option favorable consideration.

**PAGES 3 and 4 - SECTION II. FACILITY-WIDE CONDITIONS**

COMMENT NO. 6: With respect to **Condition No. 7**, GRU requests that the Department add a permitting note stating that the Department has not ordered any control devices or systems under Rule 62-296.320(1)(a), F.A.C.

RATIONALE: Clarification.

COMMENT NO. 7: GRU requests that **Condition No. 8** be revised as follows:

~~“8. When appropriate, any recording, monitoring, or reporting requirements that are time specific shall be in accordance with The effective date of the permit which defines day one shall be considered as the beginning date for time-specific recording, monitoring or reporting requirements except those based on calendar quarters.”~~

RATIONALE: Clarification. The use of the term “day one” is confusing and ambiguous.

COMMENT NO. 8: GRU requests that the Department add the following to the facility-wide conditions:

“9. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24-hour period unless specifically authorized by the Department. [Rule 62-210.700(1)]”



“10. Any combustion turbine that does not operate more than 400 hours per year shall conduct a visible emission compliance test once per each five-year period, coinciding with the term of its operation permit. [Rule 62-297.310(7)(a)8]”

RATIONALE: To specifically address requirements that are applicable to the combustion turbines which are unregulated units.

**PAGE 5 - SECTION III, Subsection A**

COMMENT NO. 9: The **emission unit description** should be revised as follows:

“Fossil Fuel Fired Steam Generator Unit # 6...The emissions unit is fired on natural gas with a maximum heat input of 187.3 MMBTU/hr- ~~or new~~ No. 6 fuel oil ...187.3 MMBTU/hr. The No. 6 fuel oil may be supplemented with on-specification used oil. Fossil ... 1989.”

RATIONALE: See Comment No. 4 and 5.

COMMENT NO. 10: GRU requests the following revisions to **Specific Condition A.1.:**

- Under fuel type change “new No. 6 Fuel Oil” to “No. 6 fuel oil/On-specification used oil”
- Specify that heat input capacity is based on the Higher Heating Value (“HHV”) of the fuel
- Indicate that these conditions are “Not Federally Enforceable.”

RATIONALE: Clarification; no federally enforceable basis for capacity limitations for this unit under the Clean Air Act.

COMMENT NO. 11: Revise **Specific Condition A.3.** as follows:

“a. Startup: The only fuels allowed to be burned are natural gas and/or new No. 6 fuel oil which may be supplemented with on-specification used oil except as otherwise indicated in Condition B.24.d.”

“b. Normal: The only fuels allowed to be burned are natural gas and/or new No. 6 fuel oil which may be supplemented with on-specification used oil.”

~~Natural gas shall not be cofired with No. 6 fuel oil.~~

RATIONALE: During certain operating conditions (e.g., startup, shutdown, fuel switching) it may be necessary to co-fire fuels. Co-firing is an essential aspect of the operation and has been inherent in the existing permits. Furthermore, co-firing does not affect the applicable emission limits. Therefore, there is no regulatory basis or rationale to eliminate this flexibility. GRU is submitting under cover of this letter a revised table (Doc. III.L.10 of the Title V Permit Application) specifically including co-firing as an alternative method of operation for Unit 6. This item was inadvertently omitted from the original application. With respect to firing of used oil during startup see Comment No. 38 regarding GRU’s used oil management practices.

**COMMENT NO. 12:** In **Specific Condition A.5.** delete the reference to the current permit AO01-195854.

**RATIONALE:** The current permit will be superseded by the Title V permit and reference to it may generate confusion.

**COMMENT NO. 13:** Revise **Specific Condition A.7.** as follows:

**A.7. Particulate Matter.** Particulate matter emissions shall be controlled by the firing of natural gas and/or low sulfur content liquid fuel containing no more than 1.5% sulfur, by weight.

**RATIONALE:** The term “low sulfur content” is undefined.

**COMMENT NO. 14:** Revise **Specific Condition A.9.** as follows:

**A.9. Sulfur Dioxide.** Sulfur dioxide emissions shall be controlled by the firing of natural gas and/or low sulfur content liquid fuels containing no more than 1.5% sulfur, by weight.

**RATIONALE:** The term “low sulfur content” is undefined.

**COMMENT NO. 15:** Revise **Specific Condition A.10.** as follows:

**A10. ... See ~~Specific~~ Common Condition C.5.”**

**RATIONALE:** Correct citation.

**COMMENT NO. 16:** Revise **Specific Condition A.11.** as follows:

**A.11. Sulfur Dioxide-Sulfur Content.** ...by the vendor or owner providing a fuel analysis upon each No. 6 fuel oil delivery.”

**RATIONALE:** The permittee should have the option of providing a fuel analysis, if desired.

**COMMENT NO. 17:** Add the following method to **Specific Condition A.12.:**

“ASTM D1552-90”

**RATIONALE:** This method (Standard Test Method for Sulfur in Petroleum Products (High Temperature Method) is also allowed by 40 CFR 75, Appendix D for determining sulfur content in petroleum products.

COMMENT NO. 18: In **Specific Condition A.13.** delete the last paragraph as follows:

~~“A.13...Exceptions to these requirements are as follows:~~

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

RATIONALE: This language addresses requirements pertinent to Department employees or their agents and are not applicable to GRU. Therefore, it should not be included in the Title V permit.

COMMENT NO. 19: Replace **Specific Condition A.14.** with the following language:

“A.14. By this permit, annual emissions compliance testing for visible emissions is not required if the unit does not burn liquid fuel, other than startup, for more than 400 hours per calendar year.

RATIONALE: The requested language incorporates regulatory language. GRU requests that the “calendar” year be used in lieu of the “fiscal” year cited in the rule because most recordkeeping and reporting requirements are based on the calendar year and this will minimize confusion.

COMMENT NO. 20: Delete **Specific Condition A.17.**

RATIONALE: This condition is redundant and already included in Canned Condition No. 18(2)(a)(3)(b)(ii).

## **PAGE 9 - SUBSECTION B.**

COMMENT NO. 21: Revise the **emission unit descriptions** as follows:

~~“Fossil Fuel Fired Steam Generator Unit 7...The emissions unit...272 MMBTU/hr.—The standby fuel is new or No. 6 fuel oil ...249 MMBTU/hr.”~~

~~“Fossil Fuel Fired Steam Generator Unit 8...The emissions unit...584.5 MMBTU/hr.—The standby fuel is new or No. 6 fuel oil...539.5 MMBTU/hr.”~~

~~“The new No.6...common stack.”~~

RATIONALE: See Comment No. 4 and 5.

COMMENT NO. 22: The **permitting notes** on Page 9 for Units 7 and 8 should be revised as follows:

“[Permitting note(s): Unit 7 is regulated under Rule 62-296.406, F.A.C., Fossil Fuel Steam Generators with Less Than 250 Million Btu per Hour Heat Input and Best Available Control

Technology (BACT) Determination, dated October 9, 1991.; Unit 8 is regulated under Rule 62-296.405, Fossil Fuel Steam Generators with More Than 250 Million Btu per hour Heat Input.; 40 CFR 279; Fossil Fuel Fired...

**RATIONALE:** Unit 7 was de-rated in 1983 (to less than 250 MMBTU/hr) and has been subject to Rule 62-296.406. Unit 8, on the other hand is regulated under Rule 62-296.405. The *units* are not regulated under 40 CFR 279 (Standards for Managing Used Oil) and therefore, this rule reference is not appropriate and should be deleted.

**COMMENT NO. 23:** Revise **Specific Condition B.1.** follows:

- Delete the word “~~new~~” in front of “No. 6 fuel oil.”
- Insert a semi-colon after “No. 6 fuel oil.” (Unit 8)
- Specify that the heat input rate is based on the Higher Heating Value (“HHV”) of the fuel
- Clarify that the heat input rate for Unit 8 will *not* be based on the Continuous Emission Monitoring System
- Indicate that these conditions are “Not Federally Enforceable”

**RATIONALE:** Clarification; typographical correction; no federally enforceable basis for capacity limitations for these units.

**COMMENT NO. 24:** Revise **Specific Condition B.2.** as follows:

“**B.2.** ... See Specific Common Condition C.6.”

**RATIONALE:** Correct citation.

**COMMENT NO. 25:** Revise **Specific Condition B.3.** as follows:

“a. Startup: The only fuels allowed to be burned are natural gas and/or ~~new~~ No. 6 fuel oil which may be supplemented with on-specification used oil except as otherwise indicated in Condition B.24.d.”

“b. Normal: The only fuels allowed to be burned are natural gas and/or ~~new~~ No. 6 fuel oil which may be supplemented with on-specification used oil.”

~~Natural gas shall not be cofired with new No. 6 fuel oil or on-specification used oil.~~

**RATIONALE:** During certain operating conditions (e.g., startup, shutdown, fuel switching) it may be necessary to co-fire fuels. Co-firing is an essential aspect of the operation and has been inherent in the existing permits. Furthermore, co-firing and does not affect the applicable emission limits. Therefore, there is no regulatory basis or rationale to eliminate this flexibility. With respect to firing of used oil during startup see Comment No. 38 regarding GRU’s used oil management practices.

COMMENT NO. 26: Add the following to **Specific Condition B.6.:**

“B.6. ...shall be minimized. For Unit 8, visible emissions above 60% opacity shall be allowed for not more than four, six (6)-minute periods, during the three-hour period of excess emissions allowed by this condition for boiler cleaning and load change.”

RATIONALE: Condition applies to units, such as Unit 8, which are equipped with a Continuous Opacity Monitor.

COMMENT NO. 27: Revise **Specific Condition B.7.** as follows:

“B.7. Particulate Matter. Particulate matter emissions from Unit 7 shall be controlled by the firing of natural gas and/or liquid fuels containing no more than 1.5% sulfur, by weight. Particulate matter emissions from each unit Unit 8 shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods. [Rules 62-296.405(1)(b) and 296.406(2), F.A.C. and BACT determination dated October 9, 1991]

RATIONALE: The term “low sulfur content” is undefined. In 1983 Unit 7 was de-rated (to less than 250 MMBTU/hr on fuel oil) and is regulated under Rule 62-296.406, F.A.C. Subsequent to the de-rating, GRU accepted a BACT fuel oil sulfur content limit of 1.5%, by weight.

COMMENT NO. 28 Revise **Specific Condition B.8.** as follows:

“B.8. Particulate Matter...Particulate matter emission from Unit 8 shall not...”

RATIONALE: This condition should apply to Unit 8 only since it has a numerical emission limitation whereas Unit 7 does not.

COMMENT NO. 29: Revise **Specific Condition B.9.** as follows:

“B.9. Sulfur Dioxide. Sulfur dioxide emissions from Unit 7 shall be controlled by firing of natural gas or low sulfur content liquid fuel with a sulfur content no greater than 1.5%, by weight. Sulfur dioxide emissions from Unit 8 shall not exceed 2.75 lb/MMBTU. The sulfur content of liquid fuel fired in Unit 8 shall not exceed 2.5%, by weight. ~~The new No. 6 fuel oil sulfur content shall not exceed 1.5 percent, by weight.~~ [Rules 62-296.405(1)(c) and 296.406(3), F.A.C. and BACT Determination dated October 9, 1991]

RATIONALE: Condition B.9 of the draft permit states that the sulfur content of the No.6 fuel oil may not exceed 1.5% by weight, citing a BACT Determination dated October 9, 1991. While this is acceptable for Unit 7, GRU requests that this condition be revised for Unit 8 to be consistent with the Department’s Rule 62-296.405(1)(c)1.j., F.A.C.

GRU agrees with the Department's determination that Unit 8 is regulated under Rule 62-296.405, which applies to fossil fuel steam generator with a heat input greater than 250 MMBTU/hr. This unit has a heat input capacity greater than 250 MMBTU/hr, and therefore should be regulated under Rule 62-296.405. The BACT determination cited by the Department, however, does *not* apply. That determination was made for Unit 6, which has a maximum heat input rate of less than 250 MMBTU/hr, and which is therefore regulated under Rule 62-296.406, F.A.C. (requiring A BACT determination for sulfur dioxide and particulate matter). While a BACT determination was never made by the Department specifically for Unit 7, GRU has previously accepted a fuel oil sulfur content limit of 1.5% by weight and will again accept this limit for Unit 7 in its Title V permit. GRU has never requested and does not wish to accept a sulfur content limit of 1.5% for Unit 8.

While the "RATIONALE" included in the BACT determination for Unit 6 mentions that the applicant proposed to use fuel oil with a sulfur content no greater than 1.5% by weight in not only Unit 6 but in Units 7 and 8 as well, GRU never proposed a similar limit for Unit 8 and the Department has no authority to establish such a limit. Further, the 1991 BACT determination, appropriately, has never before been applied by the Department to Unit 8. The air operating permits issued by the Department in the past for Unit 8 have always included the appropriate limitation under Rule 62-297.405 of 2.75 lb/MMBTU and have never included a 1.5% sulfur content limit or a citation to the 1991 BACT determination for Unit 6.

GRU therefore requests that the Department clarify that the 1.5% sulfur content applies only to Unit 7. The appropriate sulfur dioxide emissions limit for Unit 8 is 2.75 lb/MMBTU consistent with Rule 62-296.405. GRU would agree to a 2.5% sulfur content limit on fuel oil to ensure compliance with this emissions limit.

**COMMENT NO. 30:** Revise **Specific Condition B.10.** as follows:

**"B.10. Sulfur Dioxide.** The permittee ~~elected to~~ may demonstrate compliance using fuel sampling and analysis with the liquid fuel sulfur limit by the vendor or owner providing a fuel analysis upon each fuel delivery. This protocol is allowed because the emissions units ~~does do~~ not have..."

**RATIONALE:** The permittee should be allowed the discretion to demonstrate compliance via compliance testing or fuel sampling and analysis.

**COMMENT NO. 31:** Revise **Specific Condition B.11.** as follows:

**"B.11. Units 7 and 8...**Due to the common stack, ~~one unit~~ Unit 8 must be shut down while ~~the other unit~~ Unit 7 is being tested."

**RATIONALE:** The compliance testing facilities for Unit 8 are located in the ductwork prior to the common stack. Hence, Unit 8 can be tested while Unit 7 is on-line.

COMMENT NO. 32: Revise **Specific Condition B.12.** as follows:

**“B.12. Visible emissions.** The test method for visible emissions shall be EPA Method 9 or DEP Method 9... A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. in lieu of visible emissions testing.”

**RATIONALE:** The visible emission testing requirement applies to Unit 7 and 8. These units are regulated under different sections of Rule 62-296. Although Rule 62-296.405(1)(e) specifies DEP Method 9 for units regulated under Rule 62-296.405, Rule 62-297.401(9) allows both methods for visible emission determinations. Because visible emissions testing is required for both units and to avoid confusion regarding the application of different methods to different units, GRU requests that both methods be considered acceptable for either unit.

COMMENT NO. 33: Revise **Specific Condition B.13.** as follows:

**“B.13. ...~~The owner or operator may use EPA Method 5 to demonstrate compliance...~~ EPA Method 3...”**

*(Note: This sentence starts on line 5)*

**RATIONALE:** This sentence requested to be deleted is redundant and potentially ambiguous (i.e., EPA Methods 17, 5B and 5F may also be used to demonstrate compliance as stated earlier in this same condition).

COMMENT NO. 34: Revise **Specific Condition B.14.** as indicated below and delete the reference to permits AO01-224271 and AO01-224218.

**“B.14. Sulfur Dioxide.** The test methods... Fuel sampling and analysis may be used as an alternate sampling procedure pursuant to Specific Conditions B.10 and B.15 if such a procedure is incorporated into the operation permit for the emissions unit. If the unit obtains an alternate sampling procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emission unit’s permit. The Department..., the permittee elected may elect to demonstrate...” [... ~~AO01-224217 and AO01-224218~~]

**RATIONALE:** The requested revision will remove any uncertainty regarding the use of fuel sampling and analysis as an acceptable SO2 compliance method. The deletion of the reference to the current permits is requested to avoid confusion after the Title V permit is issued.

**COMMENT NO. 35:** Revise **Specific Condition B.15.** as follows:

**“B.15.** For each emissions unit, the following fuel sampling and analysis ~~shall~~ may be used as an alternate sampling procedure authorized by this permit to demonstrate compliance with the sulfur dioxide standard for fuel oil.

- a. Determine and record the ~~as-fired~~ sulfur content, percent by weight, for liquid fuels using either ASTM D2622-92, ASTM D4294-90, ASTM D1552-90, or both ASTM D4057-88 and ASTM D129-91 or the latest edition of the above ASTM methods ~~to analyze a representative sample of the blended fuel following each fuel delivery.~~
- b. Record daily the amount of each liquid fuel fired, ~~the density of each fuel, and the percent sulfur content by weight of each fuel oil fired.~~
- c. ~~Utilize the information in a. and b. above, to ensure compliance at all times.”~~

**RATIONALE:** The fuel sampling and analysis protocol should apply solely to *liquid* fuel because 1) only the liquid fuel fired in these units is subject to sulfur content limits and 2) the sulfur content (as well as density) of natural gas is irrelevant for compliance purposes. Further, rather than require fuel sampling and analysis on an “as-fired” basis or require an analysis of a representative sample of blended fuel following fuel oil deliveries, GRU requests that vendor or owner data be allowed to be used to demonstrate compliance with the sulfur content limits. The burden and expense of as-fired fuel sampling and analysis and of sampling and analyzing the bulk tanks following each fuel delivery are not justified.

**COMMENT NO. 36:** Replace **Specific Condition B.20.** with the following:

**“B.20.** By this permit, annual emissions compliance testing for visible emissions is not required for Units 7 and 8 if these emissions units individually do not burn liquid fuel, other than during startup, for more than 400 hours per calendar year.

**RATIONALE:** The revision incorporates regulatory language. GRU requests that the “calendar” year be used in lieu of the “fiscal” year because most recordkeeping and reporting requirements are based on the calendar year and this will minimize confusion.

**COMMENT NO. 37:** Replace **Specific Condition B. 21** with the following:

**“B.21.** Annual and permit renewal compliance testing for particulate emissions matter is not required for Unit 7 and 8, if during any calendar year, these units individually do not burn liquid fuel(s) for more than 400 hours per calendar year.

**RATIONALE:** See Comment No. 33.



COMMENT NO. 38: Revise **Specific Condition B.22** as follows:

“**B.22** For Unit 8, submit to the Department a written report of SO<sub>2</sub> emissions in ... “

RATIONALE: The quarterly excess emission reporting provisions of Rule 62-296.405(1)(g) apply only to Unit 8 and only for SO<sub>2</sub> because:

- Unit 8 is not required to install a Continuous Opacity Monitor pursuant to Rule 62-296.405(f)(1)(a),
- Unit 8 may monitor the sulfur content of the liquid fuels pursuant to Rule 62-296.405(1)(f)(b), and
- Unit 7 is regulated under Rule 62-296.406.

COMMENT NO. 39: Revise **Specific Condition B.24.b.** as follows:

“**b.** Quantity Limitation. These emission units are permitted to burn “on-specification” used oil ~~that is generated by the J.R.Kelly Generating Station in the production and distribution of electricity,~~ not to exceed ~~10,000~~ 1.5 million gallons per year.

RATIONALE: There is no regulatory basis for restricting the source or quantity of on-specification used oil burned in these emission units. Furthermore, it has been demonstrated that by restricting the quantities of on-specification used oil burned to 1.5 million gallons per year, there should be no concern about the PSD applicability threshold levels for lead.

COMMENT NO. 40: Revise **Specific Condition B.24.e.** as follows:

“**e.** Testing Requirements: The owner or operator... to be burned in these emission units...

(1) ...

(2) ...Physical/Chemical Methods).

Alternatively, the owner or operator may rely on generator knowledge or on previous analysis of similar oils from similar sources to characterize the oil as on-specification.”

RATIONALE: There is no regulatory basis for requiring expensive testing of each batch of used oil to determine whether it is on-specification used oil. The permittee should have the option of relying on generator knowledge or previous analysis to characterize the oil, consistent with 40 CFR 279.72(a).

COMMENT NO. 41: Revise **Specific Condition B.24.f.** as follows:

“**f.** Record Keeping Requirements: The owner or operator...

(1) The gallons of on-specification used oil ~~generated and burned~~ placed in inventory each month. ~~(This record shall be completed no later than the fifteenth day of the succeeding month.)~~

(2) The total gallons of on-specification used oil placed in inventory during the calendar year burned in the preceding consecutive 12-month period. ~~(This record shall be completed no later than the fifteenth day of the succeeding month.)~~

(3) Results of the analyses required above.”

RATIONALE: Not all of the used oil generated by facilities covered under the Title V permit is burned at the J. R. Kelly Generating Station. For example, used oil generated by the fleet maintenance facility is sent off-site to a recycler. On the other hand, non-PCB mineral oil from the transformer shop and used lubricating oils from the power plant are blended with No. 6 fuel oil in the bulk tanks (i.e., the used oil is “placed in inventory”) prior to being burned. Therefore, GRU requests that the record keeping and reporting requirements be limited to the on-specification used oil that is “placed in inventory.” It should be noted, furthermore, the once the used oil has been shown to meet the specifications in 40 CFR 279.11, it is no longer regulated as used oil.

COMMENT NO. 42: Correct the rule references in **Specific Condition B.24.f.**

“**B.24.** ... [40 CFR.279.6472, 40 CFR 279.74 and 761.20(e)]

RATIONALE: This condition pertains to record keeping requirements associated with the use of on-specification used oil. 40 CFR 279.61 deals with restrictions on burning *off*-specification used oil not with record keeping. The correct rule references should be 40 CFR 279.72 and 40 CFR 279.74.

COMMENT NO. 43: Revise **Specific Condition B.24.g.** as follows:

~~“g. Reporting Requirements: The owner or operator shall submit to the Northeast District Office and the Northeast District Branch Office, within thirty days of the end of each calendar quarter, the analytical results and the total amount of on-specification used oil generated and burned during the quarter.~~

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned placed in inventory during the previous calendar year.”

RATIONALE: There is no regulatory basis for requiring quarterly reporting for compliance with an annual limit. Annual reporting, as currently required by the operating permits, should be sufficient to demonstrate compliance with an annual limit.

## **Page 18 - Subsection C. Common Conditions.**

COMMENT NO. 44: In **Specific Condition C.7.(a)3.** delete the following starting on the 5<sup>th</sup> line:

“3. The owner...this provision. ~~In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.,~~ The Department shall not...renewal.”

RATIONALE: Deletion of this wording will make this requirement consistent with Alternate Sampling Procedure ASP Number 97-B-01 including the Order Correcting the Scrivener’s Error dated July 9, 1997.

#### **Page 22 - Section IV. Acid Rain Part**

COMMENT NO. 45: Include the 60-day time limit for submitting compliance certifications contained in **Specific Condition A.4.** in Appendix TV-1, Title V Condition No. 51 (Statement of Compliance).

RATIONALE: To clarify the timeframe in Condition No. 51.

COMMENT NO. 46: Delete **Specific Condition A.5.**

RATIONALE: It does not appear to serve any purpose.

#### **Appendix E-1 - Brief Description of Exempt Emission Units and/or Activities Appendix U-1, List of Unregulated Emissions Units and/or Activities**

COMMENT NO. 47: Include in **Appendix E-1** the following language from Rule 62-213.430(6)(a):

“Emissions units or activities which are added to a Title V source after issuance of this permit shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify for exemption from permitting pursuant to Rule 62-213, F.A.C. [Rule 62-213.430(6)(a)]”

RATIONALE: To clarify that exempt emissions units or activities may be added any time during the term of the permit and identified in the permit upon permit renewal provided they meet the criteria set forth in the referenced rule.

COMMENT NO. 48: In **Appendix E-1** revise **item 7** as follows:

“7. One or more heating units and general purpose internal combustion engines located within a single facility provided:

a. None of the ~~emergency generators~~ heating units and general purpose internal combustion turbines is subject...

b. Total consumption by all such ~~emergency generators~~ heating units and general purpose internal combustion engines within...”

RATIONALE: Correction of typographical error.

COMMENT NO. 49: Transfer the following emissions units and activities from Appendix U-1 to this Appendix:

- Parts cleaning and degreasing stations ~~utilizing no HAPS~~
- Three 840,000 (nominal) gallon storage tanks for ~~new~~ No.6 fuel oil/on-specification used oil or ~~new~~ No. 2 fuel oil
- One 480,000 (nominal) gallon storage tank for ~~new~~ No.6 fuel oil/on-specification used oil or ~~new~~ No. 2 fuel oil
- One 240,000 (nominal) gallon storage tank for ~~new~~ No.6 fuel oil/on-specification used oil or ~~new~~ No. 2 fuel oil
- Two 210,000 (nominal) gallon storage tanks for ~~new~~ No.6 fuel oil/on-specification used oil or ~~new~~ No. 2 fuel oil
- Two 115,000 (nominal) gallon storage tanks for ~~new~~ No.2 fuel oil
- Two 54,000 (nominal) gallon storage tanks for ~~new~~ No.6 fuel oil/on-specification used oil
- Turbine vapor extractor
- Sand blasting and abrasive grit blasting using temporary enclosures
- Vehicle refueling operations
- Freshwater cooling towers
- Storage tanks less than 550 gallons
- Underground gasoline and diesel storage tanks greater than or equal to 550 gallons

RATIONALE: Professional judgment indicates that these emissions units and activities will meet the criteria specified by Rule 62-213.430(6)(b).

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 8/11/97)**

**COMMENT NO. 50:** Designate the following TV-1 conditions as “not federally enforceable.”

TV-1 CONDITION	RULE TITLE	F.A.C. RULE NO.
1.	General Prohibition	62-4.030
3.	Standards for Issuing & Denying Permits	62-4.070(7)
4.	Modification of Permit Conditions	62-4.080
10.	Definition of “Immediately”	No regulatory basis for the definition.
12. (2), (4), (5), (6), (9), (11)	Permit Conditions	62-4.160
13.	Construction Permits	62-4.210
14.	Operation Permit for New Sources	62-4.220
17.	Asbestos	62-257
18. (intro), (1)	Permits Required	62-210.300
19.	Notification of Startup	62-210.300(5)
20.	Emission Unit Reclassification	62-210.300(6)
23.	Reports	62-210.370

**RATIONALE:** The rules underlying these conditions are not contained in Florida’s SIP and have no federally enforceable basis under the Clean Air Act.

**COMMENT NO. 51:** GRU understands that the Department is currently conducting additional research on these conditions/rules and the question of federal enforceability. GRU requests that any changes resulting from the Department’s research and future negotiations with FCG be reflected accordingly in the Title V permit.

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

**COMMENT NO. 52:** For all units change the “Hours/Year” for pollutants “VE” and “PM ” from “7665” to “8760.”

**RATIONALE:** The units are permitted to operate up to 8760 hours per year on natural gas or liquid fuel.

**COMMENT NO. 53:** For all units, delete the columns titled “Equivalent Emissions\*” and the related footnote.

**RATIONALE:** This information has no practical value and could cause confusion.

COMMENT NO. 54: For Unit 8 revise the table as detailed below.

- change the SO2 Standards in the Allowable Emissions column as follows:  
“~~1.5 % by weight~~” 2.75 lb/MMBTU or 2.5% sulfur, by weight
- change the Regulatory Citation as follows:  
~~BACT determination dated 10/09/94~~ 62-296.405(1)(c), F.A.C.

RATIONALE: See Comment No. 29 pertaining to Specific Condition b.9.

### **Table 2-1, Summary of Compliance Requirements**

COMMENT NO. 55: For all units, delete the column titled “Frequency Base Date\*” and the related footnote.

RATIONALE: Frequency Base Date is not defined and it is not clear what use it serves.

COMMENT NO. 56: For all units, it is unclear whether the information in the “CMS” column is intended to indicate that a CMS is required or simply if a CMS has been installed on the unit.

RATIONALE: Unit 8 is equipped with a CMS that is required by 40 CFR 75 but not by Rule 62-296.405. Does Table 2-1 accurately reflect the Department’s intended purpose?

Tvpermit

Scott

**RECEIVED**

SEP 04 1997

BUREAU OF  
AIR REGULATION

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an  
Application for Permit by:

OGC No. \_\_\_\_\_

City of Gainesville, Gainesville  
Regional Utilities  
P.O. Box 147117 (A134)  
Gainesville, FL 32614-7717

DRAFT Permit No.: 0010005-001-AV  
J.R. Kelly Generating Station  
Alachua County

**REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time to and including October 10, 1997, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, GRU states the following:

1. On or about August 27, 1997, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0010005-001-AV) for the J.R. Kelly Generating Station in Alachua County, Florida. Along with the Intent to Issue, GRU received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. Based on GRU's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

3. GRU is in the process of developing a letter to the Department describing these issues and suggesting changes to the draft permit.

4. Representatives of GRU intend to discuss this matter with staff of the

Department's Bureau of Air Regulation in the near future in an effort to resolve all issues.


5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing.

6. Scott Sheplak with the Department's Bureau of Air Regulation agreed to a 30-day extension on behalf of the Department. Counsel for GRU has attempted without success to contact W. Douglas Beason with the Department's Office of General Counsel regarding this request.

WHEREFORE, GRU respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0010005-001-AV be formally extended to and including October 10, 1997.

Respectfully submitted this 3rd day of September, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

  
Angela R. Morrison, Fla. Bar No. 0855766  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

Attorney for CITY OF GAINESVILLE,  
GAINESVILLE REGIONAL UTILITIES



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following  
by U.S. Mail on this 3rd day of September, 1997:

Clair H. Fancy, P.E.  
Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2600

W. Douglas Beason  
Office of General Counsel  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2600

A handwritten signature in cursive script, reading "Angela R. Morrison", is written over a horizontal line.

98129

Date: 8/29/97 12:12:17 PM  
From: Elizabeth Walker TAL  
Subject: New posting  
To: See Below

There are two new postings available on the Florida Website.

JOHN R KELLY  
POWER PLANT 0010005001AV Draft

GANNON 0570040002AV Draft

The notification letters are encoded and attached. If you have any questions, please let me know.

Elizabeth



September 16, 1997

**RECEIVED**

SEP 17 1997

BUREAU OF  
AIR REGULATION

Mr. Scott M. Sheplak, P.E.  
Bureau of Air Regulation  
Florida Dept. of Environmental Protection  
2600 Blair Stone Road, Mail Station 5505  
Tallahassee, FL 32399-2400

Re: City of Gainesville  
Gainesville Regional Utilities  
J. R. Kelly Generating Station  
Draft Title V Permit No. 0010005-001-AV

Dear Mr. Sheplak:

Enclosed please find the proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit" for the above referenced facility. The legal notice appeared in the Gainesville Sun on Saturday, September 13, 1997. If you have any questions, please do not hesitate to contact me at (352) 334-3400 ext. 1284 or Rob Klemans at ext. 1283.

Sincerely,

Yolanta E. Jonynas  
Sr. Environmental Engineer

Enclosure

xc: Gary Swanson  
CAA Title V

W:\U0070\ENV\TITLE V PERMIT.LEGAL AD

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

**STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION**

**Title V DRAFT Permit No.:  
0010005-001-AV  
J. R. Kelly Generating  
Station  
Alachua County**

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to City of Gainesville GRU, for the J. R. Kelly Generating Station located at 605 SE 3rd Street, Gainesville, Alachua County. The applicant's name and address are: City of Gainesville, GRU, P.O. Box 147117 (A134), Gainesville, FL 32614-7117.

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

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of thirty (30) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #505, Tallahassee, Florida 32399-7400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed.

(b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action.

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

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

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action.

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action.

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this Notice of Intent.

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

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's forty-five (45) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised during the thirty (30) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 401 M. Street, SW, Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

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

Affected District / Local Program:  
Northeast District Office  
7825 Baymeadows Way,  
Suite 200B  
Jacksonville, FL 32256-7590  
Telephone: 904/448-4300  
Fax: 904/448-4363

Northeast District Branch Office:  
101 NW 75 Street, Suite 3  
Gainesville, FL 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

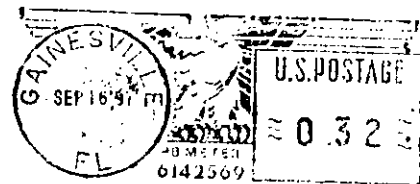
The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/488-1344, for additional information.

Strategic Planning Department (A136)



**GAINESVILLE REGIONAL UTILITIES**

P.O. Box 147117, Gainesville, Florida 32614-7117



Scott M. Sheplak, P.E.  
Bureau of Air Regulation  
Florida Dept. of Environmental Protection  
2600 Blair Stone Road, Mail Station 5505  
Tallahassee, FL 32399-2400

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