



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

October 28, 1999

Mr. R. Douglas Neeley, Chief
Air and Radiation Technology Branch
Air, Pesticides and Toxics Management Division
USEPA Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-8909

RE: Orlando Utilities Commission – Indian River Plant
Proposed Title V Permit No. 0090008-001-AV
Response to Comments

Dear Mr. Neeley:

This is a response to EPA's objections/comments, dated August 5, 1999, on the proposed Title V permit for Orlando Utilities Commission – Indian River Plant.

I. EPA Objection Issues

1. **Periodic Monitoring** - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter limit for units 001 through 003. Condition III.A.5 requires annual compliance testing for particulate matter emissions to allow a 40 percent visible emissions limit for the three boilers, however permit condition III.A.21 appears to negate the annual test requirement if liquid fuel is not burned for more than 400 hours for that federal fiscal year. The permit must require the source to conduct more frequent testing or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional PM testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a test performed once a year.

Response

The Department issued an Order on March 28, 1989 that granted OUC a reduction in the frequency of particulate matter emissions compliance testing to one steady-state particulate matter compliance test annually under soot blowing conditions. (See attachment). The Florida Administrative Code (FAC) provides that the Department may reduce the frequency of particulate matter testing upon a demonstration that the particulate matter standard of 0.1 pounds per million Btu heat input has been regularly met. The petition and supporting documentation submitted by OUC on October 5, 1988, indicated that they had regularly met the particulate standard since January 8, 1980. In addition, the FAC provides that an annual compliance test is not required for particulate matter emissions if liquid fuel is not burned for more than 400 hours per federal fiscal year.

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For Steam Units 1, 2, & 3, OUC suggests that the monitoring frequency be related to past compliance testing results as outlined in FDEP's periodic monitoring examples document. Accordingly, the following language has been added to the statement of basis: "The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified because the units 001, 002, and 003 are uncontrolled and have documented low emissions in previous emissions tests while firing fuel oil. The applicant has presented historical PM test results which show that the steady-state and soot blowing average results are well below the applicable standards of 0.1 lb/mmBtu and 0.3 lb/mmBtu, respectively. The five-year average test results for 1994-1998 for these units are as follows:

	<u>Steady State</u> <u>(lb/mmBTU)</u>	<u>Soot-Blow</u> <u>(lb/mmBTU)</u>
Unit 001	0.058	0.080
Unit 002	0.061	0.131
Unit 003	0.056	0.103"

2. Periodic Monitoring - Conditions III.A.4, B.3, C.2.d, C.2.d, and C.3, contain limits on operating hours for each of the units associated with fuel use and/or limits on "potential to emit." In order for the operational limit to be enforceable as a practical matter, the permit must specify that the facility is required to keep daily records of the operating hours, and where applicable, associated fuel use.

Response

OUC keeps records in order to show compliance with these permit requirements. Recordkeeping requirements have been added to these conditions.

3. Periodic Monitoring - Condition III.F.1 contains operational limits for the number of hours per week during which loading can occur, and the maximum process loading rate for the lime storage silo. In order for the operational limits to be enforceable as a practical matter, the permit must require record keeping for the operating hours and process loading rate of the lime storage silo to ensure continuous compliance with these limits.

Response

Recordkeeping requirements have been added to this condition.

4. Periodic Monitoring - Condition III.F.4. requires the source to conduct a Method 9 visible emissions test for the lime storage silo. The permit needs to designate a required frequency for this compliance test. Additionally, EPA recommends that the permit contain a condition that requires the source to perform and record the results of a qualitative observation of opacity (40 C.F.R. Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions. If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative

survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded.

Response

The permit has been revised to require an annual Method 9 compliance test and to require OUC to perform and record the results of a qualitative observation of opacity (40 C.F.R. Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions. If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded.

5. Appropriate Averaging Times - In order for the emissions standard for particulate matter in conditions III.A.7 and A.8 and for pollutants listed in conditions III.B.4, B.6, and C.5 (excluding NO_x and sulfur dioxide, for which "excess emissions" are defined in condition III.D.4) to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

Response

The following permitting note has been added following conditions III.A.7, A.8, B.4, and C.5: {Permitting Note: The averaging time shall correspond to the cumulative sample time, as specified in the reference test method.} As agreed upon during a telephone conversation between Elizabeth Bartlett and Cindy Phillips on October 27, 1999, this permitting note has not been added to condition III.B.6. because this condition is included in the permit for inventory purposes only.

6. Applicable Requirements - Condition III.B.7. allows the source to operate Combustion Turbines A and B "at or better than the minimum water to fuel ratios measured for the most recent (satisfactory) compliance demonstration." This condition conflicts with the requirements of 40 C.F.R. § 60.333(c)(1), which requires compliance with the "water-to-fuel ratio determined to demonstrate compliance with § 60.332 by the [initial] performance test required in § 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in § 60.8."

Response

Since the NSPS was written with only one performance test in mind (the initial one), it does appear to be at odds with the concept of more frequent testing. The Department feels it is more important to look at the most recent test parameters than to be concerned with those that are nine years old.

The following condition requiring utilization of water injection for NO_x control and specifying the appropriate water to fuel ratios has been revised: "B.7.

Water Injection. Water injection shall be used for NO_x control. The combustion turbines (CT) shall operate at the minimum water-to-fuel ratios measured for the most recent (satisfactory) compliance demonstration. The compliance test report shall document the required water-to-fuel ratios.”

7. Applicable Requirements - PSD-FL-173 Condition 15 does not appear to have been incorporated into the title V permit for this source. A condition requiring utilization of water injection for NO_x control and specifying the appropriate water to fuel ratios must be added to Subsection C for Combustion Turbines C & D. In accordance with PSD condition 15, “The water to fuel ratio at which annual compliance is achieved shall be incorporated into the permit and shall be continuously monitored. The system shall meet the requirements of 40 C.F.R. Part 60, Subpart GG.” Condition III.C.10. requires that the ratios be provided to demonstrate compliance with the permitted emission rate, but this condition alone does not meet the intent of Condition 15.

Response

The following condition requiring utilization of water injection for NO_x control has been revised to read: **“C.10. Water Injection. Water injection shall be used for NO_x control. OUC shall report the water-to-fuel ratios used during testing to demonstrate compliance with the permitted emission rate. Additionally, the water meters shall be calibrated semi-annually (once every six months). If, after two years [of initial use], the meters show less than two percent error, the calibration frequency shall be changed to annually.”**

8. Applicable Requirements - To comply with the applicable requirements of 40 C.F.R. Subpart GG, discussed in Objection Item #7, condition III.D.1. should be replaced with specific nitrogen oxide standards for Combustion Turbines A & B and C & D, calculated using the values for fuel-bound nitrogen used during the initial compliance tests for these units.

Response

The following permitting note has been added to III.D.1.: {Permitting Note: Fuel bound nitrogen is used to increase the NSPS limit to account for nitrogen in the fuel. The lowest NO_x limit that can be achieved with this equation is 0.0075% NO_x by volume (at 15 percent oxygen and on a dry basis.) Combustion Turbines A, B, C, and D are all BACT turbines and have much lower NO_x limits without regard for the fuel bound nitrogen. }

9. Acid Rain Requirements - In accordance with 40 C.F.R. 70.6(a)(1)(ii), the permit must state that, “where an applicable requirement of the Act is more stringent than an applicable requirement of the regulations promulgated under title IV of the Act, both provisions shall be incorporated in the permit and shall be enforceable by the Administrator.”

Response

This has been added to the Acid Rain Part of the permit.

II. General Comments

1. Public Comment Period - The transmittal memo sent to the facility containing response to comments indicates that the 30-day public comment period began on October 8, 1997. The response to comments section documents changes made to the permit in response to written comments dated October 17, 1997, and received on December 10, 1997, written comments dated April 12, 1999, and a meeting held with OUC personnel on May 4, 1998. All changes made to the draft permit appear to be based on comments received from OUC outside of the 30-day public comment period. Because changes of potential public concern were made to the draft permit after the public comment period (see Objection Item #6), the revised draft permit should have been renoticed to accommodate input from the entire public. If the October 17, 1997, letter from OUC was an extension request, the appropriate action would have been for FDEP to extend the public comment period for a specified amount of time allowing the entire public the opportunity to provide comments on the draft permit.

Response

The changes were made within the APA process (i.e. there was a petition filed) to resolve possible litigation. The Department can't go back to public notice every time we resolve APA litigation or we would have a never-ending process.

2. Page 2, Condition I.A. - The "Facility Description" indicates that the facility is a major source of hazardous air pollutants (HAPs), but does not identify which HAPs. The facility is also a major source of sulfur dioxide, particulate matter, carbon monoxide, and nitrogen oxides. For clarity, the permit and/or statement of basis should specify each pollutant for which the facility is a major source.

Response

The Florida Administrative Code does not require that each HAP be specified.

3. Page 4, Condition II.11. - Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are (404)562-9155 and (404)562-9163, respectively. This condition should also cross-reference condition 51 of Appendix TV-3, which lists the necessary elements of a compliance certification required under 40 C.F.R. 70.6(c)(5)(iii).

Response

This has been done.

4. Page 5, Condition III.A.1. - As specified in Appendix C of the permit application, this condition should also limit on-specification used oil firing such that the heat input is no more than 10 percent of the permitted heat input on No. 6 Fuel Oil while combusting either no. 6 Fuel Oil or Pipeline Natural Gas.

Response

This has been done.

5. Page 6, Condition III.A.5. - This condition limits the visible emissions from the three steam generating units to 40% opacity, and requires the source to conduct a compliance test for particulate matter annually. The Florida SIP Rule 62-296.405(1)(a), F.A.C., *Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input*, requires quarterly testing for particulate matter to comply with the 40 % opacity limit, unless the facility has petitioned and received approval from FDEP to allow annual particulate testing. Documentation was not available during the permit review to verify FDEP approval for annual testing. Please provide documentation of FDEP's approval for annual particulate testing or revise this condition to reflect the requirements of 62-296.405(1)(a), F.A.C.

Response

This has been provided. See Attachment 3.

6. Page 7, Condition III.A.11. - This condition mistakenly refers to condition A.24 for SO2 record keeping requirements. Please modify this condition to reference A.22.

Response

This has been done.

7. Page 7, Condition III.A.12(a) - This condition is vague as to how it applies to OUC. Specific equipment for which this requirement is applicable should be listed.

Response

This is a standard condition which has been routinely used in Title V permits without further clarification. For the sake of consistency, no changes will be made.

8. Page 15, Condition III.B.6. - The PM10 limit for oil was incorrectly copied from the PSD permit as 87.6 TPY per Unit. Please change this value to 43.8 TPY per Unit.

Response

This has been done.

9. Page 20, Condition III.D.5. - This condition refers to compliance test for each "diesel generator." Should this be changed to say "combustion turbine?"

Response

This has been changed to "combustion turbine."

10. Page 33, Subsection E - While this subsection is intended to apply to Units 001 through 007, this applicability should be stated as the first condition in this subsection, and references to this subsection should be provided as specific permit conditions in Subsections A, B, and C. As the permit stands, short paragraphs are provided in each of the other subsections which are mixed in with various, unrelated conditions.

Response

These changes have been made.

Resolution of these objections is necessary in order for Orlando Utilities Commission to receive a Final Title V permit by December 31, 1999. Upon your concurrence with these responses, the Department will issue a Final Title V permit that contains the changes indicated. If have any questions or comments concerning these revisions, please contact Mr. Scott Sheplak at (850)921-9532.

Sincerely,



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

c: Bob Hicks, OUC

ATTACHMENT

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)
)
Petition for Reduction in)
Quarterly Particulate)
Emissions Compliance Testing)
)
Orlando Utilities Commission)
Indian River Plant)
Units 1, 2, and 3)
)
Petitioner)
_____)

OGC File No. 88-1257,88-1258,88-1259
PERMIT NOS: AO 05-105756
AO 05-107392
AO 05-107390

RECEIVED

MAR 30 1989

ORDER

ORLANDO UTILITIES
COMMISSION

On October 5, 1988, the Petitioner, Orlando Utilities Commission, filed a Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel-fired steam generating units:

Indian River Plant Units 1, 2 and 3

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., Petitioner has conducted quarterly particulate matter emissions compliance testing. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate matter testing upon a demonstration that the particulate matter standard of 0.1 pounds per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since January 8, 1980, Petitioner has regularly met the particulate matter standard. It is, therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing is GRANTED, and that:

1. Petitioner's Indian River Plant generating units 1, 2, and 3 shall be required to conduct one steady-state

one particulate matter emissions compliance test annually under soot blowing conditions.

2. Indian River Plant Units 1, 2, and 3 shall be subject to a steady-state visible emissions limiting standard of forty (40) percent opacity.
3. This order supercedes all conflicting conditions relating to frequency of particulate matter emissions compliance testing contained in operating permits A005-105756, A005-107392, and A005-107390 for Indian River Plant Units 1, 2, and 3 respectively.
4. If after investigation, the Department, or its designee, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emissions standard in Chapter 17-2 or in a permit issued to the applicant pursuant to Chapter 17-2 is being violated, the Department may require additional tests for particulate matter emissions pursuant to Florida Administrative Code Rule 17-2.700(2)(b).

This Order shall constitute final agency action by the Department pursuant to Section 120.57, F.S. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section

The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department OGC File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

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

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends required reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing order has been mailed, postage prepaid, to James S. Crall, OUC, 500 South Orange Avenue, Post Office Box 3193, Orlando, Florida 32802, this 25 day of March, 1989.



~~BETSY BENNETT~~
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730



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NOV 04 1999

November 1, 1999

BUREAU OF AIR REGULATION

Scott M. Sheplak, P.E.
Title V Coordinator, Division of Air Resource Management
Department of Environmental Protection
Twin Towers Office Building, MS 5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Sale of Indian River Power Plant

Dear Mr. Sheplak,

Reliant Energy Indian River, L.L.C. (Reliant Energy), a Delaware limited liability company, hereby provides notice to the State of Florida, Department of Environmental Protection of the sale of a portion of the Indian River Power Plant from the Orlando Utilities Commission (OUC) to Reliant Energy.

The plant consists of three steam electric generating units and four combustion turbine generating units with appurtenant equipment and structures. As a result of the sale, which was completed on October 5, 1999, Reliant Energy has purchased the plant property and assets, with the exception of the four combustion turbines and certain equipment necessary for the operation of the turbines. Reliant Energy has also granted an easement over its newly acquired property to allow OUC to have access to its power generation assets.

OUC is the applicant for Title V Permit No. 00900008-001-AV, which authorizes operation of all generating units at the Indian River facility, and is the holder of several FDEP operating permits including those pertaining to the steam generating units, the combustion turbine units and a lime storage silo. Because of ongoing discussions with the Department of Environmental Protection and U.S. EPA relating to the effect of the transfer of any of the operating permits on the Title V permit application, none of those permits were transferred to Reliant Energy, but Reliant Energy and OUC have agreed that Reliant Energy is to comply with requirements related to such permits, and OUC is to maintain such permits.

Although Regulation 62-4.120 requires that an application for transfer of permit must be filed within 30 days of a change in ownership of a permitted facility, this action is not relevant in this case due to the fact that no transfer of permits has occurred for the reasons described above.

Please contact Jason M. Goodwin, P.E at 713-945-7167 if you have any questions or require additional information.

Sincerely,

Ben C. Carmine, P.E.
Manager, Air Resources Division
Environmental Department
Wholesale Group

JMG:\Power Projects\Indian River\IRP Permit Notification.doc

c: Denise Scarlett – Orlando Utilities Commission – Orlando, FL
Leonard T. Kozlov, P.E. – Florida Department of Environmental Protection - Orlando, FL
HOU03:646410.4

Orlando Utilities Commission
500 South Orange Avenue
P.O. Box 3193
Orlando, Florida 32802
Phone: 407.423.9100
Administrative Fax: 407.236.9616
Purchasing Fax: 407.384.4141
Website: www.ouc.com



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SEP 24 1999

BUREAU OF AIR REGULATION

Via AirBorne Express
Airbill No. 9414783081

September 23, 1999

Mr. Scott M. Sheplak, P. E.
Administrator Title V Section
Division of Air Resources Management
Florida Department of Environmental Protection
2600 Blair Stone Road - MS 5500
Tallahassee, FL 32399-2400

RE: EPA Objection to Proposed Title V Permit No. 0090008-001-AV
Facility Name: Orlando Utilities Commission - Indian River Plant

Dear Mr. Sheplak:

The Orlando Utilities Commission (OUC) is submitting the following comments regarding the referenced EPA objection to the issuance of the Title V permit for our Indian River Plant:

- I.1 Periodic Monitoring for Steam Units 1, 2, & 3 - OUC suggests that the monitoring frequency be related to past compliance testing results as outlined in the FDEP position paper on periodic monitoring. The five-year average test results for these units are as follows:

	<u>Steady State</u> (lb/mmBTU)	<u>Soot-Blow</u> (lb/mmBTU)
IRP-1	0.058	0.080
IRP-2	0.061	0.131
IRP-3	0.056	0.103

Attachment 1 shows the annual compliance test results over the last five years to support these averages.

- I.2 Periodic Monitoring - Records are kept in order to show compliance with requirements contained in III.A.4,B.3, C2d, and C.3. OUC has no objections to this record keeping requirement being a part of the permit.
- I.3 Periodic Monitoring - OUC has no objections to record keeping requirements relating to operation of the lime silo baghouse being made part of the permit.
- I.4 Periodic Monitoring - OUC agrees that one Method 9 test annually to prove compliance with required emission limit and a Method 22 test conducted during each truck unloading operation for periodic monitoring.
- I.5 Appropriate Averaging Times - The emission limits contained in Condition 111.A.7 and A.8 were developed based on steady load operation at greater than 90% capacity. When the units are tested under these conditions, OUC has no objections to the use of the three (3) hour averaging time required in Method 17. Emission limits during other operating scenarios have not been developed; therefore, there are no standards that exist during these times.
- I.6 & Applicable Requirements - Attachment 2 contains the appropriate water injection data utilized to control NOx emissions.
- I.7
- I.8 Applicable Requirements - Fuel bound nitrogen is used to increase the NSPS limit to account for nitrogen in the fuel. Combustion Turbines A, B, C, and D are all BACT turbines and have much lower NOx limits without regard for the fuel bound nitrogen.
- I.9 Acid Rain Requirements - No comment.
- 11.1 through 11.4 - No comment.
- 11.5 Page 6 Condition 111.A.5 - Attachment 3 is the order issued by FDEP reducing the testing frequency to annually.
- 11.6 through 11.10 - No comment.

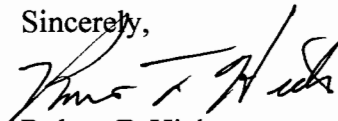
In addition to the above comments on the EPA objection letter, the OUC would like to submit the following comments for your consideration:

- 1) Combustion Turbines A, B, C, and D - Included in Attachment 4 are the relationships between ambient temperature and heat input curves which are required to determine the % capacity of the turbine during compliance testing. In keeping with FDEP's guidance memo on combustion turbine testing, I believe this data needs to be included in the permit.
- 2) Condition A.27e Testing Requirements - The testing requirements for used oil specified in the permit as written will essentially prohibit the burning of used oil in any of our Units. The rule does not specify the frequency of testing; however, our permit requires the testing of each batch of on-site generated used oil. Since we would be burning the oil as generated, the cost of testing will essentially make it uneconomical to burn our used oil. I have included in Attachment 5 our analysis of the rule and our rationale that would allow us to burn our own used oil. Please review our comments regarding this condition.

Condition E-4 requires annual testing for particulate on our gas turbines that burn more than 400 hours of liquid fuel (No.2 oil). This is a new requirement which was not contained in our previous operating permit. If this was included for periodic monitoring, I suggest that something short of this would be more appropriate.

Thank you for considering these comments. If you have any questions or I can provide additional information, please call me at 407/423-9133.

Sincerely,



Robert F. Hicks
Sr. Environmental Engineer

RFH:rc
Enclosures

xc: D. M. Scarlett
Cindy Phillips - FDEP

ATTACHMENT 1

PARTICULATE lb / MMBtu

	IRP-1		IRP-2		IRP-3	
	SS	SB	SS	SB	SS	SB
1998	0.066	0.0747	0.078	0.116	0.069	0.106
1997	0.08	0.092	0.041	0.071	0.045	0.099
1996	0.05	0.1	0.1	0.3	0.08	0.1
1995	0.041	0.042	0.032	0.074	0.041	0.08
1994	0.052	0.089	0.053	0.095	0.043	0.13
5 yr avg	0.0578	0.07954	0.0608	0.1312	0.0556	0.103

1/2 STD 0.0745 0.1745 0.0745 0.1745 0.0745 0.1745

ATTACHMENT 2

Combustion Turbine A Water Injection Tables

GAS	Gas Flow (LB/Sec)	W/F Ratio Required	OIL	Oil Flow (Lb/Sec)	W/F Ratio Required
1	0.00	0.000	1	0.00	0.000
2	2.58	0.345	2	2.94	0.384
3	3.41	0.452	3	3.78	0.439
4	4.42	0.545	4	4.87	0.515
5	5.83	0.635	5	6.13	0.569

Combustion Turbine B Water Injection Tables

GAS	Gas Flow (LB/Sec)	W/F Ratio Required	OIL	Oil Flow (Lb/Sec)	W/F Ratio Required
1	0.00	0.000	1	0.00	0.000
2	2.31	0.294	2	2.89	0.363
3	3.23	0.461	3	3.85	0.460
4	4.20	0.550	4	4.95	0.511
5	5.07	0.604	5	5.88	0.541

Combustion Turbine C Water Injection Tables

GAS	Gas Flow (SCFM)	W/F Ratio Required	OIL	Oil Flow (GPM)	W/F Ratio Required
1	0	0	1	0	0
2	8000	0	2	35	0.80
3	8750	1.09	3	70	0.84
4	10500	1.18	4	110	0.88
5	12000	1.08	5	120	0.88
6	14250	1.09	6	135	0.90
7	16750	1.08	7	150	1.00
8	19000	1.14	8	165	1.00
9	24500	1.24	9	180	1.04

Combustion Turbine D Water Injection Tables

GAS	Gas Flow (SCFM)	W/F Ratio Required	OIL	Oil Flow (GPM)	W/F Ratio Required
1	0	0	1	0	0
2	8000	0	2	35	0.80
3	8750	1.10	3	70	0.80
4	10500	1.10	4	110	0.90
5	12000	1.03	5	120	0.90
6	14250	0.92	6	135	1.00
7	16750	0.98	7	150	1.00
8	19000	1.08	8	165	1.00
9	24500	1.15	9	180	1.00

09/08/99

10:26 OUC POWER RESOURCES -> 407 423 9198

Best Available Copy

NO.023

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ATTACHMENT 3

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)
)
Petition for Reduction in)
Quarterly Particulate)
Emissions Compliance Testing)
)
Orlando Utilities Commission)
Indian River Plant)
Units 1, 2, and 3)
)
Petitioner)
_____)

OGC File No. 88-1257,88-1258,88-1259
PERMIT NOS: AO 05-105756
AO 05-107392
AO 05-107390

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MAR 30 1989

ORDER

ORLANDO UTILITIES
COMMISSION

On October 5, 1988, the Petitioner, Orlando Utilities Commission, filed a Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel-fired steam generating units:

Indian River Plant Units 1, 2 and 3

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., Petitioner has conducted quarterly particulate matter emissions compliance testing. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate matter testing upon a demonstration that the particulate matter standard of 0.1 pounds per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since January 8, 1980, Petitioner has regularly met the particulate matter standard. It is, therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing is GRANTED, and that:

1. Petitioner's Indian River Plant generating units 1, 2, and 3 shall be required to conduct one steady-state

one particulate matter emissions compliance test annually under soot blowing conditions.

2. Indian River Plant Units 1, 2, and 3 shall be subject to a steady-state visible emissions limiting standard of forty (40) percent opacity.
3. This order supercedes all conflicting conditions relating to frequency of particulate matter emissions compliance testing contained in operating permits A005-105756, A005-107392, and A005-107390 for Indian River Plant Units 1, 2, and 3 respectively.
4. If after investigation, the Department, or its designee, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emissions standard in Chapter 17-2 or in a permit issued to the applicant pursuant to Chapter 17-2 is being violated, the Department may require additional tests for particulate matter emissions pursuant to Florida Administrative Code Rule 17-2.700(2)(b).

This Order shall constitute final agency action by the Department pursuant to Section 120.57, F.S. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. Petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section

The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department OGC File Number;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

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

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends required reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the applicant have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing order has been mailed, postage prepaid, to James S. Crall, OUC, 500 South Orange Avenue, Post Office Box 3193, Orlando, Florida 32802, this 25 day of March, 1989.


BETSY HEWITT
Assistant General Counsel

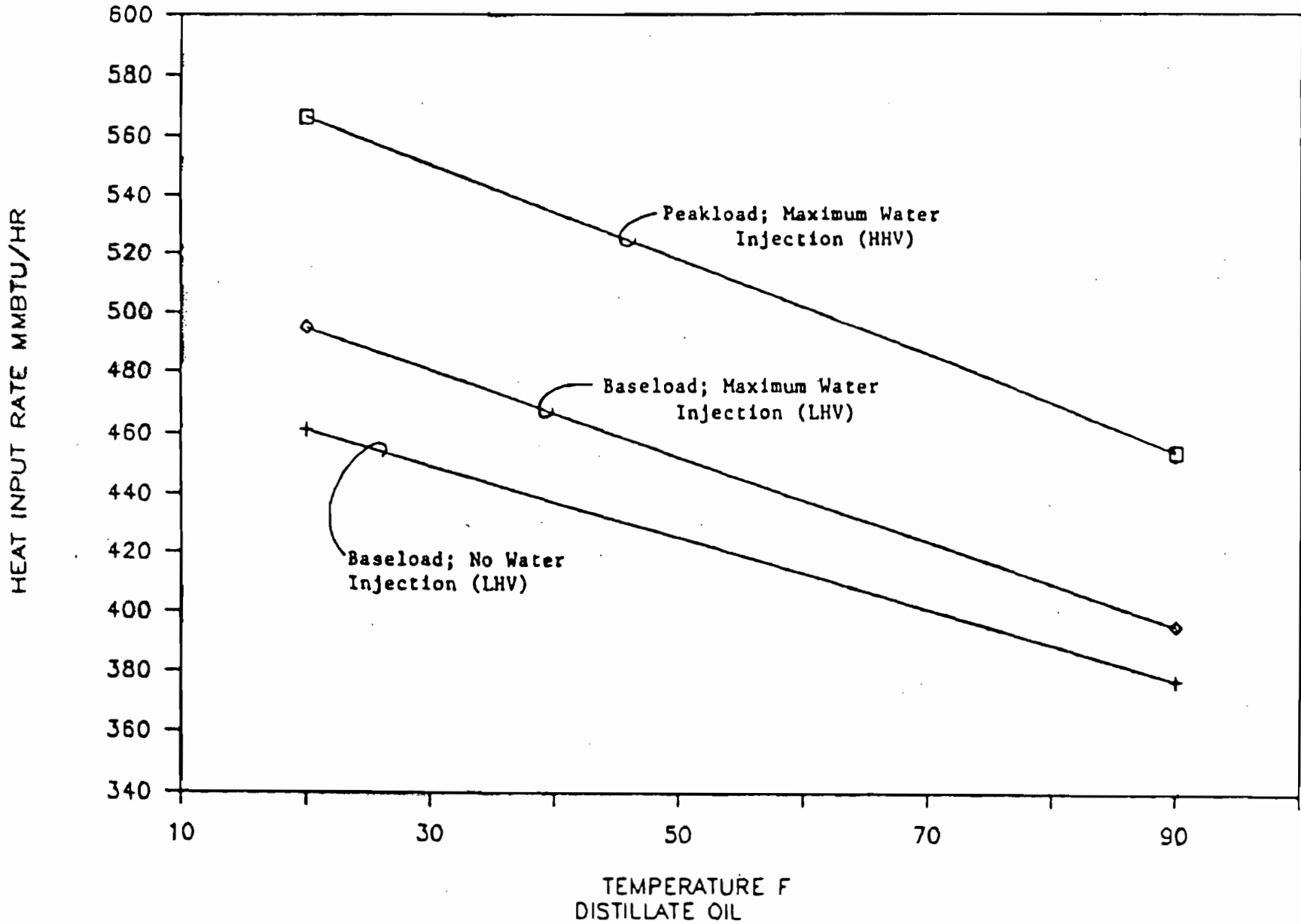
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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

Telephone (904) 488-9730

OUC IRP COMBUSTION TURBINES

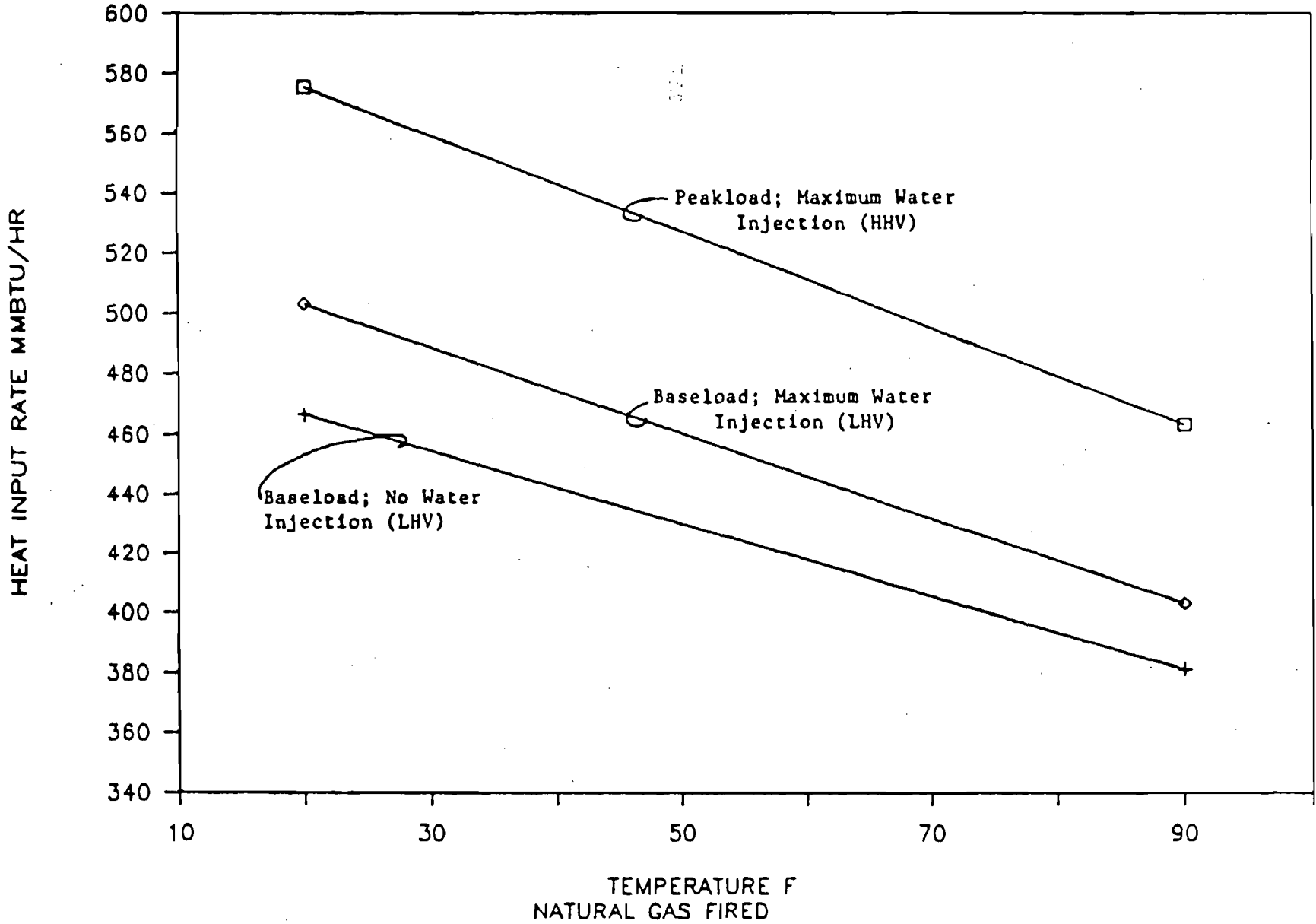
HEAT INPUT VS TEMPERATURE



ATTACHMENT 4

OUC IRP COMBUSTION TURBINES

HEAT INPUT VS TEMPERATURE





RECEIVED

APR 12 1995

Westinghouse
Electric Corporation

Power Generation
Business Unit

Power Generation
Projects Division

The Quadrangle
4400 Alafaya Trail
Orlando Florida 32826-2399

CM/OPTMS/95-027

April 11, 1995

Mr. Bob Hicks
Environmental Division
Orlando Utilities Commission
500 South Orange Avenue
P. O. Box 3193
Orlando, Florida 32802

FAX: (407) 236-9616

Re: Heat Input Curve for OUC Indian River, Units C and D, Base Load Operation

Dear Mr. Hicks:

Per your request to Mr. Joseph Macak, attached is the base load heat input (million Btu/hr, LHV) curve vs. ambient temperature applicable to OUC Indian River Units C and D, while operating on natural gas and distillate oil fuels. The curve reflects expected heat input with 60% relative humidity and is not to be construed as a commercial offering. Be advised that these values will vary slightly based on changes in meteorology and fuel quality. The plot points for typical fuel are as follows:

Ambient Temperature	Base Load Heat Input (million Btu/hr, LHV)	
	Natural Gas	Distillate Oil
0	1354	1312
20	1354	1312
30	1349	1279
59	1251	1185
90	1148	1087
104	1097	1040

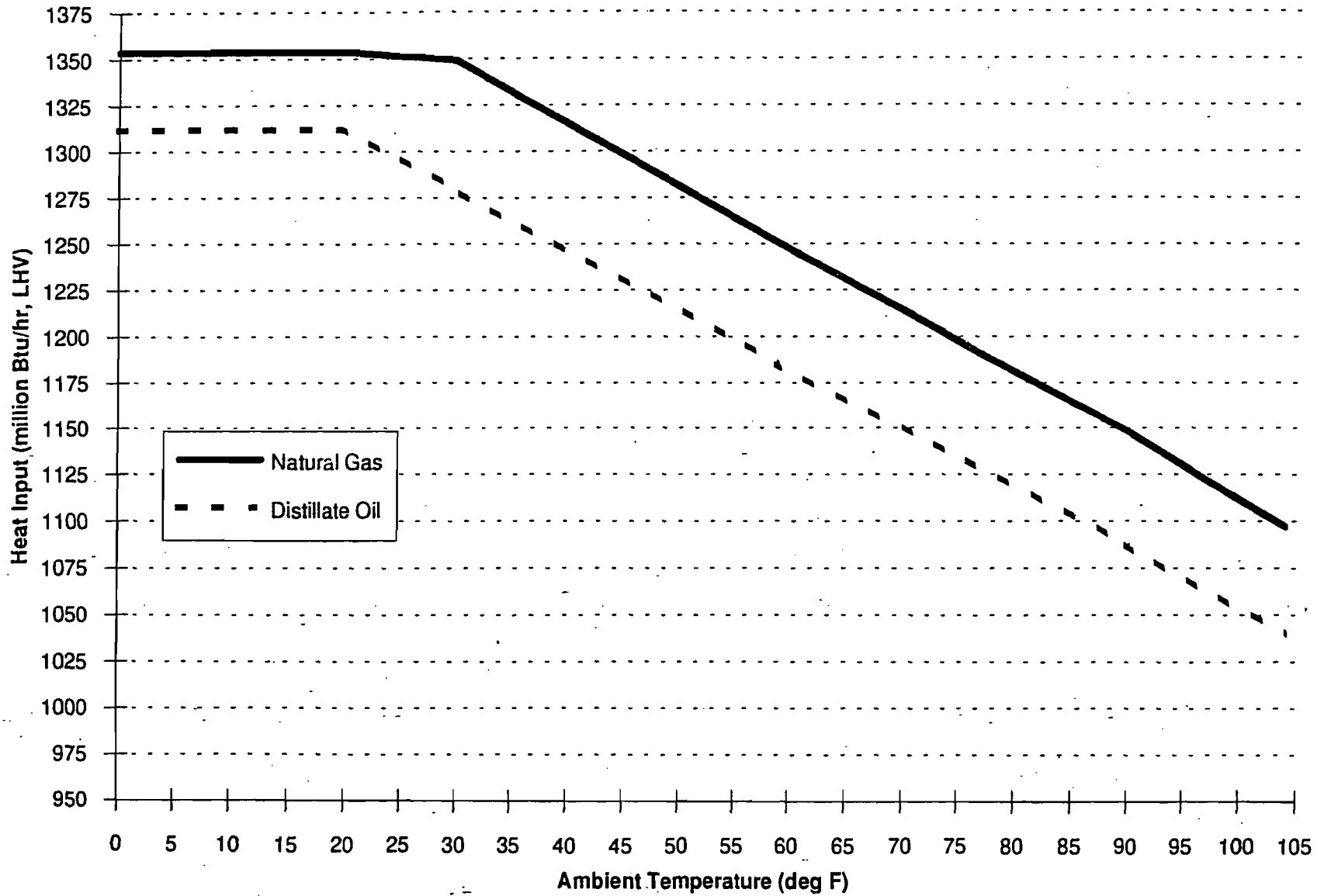
Should you have any further questions, please contact Ms. Lisa Beeson at (407) 281-5519.

Sincerely,

Thomas B. Czapleski
Manager, Operating Plant Technical and Materials Support

JJM:TBC
att.

OUC Indian River Units C and D
Base Load Heat Input (million Btu/hr, LHV) vs. Ambient Temperature



ATTACHMENT 5

OUC has decided that it will only burn On-specification used oil in its IRP boilers. Since, under 40 CFR Part 279.11, on-specification used oil is not regulated under 40 CFR Part 279 once it is shown to be on specification, and since Florida's Used Oil Rule incorporates the federal provisions of 40 CFR Part 279 by reference and, further, since the federal rule makes no specific reference as to how often used oil should be tested under any circumstances, I contend that:

Each separate used oil stream generated from on-site activities @ IRP be tested annually, with the results of those analyses being kept on record for three years as evidence of the on-specification nature of each of the used oil streams.

See analysis below

Under Florida's Chapter 62-710

(2) The Department adopts by reference 40 C.F.R. Part 279 revised as of July 1, 1993, and the amendments in the Federal Register dated March 4, 1994 (59 FR 10550)*, which contain the federal standards for the management of used oil. It is also the intent of this Chapter to regulate used oil in a manner consistent with the Federal Regulations and interpretations thereof promulgated by the United States Environmental Protection Agency.

(3) "On-specification used oil fuel" means any used oil which meets the requirements of 40 C.F.R. Part 279.11. Used oil fuel containing PCBs at a concentration greater than 2 ppm, but less than 50 ppm, must be managed in accordance with 40 C.F.R. Part 761.20(e) and burned only in boilers or industrial furnaces as defined in 40 C.F.R. Part 260.10 and identified in 40 C.F.R. Part 279.61. Used oil containing PCBs at a concentration equal to or greater than 50 ppm is fully subject to the requirements of the Toxic Substances Control Act found in 40 C.F.R. Part 761. Blending used oil for the purpose of reducing the concentration of PCBs to below 50 ppm is prohibited in accordance with the provisions of 40 C.F.R. 279.10(i) and 761.20(e).

* 40 CFR Part 279, cited above, reflects the amendments made in 59 FR 10550.

Under 40 CFR

§ 279.11 Used oil specifications.

Used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this part unless it is shown not to exceed any of the allowable levels of the constituents and properties in the specification shown in Table 1. Once used oil that is to be burned for energy recovery has been shown not to exceed any specification and the person making that showing complies with §§ 279.72, 279.73, and 279.74(b), the used oil is no longer subject to this part.

Table 1 -- Used Oil Not Exceeding Any Specification Level Is Not Subject to This Part When Burned for Energy Recovery{1}

Constituent/property	Allowable level
Arsenic	5 ppm maximum.
Cadmium	2 ppm maximum.
Chromium	10 ppm maximum.
Lead	100 ppm maximum.
Flash point	100°F minimum.
Total halogens	4,000 ppm maximum.{2}

{1} The specification does not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (see § 279.10(b)).

{2} Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under § 279.10(b)(1). Such used oil is subject to subpart H of part 266 of this chapter rather than this part when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

Note: Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e).

[57 FR 41566, Sept. 10, 1992; 58 FR 26420, May 3, 1993]

Of course, there is no definition as to how frequently analyses must be conducted on similar waste streams of used oil and as to whether the analyses requirements even apply to "on-site" generated used oil. (see below)

§ 279.72 On-specification used oil fuel.

(a) ***Analysis of used oil fuel.*** A generator, transporter, processor/re-refiner, or burner may determine that used oil that is to be burned for energy recovery meets the fuel specifications of § 279.11 **by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications.**

(b) *Record retention.* A generator, transporter, processor/re-refiner, or burner who first claims that used oil that is to be burned for energy recovery meets the specifications for used oil fuel under § 279.11, must keep copies of analyses of the used oil (or other information used to make the determination) for three years.

[57 FR 41566, Sept. 10, 1992; 58 FR 26420, May 3, 1993]

Section 279.73 - OUC is not a used oil fuel marketer but we have registered with EPA as a used oil generator, burning used oil for energy recovery via a 8700-12 form.

and,

Under 279.74(b) - OUC tracks all used oil deliveries received from off-site (even if from other OUC facilities) by keeping records on:

- (1) The name and address of the facility receiving the shipment;
- (2) The quantity of used oil fuel delivered;
- (3) The date of shipment or delivery; and
- (4) A cross-reference to the record of used oil analysis or other information used to make the determination that the oil meets the specification as required under § 279.72(a).

(c) *Record retention.* The records described in paragraphs (a) and (b) of this section must be maintained for at least three years.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FL
Cair
Scott

AUG 5 1999

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

AUG 09 1999
DIVISION OF AIR
RESOURCES MANAGEMENT

SUBJ: EPA's Review of Proposed Title V Permit
Orlando Utilities Commission
Indian River Plant
Permit No. 0090008-001-AV

Dear Mr. Rhodes:

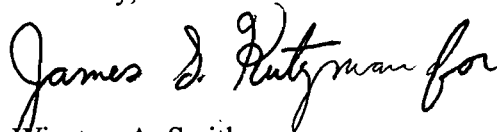
The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Orlando Utilities Commission, Indian River Plant, which was posted on DEP's web site on June 21, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), and does not address all operational requirements and limitations to ensure compliance with all applicable requirements as specified under 40 C.F.R. § 70.6(a)(1).

Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Elizabeth Bartlett, Florida Title V Contact, at (404) 562-9122, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,

A handwritten signature in black ink that reads "James D. Putzman for". The signature is written in a cursive style.

Winston A. Smith

Director

Air, Pesticides and Toxics

Management Division

Enclosure

cc: Mr. Gregory A. DeMuth
Director, Environmental Division
Orlando Utilities Commission

Enclosure

**U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Orlando Utilities Commission
Indian River Plant
Permit no. 0090008-001-AV**

I. EPA Objection Issues

1. Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter limit for units 001 through 003. Condition III.A.5 requires annual compliance testing for particulate matter emissions to allow a 40 percent visible emissions limit for the three boilers, however permit condition III.A.21 appears to negate the annual test requirement if liquid fuel is not burned for more than 400 hours for that federal fiscal year. The permit must require the source to conduct more frequent testing or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional PM testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a test performed once a year.
2. Periodic Monitoring - Conditions III.A.4, B.3, C.2.d, C.2.d, and C.3, contain limits on operating hours for each of the units associated with fuel use and/or limits on "potential to emit." In order for the operational limit to be enforceable as a practical matter, the permit must specify that the facility is required to keep daily records of the operating hours, and where applicable, associated fuel use.
3. Periodic Monitoring - Condition III.F.1 contains operational limits for the number of hours per week during which loading can occur, and the maximum process loading rate for the lime storage silo. In order for the operational limits to be enforceable as a practical matter, the permit must require record keeping for the operating hours and process loading rate of the lime storage silo to ensure continuous compliance with these limits.
4. Periodic Monitoring - Condition III.F.4. requires the source to conduct a Method 9 visible emissions test for the lime storage silo. The permit needs to designate a required frequency for this compliance test. Additionally, EPA recommends that the permit contain a condition that requires the source to perform and record the results of a qualitative observation of opacity (40 C.F.R. Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions.

If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded.

5. Appropriate Averaging Times - In order for the emissions standard for particulate matter in conditions III.A.7 and A.8 and for pollutants listed in conditions III.B.4, B.6, and C.5 (excluding NO_x and sulfur dioxide, for which “excess emissions” are defined in condition III.D.4) to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
6. Applicable Requirements - Condition III.B.7. allows the source to operate Combustion Turbines A and B “at or better than the minimum water to fuel ratios measured for the most recent (satisfactory) compliance demonstration.” This condition conflicts with the requirements of 40 C.F.R. § 60.333(c)(1), which requires compliance with the “water-to-fuel ratio determined to demonstrate compliance with § 60.332 by the [initial] performance test required in § 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in § 60.8.”
7. Applicable Requirements - PSD-FL-173 Condition 15 does not appear to have been incorporated into the title V permit for this source. A condition requiring utilization of water injection for NO_x control and specifying the appropriate water to fuel ratios must be added to Subsection C for Combustion Turbines C & D. In accordance with PSD condition 15, “The water to fuel ratio at which annual compliance is achieved shall be incorporated into the permit and shall be continuously monitored. The system shall meet the requirements of 40 C.F.R. Part 60, Subpart GG.” Condition III.C.10. requires that the ratios be provided to demonstrate compliance with the permitted emission rate, but this condition alone does not meet the intent of Condition 15.
8. Applicable Requirements - To comply with the applicable requirements of 40 C.F.R. Subpart GG, discussed in Objection Item #7, condition III.D.1. should be replaced with specific nitrogen oxide standards for Combustion Turbines A & B and C & D, calculated using the values for fuel-bound nitrogen used during the initial compliance tests for these units.
9. Acid Rain Requirements - In accordance with 40 C.F.R. 70.6(a)(1)(ii), the permit must state that, “where an applicable requirement of the Act is more stringent than

an applicable requirement of the regulations promulgated under title IV of the Act, both provisions shall be incorporated in the permit and shall be enforceable by the Administrator.”

II. General Comments

1. Public Comment Period - The transmittal memo sent to the facility containing response to comments indicates that the 30-day public comment period began on October 8, 1997. The response to comments section documents changes made to the permit in response to written comments dated October 17, 1997, and received on December 10, 1997, written comments dated April 12, 1999, and a meeting held with OUC personnel on May 4, 1998. All changes made to the draft permit appear to be based on comments received from OUC outside of the 30-day public comment period. Because changes of potential public concern were made to the draft permit after the public comment period (see Objection Item #6), the revised draft permit should have been renoticed to accommodate input from the entire public. If the October 17, 1997, letter from OUC was an extension request, the appropriate action would have been for FDEP to extend the public comment period for a specified amount of time allowing the entire public the opportunity to provide comments on the draft permit.
2. Page 2, Condition I.A. - The “Facility Description” indicates that the facility is a major source of hazardous air pollutants (HAPs), but does not identify which HAPs. The facility is also a major source of sulfur dioxide, particulate matter, carbon monoxide, and nitrogen oxides. For clarity, the permit and/or statement of basis should specify each pollutant for which the facility is a major source.
3. Page 4, Condition II.11. - Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are (404)562-9155 and (404)562-9163, respectively. This condition should also cross-reference condition 51 of Appendix TV-3, which lists the necessary elements of a compliance certification required under 40 C.F.R. 70.6(c)(5)(iii).
4. Page 5, Condition III.A.1. - As specified in Appendix C of the permit application, this condition should also limit on-specification used oil firing such that the heat input is no more than 10 percent of the permitted heat input on No. 6 Fuel Oil while combusting either no. 6 Fuel Oil or Pipeline Natural Gas.
5. Page 6, Condition III.A.5. - This condition limits the visible emissions from the three steam generating units to 40% opacity, and requires the source to conduct a compliance test for particulate matter annually. The Florida SIP Rule 62-296.405(1)(a), F.A.C., *Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input*, requires quarterly testing for particulate matter to

comply with the 40 % opacity limit, unless the facility has petitioned and received approval from FDEP to allow annual particulate testing. Documentation was not available during the permit review to verify FDEP approval for annual testing. Please provide documentation of FDEP's approval for annual particulate testing or revise this condition to reflect the requirements of 62-296.405(1)(a), F.A.C.

6. Page 7, Condition III.A.11. - This condition mistakenly refers to condition A.24 for SO₂ record keeping requirements. Please modify this condition to reference A.22.
7. Page 7, Condition III.A.12(a) - This condition is vague as to how it applies to OUC. Specific equipment for which this requirement is applicable should be listed.
8. Page 15, Condition III.B.6. - The PM₁₀ limit for oil was incorrectly copied from the PSD permit as 87.6 TPY per Unit. Please change this value to 43.8 TPY per Unit.
9. Page 20, Condition III.D.5. - This condition refers to compliance test for each "diesel generator." Should this be changed to say "combustion turbine?"
10. Page 33, Subsection E - While this subsection is intended to apply to Units 001 through 007, this applicability should be stated as the first condition in this subsection, and references to this subsection should be provided as specific permit conditions in Subsections A, B, and C. As the permit stands, short paragraphs are provided in each of the other subsections which are mixed in with various, unrelated conditions.

Barbara / File



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

August 9, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert F. Hicks, Director
Environmental Division
Orlando Utilities Commission
Post Office Box 3193
Orlando, Florida 32802

Re: EPA Objection to PROPOSED Title V Permit No. 0090008-001-AV
Facility Name: Orlando Utilities Commission, Indian River Plant

Dear Mr. Hicks:

On August 5, 1999, the Department received a timely written objection from the United States Environmental Protection Agency to the referenced proposed permit. A copy of EPA's objection is attached.

In accordance with Section 403.0872(8), Florida Statutes (F.S.), the Department must not issue a final permit until the objection is resolved or withdrawn. Pursuant to Section 403.0872(8), F.S., the applicant may file a written reply to the objection within 45 days after the date on which the Department serves the applicant with a copy of the objection. The written reply must include any supporting materials that the applicant desires to include in the record relevant to the issues raised by the objection. The written reply must be considered by the Department in issuing a final permit to resolve the objection of EPA. Please submit any written comments you wish to have considered concerning the objection to Mr. Scott M. Sheplak, P.E., at the above letterhead address.

Pursuant to 40 CFR 70.8(c)(4) the Department will have to resolve the objection by issuing a permit that satisfies EPA within 90 days of the objection, or EPA will assume authority for the permit.

If you should have any other questions, please contact Mr. Scott M. Sheplak, P.E., at 850/921-9532.

Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy".

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/sms/k

Enclosure

cc: Pat Comer, Esquire, OGC w/enclosure
Douglas Neeley, USEPA w/o enclosure
Gregg Worley, USEPA w/o enclosure

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

PS Form 3800, April 1995

P 265 657 762

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Receipt for Certified Mail**

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Do not use for International Mail. (See reverse)

Mr. Robert F. Hicks, Director
Environmental Division
Orlando Utilities Commission
Post Office Box 3193
Orlando, Florida 32802

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Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	8-10-99 SPB

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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Robert F. Hicks, Director
Environmental Division
Orlando Utilities Commission
Post Office Box 3193
Orlando, Florida 32802

4a. Article Number

P-265 657 762

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

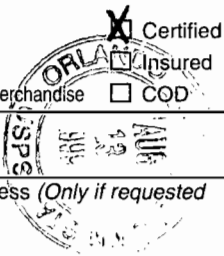
5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X

[Handwritten Signature]

8. Addressee's Address (Only if requested and fee is paid)



Thank you for using Return Receipt Service.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
81 FORSYTH STREET
ATLANTA, GEORGIA 30303-8080

AUG 5 1999

*Claim - is EPA
vetoing all our
permits now?
How*

*Howard
8/6*

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permit
Orlando Utilities Commission
Indian River Plant
Permit No. 0090008-001-AV

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Orlando Utilities Commission, Indian River Plant, which was posted on DEP's web site on June 21, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), and does not address all operational requirements and limitations to ensure compliance with all applicable requirements as specified under 40 C.F.R. § 70.6(a)(1).

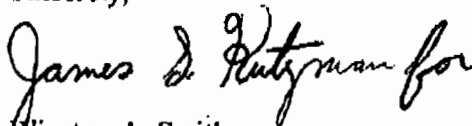
Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

2

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Elizabeth Bartlett, Florida Title V Contact, at (404) 562-9122, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith

Director

Air, Pesticides and Toxics
Management Division

Enclosure

cc: Mr. Gregory A. DeMuth
Director, Environmental Division
Orlando Utilities Commission

Enclosure**U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Orlando Utilities Commission
Indian River Plant
Permit no. 0090008-001-AV****I. EPA Objection Issues**

1. **Periodic Monitoring** - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter limit for units 001 through 003. Condition III.A.5 requires annual compliance testing for particulate matter emissions to allow a 40 percent visible emissions limit for the three boilers, however permit condition III.A.21 appears to negate the annual test requirement if liquid fuel is not burned for more than 400 hours for that federal fiscal year. The permit must require the source to conduct more frequent testing or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional PM testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a test performed once a year.
2. **Periodic Monitoring** - Conditions III.A.4, B.3, C.2.d, C.2.d, and C.3, contain limits on operating hours for each of the units associated with fuel use and/or limits on "potential to emit." In order for the operational limit to be enforceable as a practical matter, the permit must specify that the facility is required to keep daily records of the operating hours, and where applicable, associated fuel use.
3. **Periodic Monitoring** - Condition III.F.1 contains operational limits for the number of hours per week during which loading can occur, and the maximum process loading rate for the lime storage silo. In order for the operational limits to be enforceable as a practical matter, the permit must require record keeping for the operating hours and process loading rate of the lime storage silo to ensure continuous compliance with these limits.
4. **Periodic Monitoring** - Condition III.F.4. requires the source to conduct a Method 9 visible emissions test for the lime storage silo. The permit needs to designate a required frequency for this compliance test. Additionally, EPA recommends that the permit contain a condition that requires the source to perform and record the results of a qualitative observation of opacity (40 C.F.R. Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions.

If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded.

5. Appropriate Averaging Times - In order for the emissions standard for particulate matter in conditions III.A.7 and A.8 and for pollutants listed in conditions III.B.4, B.6, and C.5 (excluding NO_x and sulfur dioxide, for which "excess emissions" are defined in condition III.D.4) to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
6. Applicable Requirements - Condition III.B.7. allows the source to operate Combustion Turbines A and B "at or better than the minimum water to fuel ratios measured for the most recent (satisfactory) compliance demonstration." This condition conflicts with the requirements of 40 C.F.R. § 60.333(c)(1), which requires compliance with the "water-to-fuel ratio determined to demonstrate compliance with § 60.332 by the [initial] performance test required in § 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in § 60.8."
7. Applicable Requirements - PSD-FL-173 Condition 15 does not appear to have been incorporated into the title V permit for this source. A condition requiring utilization of water injection for NO_x control and specifying the appropriate water to fuel ratios must be added to Subsection C for Combustion Turbines C & D. In accordance with PSD condition 15, "The water to fuel ratio at which annual compliance is achieved shall be incorporated into the permit and shall be continuously monitored. The system shall meet the requirements of 40 C.F.R. Part 60, Subpart GG." Condition III.C.10. requires that the ratios be provided to demonstrate compliance with the permitted emission rate, but this condition alone does not meet the intent of Condition 15.
8. Applicable Requirements - To comply with the applicable requirements of 40 C.F.R. Subpart GG, discussed in Objection Item #7, condition III.D.1. should be replaced with specific nitrogen oxide standards for Combustion Turbines A & B and C & D, calculated using the values for fuel-bound nitrogen used during the initial compliance tests for these units.
9. Acid Rain Requirements - In accordance with 40 C.F.R. 70.6(a)(1)(ii), the permit must state that, "where an applicable requirement of the Act is more stringent than

an applicable requirement of the regulations promulgated under title IV of the Act, both provisions shall be incorporated in the permit and shall be enforceable by the Administrator."

II. General Comments

1. Public Comment Period - The transmittal memo sent to the facility containing response to comments indicates that the 30-day public comment period began on October 8, 1997. The response to comments section documents changes made to the permit in response to written comments dated October 17, 1997, and received on December 10, 1997, written comments dated April 12, 1999, and a meeting held with OUC personnel on May 4, 1998. All changes made to the draft permit appear to be based on comments received from OUC outside of the 30-day public comment period. Because changes of potential public concern were made to the draft permit after the public comment period (see Objection Item #6), the revised draft permit should have been renoticed to accommodate input from the entire public. If the October 17, 1997, letter from OUC was an extension request, the appropriate action would have been for FDEP to extend the public comment period for a specified amount of time allowing the entire public the opportunity to provide comments on the draft permit.
2. Page 2, Condition I.A. - The "Facility Description" indicates that the facility is a major source of hazardous air pollutants (HAPs), but does not identify which HAPs. The facility is also a major source of sulfur dioxide, particulate matter, carbon monoxide, and nitrogen oxides. For clarity, the permit and/or statement of basis should specify each pollutant for which the facility is a major source.
3. Page 4, Condition II.11. - Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are (404)562-9155 and (404)562-9163, respectively. This condition should also cross-reference condition 51 of Appendix TV-3, which lists the necessary elements of a compliance certification required under 40 C.F.R. 70.6(c)(5)(iii).
4. Page 5, Condition III.A.1. - As specified in Appendix C of the permit application, this condition should also limit on-specification used oil firing such that the heat input is no more than 10 percent of the permitted heat input on No. 6 Fuel Oil while combusting either no. 6 Fuel Oil or Pipeline Natural Gas.
5. Page 6, Condition III.A.5. - This condition limits the visible emissions from the three steam generating units to 40% opacity, and requires the source to conduct a compliance test for particulate matter annually. The Florida SIP Rule 62-296.405(1)(a), F.A.C., *Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input*, requires quarterly testing for particulate matter to

comply with the 40 % opacity limit, unless the facility has petitioned and received approval from FDEP to allow annual particulate testing. Documentation was not available during the permit review to verify FDEP approval for annual testing. Please provide documentation of FDEP's approval for annual particulate testing or revise this condition to reflect the requirements of 62-296.405(1)(a), F.A.C.

6. Page 7, Condition III.A.11. - This condition mistakenly refers to condition A.24 for SO2 record keeping requirements. Please modify this condition to reference A.22.
7. Page 7, Condition III.A.12(a) - This condition is vague as to how it applies to OUC. Specific equipment for which this requirement is applicable should be listed.
8. Page 15, Condition III.B.6. - The PM10 limit for oil was incorrectly copied from the PSD permit as 87.6 TPY per Unit. Please change this value to 43.8 TPY per Unit.
9. Page 20, Condition III.D.5. - This condition refers to compliance test for each "diesel generator." Should this be changed to say "combustion turbine?"
10. Page 33, Subsection E - While this subsection is intended to apply to Units 001 through 007, this applicability should be stated as the first condition in this subsection, and references to this subsection should be provided as specific permit conditions in Subsections A, B, and C. As the permit stands, short paragraphs are provided in each of the other subsections which are mixed in with various, unrelated conditions.

Barbara / File



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

July 20, 2000

Certified Mail – Return Receipt Requested

Mr. Frederick F. Haddad, Jr.
Vice President
Power Resources Business Unit
Orlando Utilities Commission
500 South Orange Avenue
P.O. Box 3193
Orlando, Florida 32802

Dear Mr. Haddad, Jr.:

Re: Title V Permit Revision Application for the Orlando Utilities Commission Indian River Plant
Facility ID No. **0090008**

We have reviewed the referenced application, but must deem the submission *incomplete* due to the omission of the needed Acid Rain Phase II Part Application and the Certificate of Representation for the facility. Please provide these documents at your earliest convenience. If you have any questions, please contact Tom Cascio at 850/921-9526.

Sincerely,

Scott M. Sheplak, P.E.
Administrator
Title V Program

cc: Jenny Jachim, U.S. EPA, Region 4

PS Form 3800, April 1995

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Mr. Frederick F. Haddad, Jr.	

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 Power Resources Business Unit
 Orlando Utilities Commission
 500 South Orange Avenue
 P.O. Box 3193
 Orlando, Florida 32802

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