

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

## NOTICE OF FINAL PERMIT

In the Matter of an  
Application for Permit by:

Mr. Steven Carroll  
General Manager and Responsible Official  
Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, FL 32936

Title V Permit No. **0090180-002-AV**  
**Oleander Power Project**  
Facility ID No. **0090180**; ORIS Code: **55286**

Enclosed is FINAL Title V Permit Number 0090180-002-AV for the Oleander Power Project, located at 527 Townsend Road, Cocoa, Brevard County, issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

A handwritten signature in cursive script that reads "Trina Vielhauer".

Trina Vielhauer, Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 7/11/03 to the person(s) listed or as otherwise noted:

Steven Carroll\*  
Len Kozlov, P.E., Central District Office  
Kennard F. Kosky, P.E., Golder Associates, Inc.  
U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

7/11/03 cc: *Don Cascio*  
*Reading Site*

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED,**  
on this date, pursuant to Section 120.52(7), Florida  
Statutes, with the designated agency Clerk, receipt  
of which is hereby acknowledged.

*Barbara J. Friday* 7/11/03  
(Clerk) (Date)

**FINAL PERMIT DETERMINATION**

**I. Comment(s).**

*No comments* were received from U.S. EPA, Region 4, concerning the PROPOSED Title V Permit that was posted on the Department's web site on April 21, 2003.

**II. Conclusion.**

The permitting authority hereby issues the FINAL Permit No. 0090180-002-AV with no changes.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee  <i>[Signature]</i></p> <p>B. Received by (Printed Name) _____</p> <p>C. Date of Delivery  <b>7/15/03</b></p>
<p>1. Article Addressed to:          Mr. Steven Carroll          General Manager and Responsible Official          Oleander Power Project, L.P.          555 Townsend Road          Cocoa, Florida 32936</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label) <b>7000 2870 0000 7028 1303</b></p> <p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540</p>	

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided)											
<b>OFFICIAL USE</b>											
7000 2870 0000 7028 1303	<p>Mr. Steven Carroll</p> <table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td><b>Total Postage &amp; Fees</b></td> <td><b>\$</b></td> </tr> </table> <p style="text-align: center;">Postmark Here</p>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		<b>Total Postage &amp; Fees</b>	<b>\$</b>
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
<b>Total Postage &amp; Fees</b>	<b>\$</b>										
<p>Sent To  <b>Mr. Steven Carroll</b>  <i>Street, Apt. No.; or PO Box No.</i>  <b>555 Townsend Road</b>  <i>City, State, ZIP+4</i>  <b>Cocoa, Florida 32936</b></p> <p>PS Form 3800, May 2000 See Reverse for Instructions</p>											

## STATEMENT OF BASIS

Oleander Power Project, L.P.  
**Oleander Power Project**  
Facility ID No. 0090180  
Brevard County

Initial Title V Air Operation Permit  
FINAL Permit No. 0090180-002-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of four, dual-fuel (natural gas and fuel oil), nominal 190 megawatt (MW) General Electric Frame 7FA simple-cycle combustion turbine-electrical generators with four 60-foot stacks, and two 1.8-million gallon capacity fuel oil storage tanks. Emissions from the combustion turbine units are controlled by Dry Low NO<sub>x</sub> (DLN) combustors when operating on natural gas, and wet injection when firing fuel oil. Inherently clean fuels and good combustion practices are employed to control all pollutants.

The facility holds ORIS code **55286** under Phase II of the Federal Acid Rain Program. Because CEMs are used to demonstrate compliance with the NO<sub>x</sub> emissions limits, Compliance Assurance Monitoring (CAM) *does not apply* to these emissions units. Water injection is used for NO<sub>x</sub> control.

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

Based on the initial Title V permit application received on November 5, 2002, this facility is *not* a major source of hazardous air pollutants (HAPs).

Oleander Power Project, L.P.

**Oleander Power Project**

Facility ID No. **0090180**

Brevard County

Initial Title V Air Operation Permit  
FINAL Permit No. **0090180-002-AV**

Permitting Authority:

State of Florida

Department of Environmental Protection

Division of Air Resource Management

Bureau of Air Regulation

Title V Section

Mail Station #5505

2600 Blair Stone Road

Tallahassee, Florida 32399-2400

Telephone: 850/488-0114

Fax: 850/922-6979

Compliance Authority:

Department of Environmental Protection

Central District Office

3319 Maguire Boulevard, Suite 232

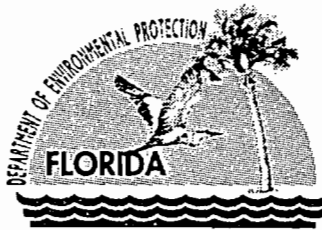
Orlando, Florida 32803-3767

Telephone: 407/894-7555

Fax: 407/897-2966

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Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

**Permittee:**  
Oleander Power Project, L.P.  
555 Townsend Road  
Cocoa, FL 32936

**FINAL Permit No. 0090180-002-AV**  
**SIC Nos.:** 49, 4911  
**Project:** Initial Title V Air Operation Permit

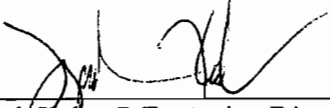
This permit is for the operation of four, dual-fuel, nominal 190 megawatt (MW) simple-cycle combustion turbine-electrical generators at the **Oleander Power Project**. The facility is located at 527 Townsend Road, Cocoa, Brevard County. UTM coordinates are: Zone 17; 520.1 km E; 3137.6 km N. Latitude: 28° 21' 58" North; Longitude: 80° 47' 41" West.

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings, plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**

Appendix TV-4, Title V Conditions (version dated 02/12/02)  
Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)  
TABLE 297.310-1, CALIBRATION SCHEDULE (version dated 10/07/96)  
Figure 1 - SUMMARY REPORT - GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM REPORT (version dated 7/96)  
Acid Rain Phase II Part Application signed by the Designated Representative on May 4, 2000.  
Alternate Sampling Procedures: ASP Number 97-B-01 and ASP 92-0-01

**Effective Date:** January 1, 2004  
**Renewal Application Due Date:** July 5, 2008  
**Expiration Date:** December 31, 2008

  
\_\_\_\_\_  
Joseph Kahn, P.E., Acting Director,  
Division of Air Resource Management

JK/sms/tc

"More Protection, Less Process"

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**Section I. Facility Information**

**Subsection A. Facility Description**

This facility consists of four, dual-fuel (natural gas and fuel oil), nominal 190 megawatt (MW) General Electric Frame 7FA simple-cycle combustion turbine-electrical generators with four 60-foot stacks, and two 1.8-million gallon capacity fuel oil storage tanks. Emissions from the combustion turbine units are controlled by Dry Low NO<sub>x</sub> (DLN) combustors when operating on natural gas, and wet injection when firing fuel oil. Inherently clean fuels and good combustion practices are employed to control all pollutants.

The facility is subject to all applicable provisions of Chapter 403, Florida Statutes, Florida Administrative Code Chapters 62-4, 62-103, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, 62-297; and the applicable requirements of the Code of Federal Regulations Section 40, Parts 60, 72, 73, and 75. The facility holds ORIS code **55286** under Phase II of the Federal Acid Rain Program.

**Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions**

<b>E. U. ID No.</b>	<b>Brief Description</b>
001	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
002	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
003	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
004	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
006	Fuel Oil Storage Tank (1.8-million gallon)
007	Fuel Oil Storage Tank (1.8-million gallon)

*Please reference the Permit No., Facility ID No., and appropriate Emissions Unit ID Nos. on all test report submittals, applications, and other correspondence.*

**Subsection C. Relevant Documents**

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the Permittee for information purposes only:

- Table 1-1, Summary of Air Pollutant Standards and Terms
- Table 2-1, Summary of Compliance Requirements
- Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
- Appendix H-1, Permit History/ID Number Transfers
- Statement of Basis

These documents are on file with the permitting authority:

- Initial Title V Operation Permit Application received November 5, 2002.
- Incompleteness letter sent to the Applicant by the Department on November 15, 2002.
- Response letter from the Applicant received on December 20, 2002.

DRAFT Title V Air Operation Permit clerked on January 14, 2003.

PROPOSED Title V Air Operation Permit posted on the Internet for EPA review on April 21, 2003.

## Section II. Facility-wide Conditions

The following conditions apply facility-wide:

1. Appendix TV-4, Title V Conditions (version dated 02/12/02), is a part of this permit. {Permitting note: Appendix TV-4, Title V Conditions, is distributed to the Permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
  2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
  3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rule 62-296.320(4)(b)1. & 4., F.A.C.]
  4. Prevention of Accidental Releases (Section 112(r) of CAA).
    - a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:  

RMP Reporting Center  
Post Office Box 3346  
Merrifield, VA 22116-3346  
Telephone: 703/816-4434
- and,
- b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.  
[40 CFR 68]
5. [Reserved.]
  6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.  
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]
  7. [Reserved.]

8. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. **Nothing was deemed necessary and ordered at this time.**

[Rule 62-296.320(1)(a), F.A.C.]

9. **Not federally enforceable.** The Permittee shall take reasonable precautions to prevent emissions of unconfined particulate matter at this facility. These precautions include:

- (a) Paving and maintenance of roads, parking areas, and yards.
- (b) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- (c) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles, and similar activities.
- (d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings and or work areas to prevent particulate matter from becoming airborne.
- (e) Landscaping or planting of vegetation.
- (f) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- (g) Confining abrasive blasting where possible.
- (h) Enclosure or covering of conveyor systems.

[Rule 62-296.320(4)(c)2., F.A.C.; and Title V Application received on November 5, 2002.]

{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4., F.A.C. (see Condition 57. of Appendix TV-4, Title V Conditions.)}

10. 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.

[Rule 62-213.440, F.A.C.]

11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.

[Rules 62-213.440(3) and 62-213.900, F.A.C.]

12. The Permittee shall submit all compliance, annual operating reports and other correspondence required of this permit to:

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2966

[0090180-001-AC, Specific Conditions 6. (Section III.), and 10. (Section II.)]

13. Any reports, data, notification, certifications, and requests required by the United States Environmental Protection Agency should be sent to:

United States Environmental Protection Agency  
Region 4  
Air, Pesticides, & Toxics Management Division  
Air and EPCRA Enforcement Branch, Air Enforcement Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone: 404/562-9155  
Fax: 404/562-9163

14. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.  
[Rule 62-213.420(4), F.A.C.]

15. BACT Determination. In accordance with paragraph (4) of 40 CFR 52.21(j)(4), the Best Available Control Technology (BACT) determination shall be reviewed and modified as appropriate in the event of a plant conversion. This paragraph states: "For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than 18 months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the source." This reassessment will also be conducted for this project if there are any increases in heat input limits, hours of operation, oil firing, low or baseload operation, short-term or annual emission limits, annual fuel heat input limits or similar changes.  
[40 CFR 52.21(j)(4); Rule 62-4.070 F.A.C.; and 0090180-001-AC, Specific Condition 7. in Section II.]

**Section III. Emissions Unit Specific Conditions**

**Subsection A. Simple-Cycle Combustion Turbine-Electrical Generators**

<b>E.U. ID No.</b>	<b>Brief Description</b>
001	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
002	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
003	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
004	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)

These four emissions units are each comprised of a nominal 190 MW simple-cycle combustion turbine (General Electric Frame 7FA), with a 60-foot exhaust stack. Natural gas is the primary fuel, with low-sulfur distillate fuel oil as the back-up fuel. NO<sub>x</sub> emissions are controlled by dry low NO<sub>x</sub> (DLN) combustors when firing natural gas, and a water injection (WI) system for use when firing No. 2, or superior grade, distillate fuel oil. All stationary combustion turbines, ducting, and stacks are designed so as to not preclude installation of SCR equipment and/or oxidation catalyst equipment in the event of a failure to achieve the NO<sub>x</sub> limits given in Specific Conditions A.10. and A.11., and/or the carbon monoxide (CO) limits given in Specific Condition A.12.

Because CEMs are used to demonstrate compliance with the NO<sub>x</sub> emissions limits, Compliance Assurance Monitoring (CAM) *does not apply* to these emissions units.

{Permitting note: These emissions units are regulated under Acid Rain-Phase II, 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule 62-204.800(7)(b), F.A.C., Rule 212.400, F.A.C., Prevention of Significant Deterioration (PSD), Best Available Control Technology (BACT), and Air Construction Permit PSD-FL-258 (0090180-001-AC).}

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

**General Requirements**

**A.1. Definitions.** For the purposes of Rule 62-204.800(7), F.A.C., the definitions contained in the various provisions of 40 CFR 60, shall apply except that the term "Administrator" when used in 40 CFR 60, shall mean the Secretary or the Secretary's designee.  
[40 CFR 60.2; and Rule 62-204.800(7)(a), F.A.C.]

**A.2. Circumvention.** The owner or operator shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly.  
[Rules 62-210.650, F.A.C.; and 0090180-001-AC, Specific Condition 12.]

**A.3. Concealment.** No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or

with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

**A.4. Operating Procedures.** Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.; and 0090180-001-AC, Specific Condition 11.]

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

**A.5. Capacity.** The maximum heat input rates, based on the lower heating value (LHV) of each fuel to each Unit (1-4) at ambient conditions of 59° F temperature, 60% relative humidity, 100% load, and 14.7 psi pressure shall not exceed 1,722 million Btu per hour (mmBtu/hr) when firing natural gas, nor 1,919 mmBtu/hr when firing No. 2 or superior grade of distillate fuel oil. These maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics. Manufacturer's curves, corrected for site conditions, or equations for correction to other ambient conditions, shall be provided to the Department of Environmental Protection (DEP) within 45 days of completing the initial compliance testing.

{Permitting note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emissions unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate limits and to aid in determining future rule applicability. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in this permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods (including but not limited to) fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the operator to calculate average hourly heat input during the test.}

[Rule 62-210.200, F.A.C. (Definitions - Potential Emissions); and 0090180-001-AC, Specific Condition 8.]

#### **Control Technology**

**A.6.** The DLN systems shall each be tuned to optimize emissions reductions and shall be maintained to minimize NO<sub>x</sub> emissions and CO emissions. Operation of the DLN systems in the diffusion-firing mode shall be minimized when firing natural gas.

[Rules 62-4.070, and 62-210.650, F.A.C.; and 0090180-001-AC, Specific Condition 19.]

**A.7. Emissions Unit Operating Rate Limitation After Testing.** See Specific Condition A.35. [Rule 62-297.310(2), F.A.C.]

**A.8. Methods of Operation – Fuels.** Only pipeline natural gas or maximum 0.05 percent sulfur fuel oil, by weight, No. 2, or superior grade, of distillate fuel oil shall be fired in these units.

{Permitting note: The limitation of this specific condition is more stringent than the NSPS sulfur dioxide limitation and thus assures compliance with 40 CFR 60.333 and 60.334.}

[Rule 62-210.200, F.A.C. (Definitions - Potential Emissions); and 0090180-001-AC, Specific Condition 7.]

**A.9. Hours of Operation.** Each stationary gas turbine shall only operate up to 3390 hours during any calendar year.  
 [Rule 62-210.200, F.A.C. (Definitions - Potential Emissions); and 0090180-001-AC, Specific Condition 13.]

**A.9.1. Fuel usage** as heat input, while burning *natural gas* at the site, shall not exceed  $29.188 \times 10^{12}$  Btu (LHV) per year, during any consecutive 12-month period.  
 [Rule 62-210.200, F.A.C. (Definitions - Potential Emissions); and 0090180-001-AC, Specific Condition 14.]

**A.9.2. Fuel usage** as heat input, while burning *fuel oil* at the site, shall not exceed  $9.595 \times 10^{12}$  Btu (LHV) per year during any consecutive 12-month period. Additionally, the amount of fuel oil burned at the site (in Btu's) shall not exceed natural gas burned at the site (in Btu's) during any consecutive 12-month period.  
 [Rule 62-210.200, F.A.C. (Definitions - Potential Emissions); and 0090180-001-AC, Specific Condition 15.]

**Emission Limitations and Standards**

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

{Permitting note: Unless otherwise specified, the averaging times for Specific Conditions A.10. through A.14. are based on the specified averaging time of the applicable test method.}

**A.10.** The following table is a summary of the emissions limits from air construction permit 0090180-001-AC. Values for NO<sub>x</sub> are corrected to 15% O<sub>2</sub> on a dry basis.

Operational Mode (Fuel)	NO <sub>x</sub> (15%O <sub>2</sub> )	CO	VOC*	PM/Visibility (% Opacity)	SO <sub>2</sub> /SAM	Technology and Comments
Natural Gas	9 ppmvd	12 ppmvd	3 ppmvd	10	1 grain sulfur per 100 scf; 5.5 lb/hr	Dry Low NO <sub>x</sub> Burners. Clean fuels, good combustion.
Fuel Oil	42 ppmvd	20 ppmvd	6 ppmvd	10	0.05% sulfur oil, by weight; 103.4 lb/hr	Water Injection. Units limited to 1000 hrs equivalent full load oil operation (per CT) annually. Clean fuels, good combustion.
			*See Specific Condition A.33.1.			

[Rule 62-212.400, F.A.C.; and 0090180-001-AC, Specific Condition 20.]

**A.11. Nitrogen Oxides (NO<sub>x</sub>).**

- When NO<sub>x</sub> monitoring data are not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate any specified average time.

- While firing Natural Gas: The emission rate of NO<sub>x</sub> in the exhaust gas shall not exceed 62.6 lb/hr (at ISO conditions) on a 24-hr block average, as measured by the continuous emission monitoring system (CEMS). In addition, NO<sub>x</sub> emissions calculated as NO<sub>2</sub> (at ISO conditions) shall not exceed 9 ppmvd @15% O<sub>2</sub> to be demonstrated by annual stack test. Note: Basis for lb/hr limit is 9 ppmvd @ 15% O<sub>2</sub>, full load.
- While firing Fuel oil: The concentration of NO<sub>x</sub> in the exhaust gas shall not exceed 42 ppmvd at 15% O<sub>2</sub> on the basis of a 3-hr average as measured by the continuous emission monitoring system (CEMS). In addition, NO<sub>x</sub> emissions calculated as NO<sub>2</sub> (at ISO conditions) shall not exceed 42 ppmvd @15% O<sub>2</sub> to be demonstrated by stack test.
- Within 18 months after the initial compliance test, the permittee shall prepare and submit for the Department's review and acceptance an engineering report regarding the lowest NO<sub>x</sub> emission rate that can consistently be achieved when firing distillate oil. This lowest recommended rate shall include a reasonable operating margin, taking into account long-term performance expectations and good operating and maintenance practices. The Department may revise the NO<sub>x</sub> emission rate based upon this report.

[Rule 62-212.400, F.A.C.; and 0090180-AC, Specific Condition 21.]

**A.12. Carbon Monoxide (CO)**. The concentration of CO in the exhaust gas when firing natural gas shall not exceed 12 ppmvd when firing natural gas and 20 ppmvd when firing fuel oil, as measured by EPA Method 10. CO emissions (at ISO conditions) shall not exceed 41.0 lb/hr (when firing natural gas) and 66.9 lb/hr (when firing fuel oil) as indicated by EPA Method 10.

[Rule 62-212.400, F.A.C.; and 0090180-001-AC, Specific Condition 22.]

**A.13. Sulfur Dioxide (SO<sub>2</sub>) emissions**. SO<sub>2</sub> emissions (at ISO conditions) shall not exceed 5.5 pounds per hour when firing pipeline natural gas, and 103.4 pounds per hour when firing maximum 0.05 percent sulfur, by weight, No. 2 or superior grade distillate fuel oil, as measured by applicable compliance methods described below (see Specific Condition **A.32.**).

[Rule 62-212.400, F.A.C.; and 0090180-001-AC, Specific Condition 23.]

**A.14. Visible emissions (VE)**. VE emissions shall not exceed 10 percent opacity when firing natural gas or No. 2 or superior grade of fuel oil, except for during startup and shutdown at which time emissions shall not exceed 20 percent opacity.

[Rule 62-296.320(4)(b), F.A.C.; and 0090180-001-AC, Specific Condition 24.]

**A.14.1. Volatile Organic Compounds (VOC) Emissions**. The concentration of VOC in the exhaust gas when firing natural gas shall not exceed 3 ppmvd when firing natural gas and 6 ppmvd when firing fuel oil as assured by EPA Methods 18, and/or 25 A. VOC emissions (at ISO conditions) shall not exceed 5.9 lb/hr (when firing natural gas) and 11.5 lb/hr (when firing fuel oil). Please see Specific Condition **33.1**.

[Rule 62-212.400, F.A.C.; and 0090180-001-AC, Specific Condition 25.]

### **Excess Emissions**

{Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS or NESHAP provision.}

**A.15.** Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24-hour period for other reasons, unless



specifically authorized by the Department for longer duration. Operation below 50% output shall be limited to 2 hours per unit cycle (breaker closed to breaker open). Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited pursuant to Rule 62-210.700, F.A.C.

[Rule 62-210.700(1), F.A.C.; and 0090180-001-AC, Specific Condition 26.]

**A.16. Excess Emissions Report.** If excess emissions occur due to malfunction, the owner or operator shall notify DEP's Central District Office within (1) working day of: (A) the nature, extent, and duration of the excess emissions, (B) the cause of the excess emissions, and (C) the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Pursuant to the New Source Performance Standards, excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A.

[Rules 62-4.130 and 62-210.700(6), F.A.C; and 0090180-001-AC, Specific Condition 27.]

**A.17.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

### **Monitoring Requirements**

**A.18.** At all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

**A.19. Continuous Monitoring System.** The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the nitrogen oxides emissions from each CT unit. Periods when NO<sub>x</sub> emissions are above the standards as listed in Specific Condition A.11. shall be reported to the DEP Central District Office pursuant to Rule 62-4.160(8), F.A.C. Following the format of 40 CFR 60.7, periods of startup, shutdown, malfunction, and fuel switching shall be monitored, recorded, and reported as excess emissions when emission levels exceed the standards listed in Specific Condition A.11., except as noted in Specific Condition A.31.

[Rule 62-204.800; 40 CFR 60.7 (1997 version); and 0090180-001-AC, Specific Condition 41.]

**A.20.** The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG and using water injection to control NO<sub>x</sub> emissions shall install and operate a continuous monitoring system (CMS) to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. This system shall be accurate to within  $\pm 5.0$  percent and shall be approved by the Administrator.

[40 CFR 60.334(a)]

**A.21.** The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. Please see Specific Conditions **A.24.** and **A.25.**  
[40 CFR 60.334(b)]

**A.22. CEMS in lieu of Water to Fuel Ratio.** The NO<sub>x</sub> CEMS shall be used in lieu of the water/fuel monitoring system for reporting excess emissions in accordance with 40 CFR 60.334(c)(1), Subpart GG (1997 version). The calibration of the water/fuel-monitoring device required in 40 CFR 60.335 (c)(2) (1997 version) will be replaced by the 40 CFR 75 certification tests of the NO<sub>x</sub> CEMS. Upon request from DEP, the CEMS emission rates for NO<sub>x</sub> shall be corrected to ISO conditions to demonstrate compliance with the NO<sub>x</sub> standard established in 40 CFR 60.332.  
[0090180-001-AC, Specific Condition 42.]

**A.23. Continuous Monitoring System Reports.** The monitoring devices shall comply with the certification and quality assurance, and any other applicable requirements of Rule 62-297.520, F.A.C., 40 CFR 60.13, including certification of each device in accordance with 40 CFR 60, Appendix B, Performance Specifications and 40 CFR 60.7(a)(5) or 40 CFR Part 75. Quality assurance procedures must conform to all applicable sections of 40 CFR 60, Appendix F or 40 CFR 75. Data on CEM equipment specifications, manufacturer, type, calibration and maintenance needs, and its proposed location shall be provided to the Department's Central District Office for review at least 90 days prior to installation.  
[0090180-001-AC, Specific Condition 43.]

**A.24. Fuel Oil Monitoring Schedule.** The following monitoring schedule for No. 2 or superior grade fuel oil shall be followed: For all bulk shipments of No. 2 or superior grade fuel oil received at the Oleander Power Project, an analysis which reports the sulfur content and nitrogen content of the fuel shall be provided by the fuel vendor. The analysis shall also specify the methods by which the analyses were conducted and shall comply with the requirements of 40 CFR 60.335(d).  
[0090180-001-AC, Specific Condition 44.]

**A.25. Natural Gas Monitoring Schedule.** The following custom monitoring schedule for natural gas is approved (pending EPA concurrence) in lieu of the daily sampling requirements of 40 CFR 60.334 (b)(2):

- The permittee shall apply for an Acid Rain permit in compliance with the deadlines specified in 40 CFR 72.30. See Section IV, the Acid Rain Part of this permit.
- The permittee shall submit a monitoring plan, certified by signature of the Designated Representative that commits to using a primary fuel of pipeline-supplied natural gas (sulfur content less than 1 grain per 100 standard cubic feet, pursuant of 40 CFR 75.11 and 75 Appendix D.). See Specific Condition **A.10.**
- Each unit shall be monitored for SO<sub>2</sub> emissions using methods consistent with the requirements of 40 CFR 75 and certified by the USEPA.
- Oleander Power Project, L.P., shall notify DEP of any change in natural gas supply for reexamination of this monitoring schedule. A substantial change in natural gas quality (i.e., sulfur content variation of greater than 1 grain per 100 standard cubic feet of natural gas) shall be considered as a change in the natural gas supply. Sulfur content of the natural gas will be monitored weekly by the natural gas supplier during the interim period when this monitoring schedule is being reexamined.

[0090180-001-AC, Specific Condition 45.]

**A.26. Determination of Process Variables.**

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.; and 0090180-001-AC, Specific Condition 46.]

**Test Methods and Procedures**

{Permitting Note: The attached Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.27.** To compute the nitrogen oxides emissions, the owner or operator shall use analytical methods and procedures that are accurate to within 5 percent and are approved by the Department to determine the nitrogen content of the fuel being fired.

[40 CFR 60.335(a)]

**A.28.** For purposes of demonstrating compliance with NSPS - 40 CFR 60, Subpart GG, the monitoring device of 40 CFR 60.334(a) shall be used to determine the fuel consumption and the water-to-fuel ratio necessary to comply with the permitted NO<sub>x</sub> standard at 30, 50, 75, and 100 percent of peak load or at four points in the normal operating range of the gas turbine, including the minimum point in the range and peak load. All loads shall be corrected to ISO conditions using the appropriate equations supplied by the manufacturer.

[40 CFR 60.335(c)(2)]

**A.29.** Compliance with the allowable emission limiting standards shall be determined *annually* by using the following reference methods as described in 40 CFR 60, Appendix A (1997 version), and adopted by reference in Chapter 62-204.800, F.A.C.

[0090180-001-AC, Specific Condition 28.]

**A.30.** *Annual* compliance tests shall be performed during every federal fiscal year (October 1 - September 30) pursuant to Rule 62-297.310(7), F.A.C., on each unit as indicated. The following reference methods shall be used. No other test methods may be used for compliance testing unless prior DEP approval is received in writing.

- EPA Reference Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources".
- EPA Reference Method 10, "Determination of Carbon Monoxide Emissions from Stationary Sources".
- EPA reference Method 7E, "Determination of Nitrogen Oxides Emissions from Stationary Sources" (or RATA test data) shall be used to demonstrate compliance with the short-term NO<sub>x</sub> BACT limits.

[0090180-001-AC, Specific Condition 29.]

**A.31. Continuous compliance with the NO<sub>x</sub> emission limits.** Continuous compliance with the NO<sub>x</sub> emission limits shall be demonstrated with the CEM system based on the applicable averaging time of 24-hr block average (DLN technology). For the 24-hr block average (lb/hr) emissions may be determined via EPA Method 19 or equivalent EPA approved methods. Based on CEMS data, a separate compliance determination shall be conducted at the end of each operating day and a new average emission rate shall be calculated from the arithmetic average of all valid hourly emission rates from the previous operating day. Valid hourly emission rates shall not include periods of startup, shutdown, or malfunction as defined in Rule 62-210.200 F.A.C., where emissions exceed the applicable NO<sub>x</sub> standard. These excess emissions periods shall be reported as required in Specific Conditions A.15. and A.16. A valid hourly emission rate shall be calculated for each hour in which at least two NO<sub>x</sub> concentrations are obtained at least 15 minutes apart.  
[Rules 62-4.070 and 62-210.700, F.A.C.; 40 CFR 75; and 090180-001-AC, Specific Condition 30.]

**A.32. Compliance with the SO<sub>2</sub> and PM/PM<sub>10</sub> emission limits.** Notwithstanding the requirements of Rule 62-297.310(7), F.A.C., the use of pipeline natural gas and maximum 0.05 percent sulfur, by weight, No. 2 or superior grade distillate fuel oil, is the method for determining compliance for SO<sub>2</sub> and PM<sub>10</sub>. For the purposes of demonstrating compliance with the 40 CFR 60.333 SO<sub>2</sub> standard and the 0.05% sulfur, by weight, limit, fuel oil analysis using ASTM D2880-941 or D4294-90 (or equivalent latest version) for the sulfur content of liquid fuels and D1072-80, D3031-81, D4084-82 or D3246-81 (or equivalent latest version) for sulfur content of gaseous fuel shall be utilized in accordance with the EPA-approved custom fuel monitoring schedule. The applicant is responsible for ensuring that the procedures above are used for determination of fuel sulfur content. Analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency pursuant to 40 CFR 60.335(e) (1997 version).  
[0090180-001-AC, Specific Condition 31.]

**A.33. Compliance with CO emission limit.** Annual compliance testing for CO may be conducted concurrently with the annual RATA testing for NO<sub>x</sub> required pursuant to 40 CFR 75 (required for gas only).  
[0090180-001-AC, Specific Condition 32.]

**A.33.1. Compliance with the VOC emission limit.** The CO emission limit shall be employed as surrogate, and *no annual testing for VOC is required.*  
[0090180-001-AC, Specific Condition 33.]

**A.34. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen-second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

- a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

- b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rule 62-297.401, F.A.C.]

**A.35. Operating Rate During Testing.** Testing of emissions shall be conducted with the combustion turbine operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum heat input rate allowed by the permit, corrected for the average ambient air temperature during the test (with 100 percent represented by a curve depicting heat input vs. ambient temperature). If it is impracticable to test at permitted capacity, the source may be tested at less than permitted capacity. In this case, subsequent operation is limited by adjusting the entire heat input vs. ambient temperature curve downward by an increment equal to the difference between the maximum permitted heat input (corrected for ambient temperature) and 110 percent of the value reached during the test until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity. Test procedures shall meet all applicable requirements (i.e., testing time frequency, minimum compliance duration, etc.) of Chapter 62-204.800 F.A.C.

[Rules 62-297.310(2) & (2)(b), F.A.C.; and 0090180-001-AC, Specific Condition 34.]

**A.36. Required Stack Sampling Facilities.** When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities. (See attachment.)

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

**A.37. Frequency of Compliance Tests.** The following provisions apply only to the combustion turbine system and only for the pollutants listed in Specific Conditions A.10. through A.14. for which compliance testing is required.

(a) Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of 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 require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- a. Did not operate; or
- b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

- a. Visible emissions (VE);
- b. Carbon monoxide (CO); and

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.

8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a baghouse or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C.; SIP approved; and 0090180-001-AC, Specific Condition 36.]

**A.38. Required Number of Test Runs**. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

**A.39. Calculation of Emission Rate**. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**A.40. Applicable Test Procedures**.

(a) Required Sampling Time.

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at

each sampling point shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

- a. (not applicable)
- b. (not applicable)
- c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1. (See attachment.)

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

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

### **Reporting and Recordkeeping Requirements**

**A.41. Records**. All measurements, records, and other data required to be maintained by the Oleander Power Project, L.P., shall be recorded in a permanent form and retained for at least **five (5)** years following the date on which such measurements, records, or data are recorded. These records shall be made available to DEP representatives upon request.

[0090180-001-AC, Specific Condition 38.]

**A.42. Emission Compliance Stack Test Reports**. A test report indicating the results of the required compliance tests shall be filed as per Specific Condition **A.51**. The test report shall provide sufficient detail on the tested emission unit and the procedures used to allow the Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in Rule 62-297.310(8), F.A.C.

[0090180-001-AC, Specific Condition 39.]

**A.43. Special Record Keeping Requirements**. The owner or operator shall obtain, make, and keep the following records related to fuel usage:

- (1) Monthly Fuel usage as heat input, for natural gas and fuel oil at the site.
- (2) Fuel usage as heat input, for natural gas and fuel oil at the site for each consecutive 12-month period.
- (3) Fuel usage as heat input, for natural gas and fuel oil at the site during each calendar year shall be submitted with the Annual Operation Report (AOR).

(4) Hours of operation for each combustion turbine shall be reported during each calendar year with the Annual Operation Report (AOR).  
[0090180-001-AC, Specific Condition 40.]

**A.44. Malfunction Reporting.** In the case of excess emissions resulting from malfunctions, the permittee shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.  
[Rule 62-210.700(6), F.A.C.]

**A.45. Test Reports - General Requirements.**

(a) The owner or operator an emissions unit for which a compliance test is required shall file a report with the Department's Central District Office on the results of each such test.

(b) The required test report shall be filed with the Department's Central District Office as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.



20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

**A.46.** The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form [see 40 CFR 60.7(d)] to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or, the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or, the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

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

[40 CFR 60.7(c)(1), (2), (3), and (4)]

**A.47.** The summary report form shall contain the information and be in the format shown in FIGURE 1 - SUMMARY REPORT-GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE (attached) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

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

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

[40 CFR 60.7(d)(1) and (2)]

**A.48.** (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent)

basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

- (i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;
- (ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR 60, Subpart A, and the applicable standard; and
- (iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in 40 CFR 60.7(e)(2).

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

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in 40 CFR 60.7(e)(1) and (e)(2).

[40 CFR 60.7(e)]

**A.49.** Any owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and, all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least 5 (five) years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7(f); and Rule 62-213.440(1)(b)2.b., F.A.C.]

**A.50. Test Notification.** The permittee shall notify the Department's Central District Office, in writing, at least 15 days prior to the date on which each formal annual compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted.

[Rule 62-297.310(7)(a)9., F.A.C.; 40 CFR 60.11; and 0090180-001-AC, Specific Condition 35.]

**A.51. Test Results.** Compliance test results shall be submitted to the Department's Central District Office no later than 45 days after completion of the last test run.

[Rule 62-297.310(8), F.A.C.; and 0090180-001-AC, Specific Condition 37.]

**Subsection B. Fuel Oil Storage Tanks**

<b>E.U. ID No.</b>	<b>Brief Description</b>
006	Fuel Oil Storage Tank (1.8-million gallon)
007	Fuel Oil Storage Tank (1.8-million gallon)

Emissions units 006 and 007 are two 1.8 million (1,800,000) gallon capacity No. 2 distillate fuel oil storage tanks.

{Permitting note: These emissions units are regulated under 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels, adopted by reference in Rule 62-204.800(7)(b), F.A.C., and Air Construction Permit PSD-FL-258 (0090180-001-AC).}

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

**B.1. Hours of Operation.** These emissions units are allowed to operate continuously, i.e., 8,760 hours/year.  
[Rule 62-4.160(2), F.A.C.; and Rule 62-210.200, F.A.C., Definitions - (PTE).]

**Recordkeeping Requirements**

**B.2.** The permittee shall maintain records on site for storage vessels identification numbers 006 and 007 to include the date of construction, the material storage capacity, and type of material stored for the life of these storage vessels.  
[40 CFR 60.116b(b)]

**Section IV. Acid Rain Part, Phase II.**

**Oleander Power Project**

Operated by: Oleander Power Project, L.P.

ORIS code: 55286

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

E.U. ID No.	Description
001	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
002	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
003	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)
004	Simple-Cycle Combustion Turbine-Electrical Generator (nominal 190 megawatt)

1. The Acid Rain Phase II Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

a. DEP Form No.62-210.900(1)(a), version 07/01/95, signed by the Designated Representative on May 4, 2000.

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

2. Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit are:

E.U. ID No.	EPA ID #	Year	2004	2005	2006	2007	2008
001	0-1	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
002	0-2	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
003	0-3	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0
004	0-4	SO <sub>2</sub> allowances to be determined by U.S. EPA.	0	0	0	0	0

3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

c. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

4. Where an applicable requirement of the Act is more stringent than applicable regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.

[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, F.A.C., Definitions – Applicable Requirements.]

Oleander Power Project, L.P.  
Oleander Power Project  
Permit No. 0090180-002-AV

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**Appendix H-1. Permit History/ID Number Changes.**

Permit History (for tracking purposes):

<b>E.U. ID No.</b>	<b>Description</b>	<b>Permit No.</b>	<b>Issue Date</b>	<b>Expiration Date</b>	<b>Revised Date(s)</b>
-001	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-002	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-003	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-004	Simple-Cycle Combustion Turbine	0090180-001-AC (PSD-FL-258)		3/26/03	
-006	Fuel Oil Storage Tank	0090180-001-AC (PSD-FL-258)		3/26/03	
-007	Fuel Oil Storage Tank	0090180-001-AC (PSD-FL-258)		3/26/03	

## Appendix I-1. List of Insignificant Emissions Units and/or Activities.

Oleander Power Project, L.P.  
Oleander Power Project

FINAL Permit No. 0090180-002-AV

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

### Brief Description of Emissions Units and/or Activities:

1.	Miscellaneous Buildings H.V.A.C.
2.	Sanitary Vents and Stacks.
3.	Miscellaneous Buildings Vent and Exhaust Systems.
4.	Miscellaneous Maintenance Facilities (e.g., air compressors, sandblasting units, lawn maintenance, etc.).
5.	Gas Bottle Storage.
6.	Unpaved Roads (i.e., fugitive dust).
7.	Sumps (oily wastewater separators).
8.	Light Fuel Oil Tanker Unloading Dock Area.
9.	Waste Accumulation and Product Storage Areas.
10.	Emergency Equipment (e.g., CO <sub>2</sub> -based fire protection system).
	The following activities are associated with the four Combustion Turbines, and are a representative sample of the total identified.
11.	Gas Line Vents for the Combustion Turbines.
12.	Lube Oil Storage Tank (6200 gallon).
13.	Auxiliary Cabinet Water Drains.
14.	Auxiliary Cabinet Oil Drains.
15.	Fuel Gas Heaters.

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

Oleander Power Project, L.P.  
**Oleander Power Project**

Permit No. **0090180-002-AV**  
 Facility ID No. **0090180**

These tables summarize information for convenience purposes only, and do not supersede any of the terms or conditions of this permit.

E.U. ID Nos.	Brief Description
-001	Simple-Cycle Combustion Turbine
-002	Simple-Cycle Combustion Turbine
-003	Simple-Cycle Combustion Turbine
-004	Simple-Cycle Combustion Turbine

Pollutant	Fuels	Allowable Emissions		Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
		Standard(s)	lbs./hour	lbs./hour	TPY		
Visible Emissions	gas	10% Opacity				0090180-001-AC	A.14.
	oil	10% Opacity					
Particulate Matter	gas			9		0090180-001-AC	
	oil			17			
Carbon Monoxide	gas	12 ppmvd	41.0			0090180-001-AC	A.12.
	oil	20 ppmvd	66.9				
Sulfur Dioxide	gas	1 grain sulfur per 100 scf	5.5			0090180-001-AC	A.13.
	oil	0.05% sulfur, by weight	103.4				
Nitrogen Oxides	gas	9 ppmvd	62.6			0090180-001-AC	A.11.
	oil	42 ppmvd					

Notes:

\*The "Equivalent Emissions" listed are for informational purposes only.

**Table 2-1. Summary of Compliance Requirements.**

Pollutant	Fuels	Compliance Method	Testing Time	CMS*	See permit condition(s)
			Frequency		
Visible Emissions	gas	EPA Method 9	Annual		A.30.
	oil				
Particulate Matter	gas	VE emissions shall serve as a surrogate.			A.32.
	oil				
Carbon Monoxide	gas	EPA Method 10	Annual		A.30.
	oil				
Sulfur Dioxide	gas	Fuel sampling and analysis	Daily		A.32.
	oil				
Nitrogen Oxides	gas	CMS*	Continuous	Yes	A.30., A.31.
	oil				

Notes:

\*CMS [=] continuous monitoring system



# Phase II Permit Application

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

This submission is:  New  Revised

**STEP 1**

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

<b>Oleander Power Project, L.P.</b> <small>Plant Name</small>	<b>FL</b> <small>State</small>	<b>55286</b> <small>ORIS Code</small>
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**STEP 2** Enter the boiler ID# from NADB for each affected unit and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

Compliance Plan				
a	b	c	d	e
Boiler ID#	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
0-1	Yes		March 2002	June 2002
0-2	Yes		"	"
0-3	Yes		"	"
0-4	Yes		"	"
0-5	Yes		"	"
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

**STEP 3**  
Check the box if the response in column c of Step 2 is "Yes for any unit"

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

Plant Name (from Step 1) **Oleander Power Project, L.P.**

**STEP 4**

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

**Standard Requirements**

Permit Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
  - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

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

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

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

Plant Name (from Step 1)

**Oleander Power Project, L.P.**

Recordkeeping and Reporting Requirements (cont)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

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

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

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

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

(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

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

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

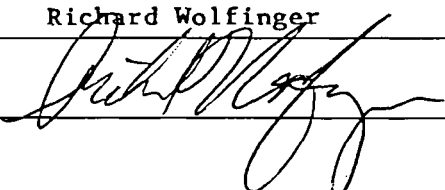
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

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

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

Certification

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


<b>Name</b>	Richard Wolfinger	
<b>Signature</b>		<b>Date</b> 5/4/00

STEP 5 (optional)  
Enter the source AIRS  
FINDS identification

AIRS
FINDS

## MEMORANDUM

TO: Joe Kahn

FROM: Trina Vielhauer 

DATE: July 7, 2003

SUBJECT: **FINAL Permit No. 0090180-002-AV**  
**Oleander Power Project, L.P.**  
**Oleander Power Project**

This is an initial Title V Air Operation Permit for the subject facility.

This facility consists of four, dual-fuel (natural gas and fuel oil), nominal 190 megawatt (MW) General Electric Frame 7FA simple-cycle combustion turbine-electrical generators with four 60-foot stacks, and two 1.8-million gallon capacity fuel oil storage tanks. Emissions from the combustion turbine units are controlled by Dry Low NO<sub>x</sub> (DLN) combustors when operating on natural gas, and wet injection when firing fuel oil. Inherently clean fuels and good combustion practices are employed to control all pollutants.

*No comments* were received from the applicant and/or the public at large concerning the DRAFT Title V Operation Permit, and *no comments* were received from U.S. EPA, Region 4, concerning the PROPOSED Title V Permit that was posted on the Department's web site on April 21, 2003.

**I recommend your signature.**

Attachment